

ESTTA Tracking number: **ESTTA547935**

Filing date: **07/11/2013**

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

## Petition for Cancellation

Notice is hereby given that the following parties request to cancel indicated registration.

### Petitioner Information

|         |  |             |         |
|---------|--|-------------|---------|
| Name    | Board of Trustees of The University of Alabama                 |             |         |
| Entity  | Corporation  | Citizenship | Alabama |
| Address | 401 Queen City Avenue<br>Tuscaloosa, AL 35401<br>UNITED STATES |             |         |

|         |   |             |               |
|---------|---|-------------|---------------|
| Name    | Paul W. Bryant Jr.  |             |               |
| Entity  | Individual  | Citizenship | UNITED STATES |
| Address | 1550 McFarland Blvd. North<br>Tuscaloosa, AL 35406<br>UNITED STATES |             |               |

|                      |  |  |  |
|----------------------|--|--|--|
| Attorney information | Alicia Grahm Jones<br>Kilpatrick Townsend & Stockton LLP<br>1100 Peachtree Street, Ste. 2800<br>Atlanta, GA 30309<br>UNITED STATES<br>aljones@ktslaw.com, chenn@ktslaw.com, hhenderson@ktslaw.com,<br>kteilhaber@ktslaw.com, tadmin@ktslaw.com |  |  |
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### Registration Subject to Cancellation

|                 |   |                   |            |
|-----------------|---|-------------------|------------|
| Registration No | 3993520   | Registration date | 07/12/2011 |
| Registrant      | Diaz, Richard<br>122 Fernway Drive<br>Enterprise, AL 36330<br>UNITED STATES |                   |            |

### Goods/Services Subject to Cancellation

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| Class 025. First Use: 2010/11/11 First Use In Commerce: 2010/11/11<br>All goods and services in the class are cancelled, namely: Bib shorts; Caps; Cloth bibs; Dresses; Gloves; Headbands; Infant and toddler one piece clothing; Infant diaper covers; Jackets; Nightshirts; Pants; Rain jackets; Scarves; Shirts; Shorts; Sweatshirts; T-shirts; Ties; Toboggan hats, pants and caps |
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### Grounds for Cancellation

|                                      |                            |
|--------------------------------------|----------------------------|
| False suggestion of a connection     | Trademark Act section 2(a) |
| Priority and likelihood of confusion | Trademark Act section 2(d) |

### Marks Cited by Petitioner as Basis for Cancellation

|                       |  |                       |            |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2706104  | Application Date      | 02/20/2001 |
| Registration Date     | 04/15/2003   | Foreign Priority Date | NONE       |
| Word Mark             | A  |                       |            |
| Design Mark           |  |                       |            |
| Description of Mark   | NONE   |                       |            |
| Goods/Services        | <p>Class 011. First use: First Use: 1998/09/00 First Use In Commerce: 1998/09/00<br/>[ FLASH LIGHTS, LAMPS, ELECTRIC NIGHT LIGHTS, WATER COOLERS ]</p> <p>Class 014. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00<br/>[ EARRINGS, NECKLACES, BRACELETS BEING JEWELRY, WATCHES, RINGS BEING JEWELRY, PENDANTS, ORNAMENTAL LAPEL PINS, MEDALLIONS ]</p> <p>Class 016. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00<br/>[ STICKERS, LETTERHEAD, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER, BOWS, PLAYING CARDS, ADDRESS BOOKS, APPOINTMENT BOOKS, PAPERWEIGHTS ]</p> <p>Class 020. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00<br/>[ SNOW GLOBES ]</p> <p>Class 021. First use: First Use: 1998/07/00 First Use In Commerce: 1998/07/00<br/>[ DRINKING GLASSES, SHOT GLASSES, STAINED GLASS DECORATION, DECORATIVE GLASS FIGURINES, WATER BOTTLES SOLD EMPTY, MUGS, PORTABLE COOLERS ]</p> <p>Class 025. First use: First Use: 1998/12/00 First Use In Commerce: 1998/12/00<br/>MEN'S, WOMEN'S AND CHILDREN'S CLOTHING, NAMELY, HATS, SOCKS, SHOES, SHIRTS, SHORTS, PANTS, JACKETS, JERSEYS, T-SHIRTS</p> <p>Class 028. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00<br/>[ STUFFED ANIMALS, YO-YO'S, SPRING TOYS, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES, CHRISTMAS TREE ORNAMENTS ]</p> |                       |            |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 3730292  | Application Date      | 02/20/2001 |
| Registration Date     | 12/29/2009   | Foreign Priority Date | NONE       |
| Word Mark             | ALABAMA CRIMSON TIDE   |                       |            |
| Design Mark           |  |                       |            |
| Description of Mark   | NONE   |                       |            |
| Goods/Services        | <p>Class 006. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00<br/>METAL AND NON-METAL KEY CHAINS, METAL LICENSE PLATES, METAL PADLOCKS</p> <p>Class 011. First use: First Use: 1998/09/00 First Use In Commerce: 1998/09/00<br/>FLASH LIGHTS, LAMPS, ELECTRIC NIGHT LIGHTS, WATER COOLERS</p> <p>Class 014. First use: First Use: 1998/08/00 First Use In Commerce: 1998/08/00<br/>EARRINGS, NECKLACES, BRACELETS BEING JEWELRY, WATCHES, RINGS BEING JEWELRY, PENDANTS, ORNAMENTAL LAPEL PINS, MEDALLIONS</p> <p>Class 016. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00</p> |                       |            |

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|  | <p>STICKERS, LETTERHEAD STATIONERY, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER, BOWS, PLAYING CARDS, ADDRESS BOOKS, APPOINTMENT BOOKS, PAPERWEIGHTS, MEDIA GUIDES, PROGRAMS, BROCHURES ABOUT UPCOMING EVENTS AND EDUCATIONAL AND ENTERTAINMENT PROGRAMS AT THE UNIVERSITY OF ALABAMA, PARKING DECALS, ENVELOPES, PAPER BAGS AND POUCHES FOR PACKAGING</p> <p>Class 020. First use: First Use: 1998/09/00 First Use In Commerce: 1998/09/00<br/>BAR STOOLS, BUNK BEDS, CHAIRS, BENCHES, TABLES, BABY CRIBS, WOODEN PICTURE FRAMES, SNOW GLOBES, PLASTIC NOVELTY LICENSE PLATES, METAL PICTURE FRAMES</p> <p>Class 021. First use: First Use: 1998/07/00 First Use In Commerce: 1998/07/00<br/>Drinking GLASSES, SHOT GLASSES, STAINED GLASS DECORATION, DECORATIVE GLASS FIGURINES, WATER BOTTLES SOLD EMPTY, MUGS, BOTTLE OPENERS, PORTABLE COOLERS</p> <p>Class 025. First use: First Use: 1998/07/00 First Use In Commerce: 1998/07/00<br/>MEN'S, WOMEN'S AND CHILDREN'S Clothing - NAMELY, HATS, SOCKS, SHOES, SHIRTS, SHORTS, PANTS, JACKETS, JERSEYS, T-SHIRTS</p> <p>Class 028. First use: First Use: 1998/09/00 First Use In Commerce: 1998/09/00<br/>STUFFED ANIMALS, YO-YO'S, SPRING TOYS, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES, CHRISTMAS TREE ORNAMENTS</p> <p>Class 041. First use: First Use: 1998/08/00 First Use In Commerce: 1998/08/00<br/>EDUCATIONAL SERVICES, NAMELY, UNIVERSITY UNDERGRADUATE, GRADUATE, EXTENSION, AND COMMUNITY EDUCATION, PUBLIC LECTURES, AND WORKSHOPS, SEMINARS, AND CONFERENCES CONDUCTED IN CONNECTION WITH THE FOREGOING</p> |
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| U.S. Registration No. | 3730291  | Application Date      | 02/20/2001 |
| Registration Date     | 12/29/2009   | Foreign Priority Date | NONE       |
| Word Mark             | BAMA   |                       |            |
| Design Mark           |  |                       |            |
| Description of Mark   | NONE   |                       |            |
| Goods/Services        | <p>Class 006. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00<br/>METAL KEY CHAINS; METAL LICENSE PLATES; METAL PADLOCKS</p> <p>Class 011. First use: First Use: 1998/09/00 First Use In Commerce: 1998/09/00<br/>FLASH LIGHTS, LAMPS, ELECTRIC NIGHT LIGHTS, WATER COOLERS</p> <p>Class 014. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00<br/>EARRINGS, NECKLACES, BRACELETS BEING JEWELRY, WATCHES, RINGS BEING JEWELRY, PENDANTS</p> <p>Class 016. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00<br/>STICKERS, LETTERHEAD STATIONERY, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER AND BOWS, PLAYING CARDS, ADDRESS BOOKS, APPOINTMENT BOOKS, PAPER WEIGHTS, MEDIA GUIDES, PROGRAMS, BROCHURES ABOUT UPCOMING UNIVERSITY EVENTS AND EDUCATIONAL AND ENTERTAINMENT PROGRAMS, PARKING DECALS, ENVELOPES, PAPER BAGS AND POUCHES FOR PACKAGING</p> <p>Class 020. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00<br/>BAR STOOLS, BUNK BEDS, CHAIRS, BENCHES, FURNITURE TABLES,</p> |                       |            |

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|  | <p>BABY CRIBS, WOODEN PICTURE FRAMES AND COAT HANGERS, SNOW GLOBES, PLASTIC NOVELTY LICENSE PLATES, METAL PICTURE FRAMES, NON-METAL KEY CHAINS</p> <p>Class 021. First use: First Use: 1998/07/00 First Use In Commerce: 1998/07/00<br/>DRINKING GLASSES, SHOT GLASSES, STAINED GLASS DECORATION, DECORATIVE GLASS FIGURINES, WATER BOTTLES SOLD EMPTY, MUGS, PORTABLE COOLERS</p> <p>Class 025. First use: First Use: 1998/08/00 First Use In Commerce: 1998/08/00<br/>MEN'S, WOMEN'S AND CHILDREN'S CLOTHING, NAMELY, HATS, SOCKS, SHOES, SHIRTS, SHORTS, PANTS, JACKETS, JERSEYS, T-SHIRTS</p> <p>Class 028. First use: First Use: 1999/11/00 First Use In Commerce: 1999/11/00<br/>STUFFED ANIMALS, YO-YO'S, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES, CHRISTMAS TREE ORNAMENTS</p> |
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| U.S. Registration No. | 1322955  | Application Date      | 09/30/1982 |
| Registration Date     | 03/05/1985   | Foreign Priority Date | NONE       |
| Word Mark             | A CRIMSON TIDE   |                       |            |
| Design Mark           |  |                       |            |
| Description of Mark   | NONE   |                       |            |
| Goods/Services        | <p>Class 006. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>Key Chains</p> <p>Class 009. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Megaphones and Sunglasses ]</p> <p>Class 011. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Commode Seats and Electric Lamps ]</p> <p>Class 014. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Clocks ]</p> <p>Class 016. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Notebooks, Notepad Holders, Wall Calendars, ] Pens, and Decals</p> <p>Class 018. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Garment Bags for Travel and Umbrellas ]</p> <p>Class 020. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Stadium Cushions, and Decorative Wall Plaques ]</p> <p>Class 021. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Drinking Mugs, Glasses, and Cups, Insulating Sleeve-Holders for Beverage Cans and Picnic Coolers ]</p> <p>Class 024. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Blankets and Pennants ]</p> <p>Class 025. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[ Undershirts, Shirts, T-Shirts, Jerseys, Sweat Shirts, Sweat Suits, Shorts, and Caps ]</p> |                       |            |

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| U.S. Registration No. | 1351302    | Application Date      | 09/30/1982 |
| Registration Date     | 07/30/1985 | Foreign Priority Date | NONE       |

|                       |   |                  |            |
|-----------------------|---|------------------|------------|
| Word Mark             | A   |                  |            |
| Design Mark           |   |                  |            |
| Description of Mark   | NONE  |                  |            |
| Goods/Services        | <p>Class 006. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>Key Rings, [Metal License Plates, and License Plate Frames]</p> <p>Class 009. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Megaphones]</p> <p>Class 011. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Commode Seats, Electrical Fans for Domestic Use, Electric Nightlights, and Lamps]</p> <p>Class 012. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Bicycles, Tricycles, Baby Carriages, and Car Horns]</p> <p>Class 014. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Gold Pins, Tie Tacs, Necklaces, Bracelets, Jewelry Chains, Broaches, Rings,] Watches, [and Clocks]</p> <p>Class 016. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Books, Notebooks, Looseleaf Binders, Writing Paper and Envelopes, Desk Pads, Notepad Holders, Letter Openers, Pencil Cups, Plastic Containers for Paper Clips, Lap Boards for Holding Books and Paper, Appointment Books, Address Books, Wall Calendars, Protective Binders for Diplomas, Pens, Pen and Pencil Sets, Book Ends, Decals, Postcards, Bumper Stickers and Playing Cards]</p> <p>Class 018. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[School Book Bags, Tote Bags, Hand Luggage, Briefcases, Attache Cases, Briefcase Type Portfolios, Backpacks, Garment Bags for Travel, Wallets, and Umbrellas]</p> <p>Class 020. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Pillows, Stadium Cushions, Chairs, Chair Cushions, and Decorative Wall Plaques]</p> <p>Class 021. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>Drinking [Mugs,] Glasses, [Cups, Plates, Vacuum Bottles, Picnic Coolers, Soap Dishes, Ceramic Statues, and Wastebaskets]</p> <p>Class 024. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Towels, Blankets, Pennants, and Banners]</p> <p>Class 025. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Sleep Shirts, Robes, Shirts, T-Shirts, Tennis Shirts, Ladies' Tops, Jerseys, Warm-Up Suits, Sweaters, Blazers, Jackets, Vests, Shorts, Baby Pants, Bibs, Ties,] Shoes, [Mittens, Scarves, Socks, Caps, and Visors]</p> <p>Class 026. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Belt Buckles, Buttons for Clothing, and Clothing Patches]</p> <p>Class 027. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Door Mats]</p> <p>Class 028. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Racquet Covers, Footballs, Basketballs, Toy Stuffed Animals, and Toy Flying Discs]</p> <p>Class 034. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00<br/>[Ashtrays, Cigarette Lighters, and Pipes]</p> |                  |            |
| U.S. Registration No. | 2745882   | Application Date | 02/20/2001 |

|                     |   |                       |      |
|---------------------|---|-----------------------|------|
| Registration Date   | 08/05/2003  | Foreign Priority Date | NONE |
| Word Mark           | A   |                       |      |
| Design Mark         |   |                       |      |
| Description of Mark | NONE  |                       |      |
| Goods/Services      | <p>Class 006. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00 METAL AND NON-METAL KEY CHAINS, METAL LICENSE PLATES [, METAL PADLOCKS ]</p> <p>Class 014. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00 EARRINGS, NECKLACES, BRACELETS BEING JEWELRY, WATCHES [, RINGS BEING JEWELRY, ] PENDANTS, ORNAMENTAL LAPEL PINS [, MEDALLIONS ]</p> <p>Class 016. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00 STICKERS, [ LETTERHEAD STATIONERY, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER, BOWS, PLAYING CARDS, ADDRESS BOOKS, ] APPOINTMENT BOOKS, PAPER WEIGHTS, [ MEDIA GUIDES, PROGRAMS, BROCHURES ABOUT UPCOMING EVENTS AND EDUCATIONAL AND ENTERTAINMENT PROGRAMS AT THE UNIVERSITY OF ALABAMA, PARKING DECALS, ENVELOPES, ] PAPER BAGS AND POUCHES FOR PACKAGING</p> <p>Class 020. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00 [ BAR STOOLS, BUNK BEDS, CHAIRS, BENCHES, ] TABLES, [ BABY CRIBS, WOODEN PICTURE FRAMES, ] SNOW GLOBES, [ PLASTIC NOVELTY LICENSE PLATES, ] METAL PICTURE FRAMES</p> <p>Class 021. First use: First Use: 1998/07/00 First Use In Commerce: 1998/07/00 DRINKING GLASSES, [ SHOT GLASSES, ] STAINED GLASS DECORATION, DECORATIVE GLASS FIGURINES [, WATER BOTTLES SOLD EMPTY, MUGS, BOTTLE OPENERS ]</p> <p>Class 025. First use: First Use: 1998/08/00 First Use In Commerce: 1998/08/00 [ MEN'S WOMEN'S AND CHILDREN'S CLOTHING; NAMELY, HATS, SOCKS, SHOES, SHIRTS, SHORTS, PANTS, JACKETS, JERSEYS, T-SHIRTS ] * MEN'S CLOTHING, NAMELY, HATS, SHIRTS, JERSEYS; WOMEN'S CLOTHING, NAMELY, SHORTS, SHIRTS, PANTS; CHILDREN'S CLOTHING, NAMELY, SOCKS, SHIRTS, PANTS, JACKETS *</p> <p>Class 028. First use: First Use: 1999/11/00 First Use In Commerce: 1999/11/00 TOY STUFFED ANIMALS, [YO-YO'S, SPRING TOYS, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES, ] CHRISTMAS TREE ORNAMENTS</p> <p>Class 041. First use: First Use: 1998/08/00 First Use In Commerce: 1998/08/00 EDUCATIONAL SERVICES, NAMELY, UNIVERSITY UNDERGRADUATE, GRADUATE, EXTENSION, AND COMMUNITY EDUCATION, PUBLIC LECTURES, AND WORKSHOPS, SEMINARS, AND CONFERENCES CONDUCTED IN CONNECTION WITH THE FOREGOING</p> |                       |      |

|             |  |
|-------------|--|
| Attachments | <p>Petition to Cancel (Reg. No. 3993520 TM Houndstooth Elephant Design).pdf(972229 bytes )</p> <p>Exhibits (Houndstooth Elephant Design).pdf(2750446 bytes )</p> |
|-------------|--|

## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address

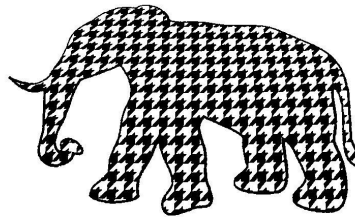
record by First Class Mail on this date.

|           |                      |
|-----------|----------------------|
| Signature | /Alicia Grahm Jones/ |
| Name      | Alicia Grahm Jones   |
| Date      | 07/11/2013           |





nightshirts; pants; rain jackets; scarves; shirts; shorts; sweatshirts; t-shirts; ties; toboggan hats; pants and caps” in International Class 25, registered on July 12, 2011, claiming a date of first use of November 11, 2010 (“Registrant’s Mark”).



### **THE UNIVERSITY’S ELEPHANT DESIGN MARKS**

3. The University of Alabama (the “University”), which is governed by the Board of Trustees, was founded in 1831, and was the State of Alabama’s first university. For the past five years, the University has been named one of the nation’s top 50 public universities by *U.S. News & World Report*. The University’s immediate economic impact on the State of Alabama measures approximately \$1.7 billion each year.

4. The University’s athletics teams have enjoyed tremendous success, winning 23 National Championships and countless other conference championships and individual achievements. As a result, the University’s athletic teams have been extensively featured on television broadcasts and in print and online media nationwide for decades.

5. Since as early as the 1930s, reporters have referred to the University’s football linemen as “Red Elephants.” Growing out of this nickname, the University adopted an elephant mascot. In 1979, the student body selected the elephant as the official mascot. Today the University’s official mascot, Big Al, is central to the University’s athletic identity and present at most athletic events. (The University’s elephant mascot is hereinafter referred to as the “University’s Elephant Mascot”).

6. The University's Elephant Mascot has appeared in various forms throughout the years, including as depicted below:



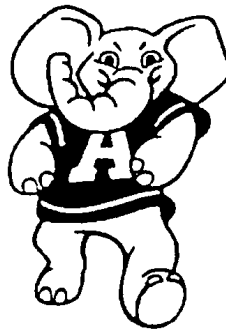
7. Because of extensive media coverage of the University's athletics, literally millions of fans of the University and of college athletics in general have been exposed to the University's Elephant Mascot.

8. In 2002, the University's Elephant Mascot was selected to the Capital One All-America Mascot Team and competed against ten other collegiate mascots in the nationally publicized competition for the title of National Mascot of the Year, exposing innumerable college football fans to the University's Elephant Mascot as a symbol of the University and its athletic teams.

9. The University uses numerous graphic depictions of the Elephant Mascot. As a result, various elephant design marks have become source identifiers for the University's education and athletic goods and services.

10. The University owns a federal registration for the mark A & Baby Elephant Design (Reg. No. 2,706,104), depicted at the top of the next page, for "flashlights, lamps, electric night lights, and water coolers" in International Class 11; for "earrings, necklaces, bracelets being jewelry, watches, rings being jewelry, pendants, ornamental lapel pins, and medallions" in International Class 14; for "stickers, letterhead, postcards, blank note cards, wrapping paper, bows, playing cards, address books, appointment books, and paperweights" in International

Class 16; for “drinking glasses, shot glasses, stained glass decoration, decorative glass figurines, water bottles sold empty, mugs, and portable coolers” in International Class 21; for “men’s, women’s and children’s clothing, namely, hats socks, shirts, shorts, pants, jackets, jerseys, and t-shirts” in International Class 25 ; and for “stuffed animals, yo-yos, spring toys, basketballs, golf balls, footballs, toy model cars and planes, board games, and Christmas tree ornaments” in International Class 28, registered on April 15, 2003, claiming first use dates of September, 1998 for Class 11; June, 1998, for Class 14; November, 1998 for Class 16; July, 1998, for Class 21; December, 1998, for Class 25; and April, 1999, for Class 28.

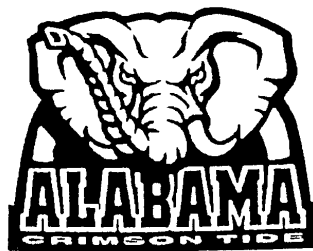


A true and correct copy of the TSDR Record for the mark A & Elephant Design (Reg. No. 2,706,104) is attached as **Exhibit A**.

11. The University has complied with all requirements necessary to maintain its registration of the mark A & Elephant Design (Reg. No. 2,706,104), which is now incontestable under 15 U.S.C. § 1065.

12. The University owns a federal registration for the mark ALABAMA CRIMSON TIDE & Elephant Design (Reg. No. 3,730,292), depicted on the next page, for “metal and non-metal key chains, metal license plates, metal padlocks” in International Class 6; for “flashlights, lamps, electric night lights, water coolers” in International Class 11; for “earrings, necklaces,

bracelets being jewelry, watches, rings being jewelry, pendants, ornamental lapel pins, medallions” in International Class 14; for “stickers, letterhead stationery, postcards, blank note cards, wrapping paper, bows, playing cards, address books, appointment books, paperweights, media guides, programs, brochures about upcoming events and education and entertainment programs at the University of Alabama, parking decals, envelopes, paper bags and pouches for packaging” in International Class 16; for “bar stools, bunk beds, chairs, benches, tables, baby cribs, wooden picture frames, snow globes, plastic novelty license plates, metal picture frames” in International Class 20; for “drinking glasses, shot glasses, stained glass decoration, decorative glass figurines, water bottles sold empty, mugs, portable coolers” in International Class 21; for “men’s, women’s and children’s clothing, namely, hats socks, shirts, shorts, pants, jackets, jerseys, t-shirts” in International Class 25; for “stuffed animals, yo-yos, spring toys, basketballs, golf balls, footballs, toy model cars and planes, board games, Christmas tree ornaments” in International Class 28; and for “Educational services, namely, university undergraduate, graduate, extension, and community education, public lectures, and workshops, seminars, and conferences conducted in connection with the foregoing” in International Class 41; registered on December 29, 2009, claiming first use dates of June, 1998, for Classes 6; September, 1998, for Classes 11, 20, and 28; August, 1998, for Classes 14, and 41; November, 1998, for Class 16; and July, 1998, for Classes 21 and 25.



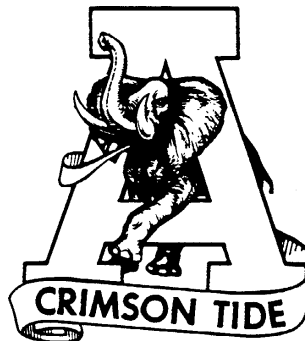
A true and correct copy of the TSDR Record for the ALABAMA CRIMSON TIDE & Elephant Design Mark (Reg. No. 3,730,292) is attached as **Exhibit B**.

13. The University owns a federal registration for the mark BAMA & Elephant Design (Reg. No. 3,730,291), depicted on the next page, for “metal key chains, metal license plates, metal padlocks” in International Class 6; for “flashlights, lamps, electric night lights, water coolers” in International Class 11; for “earrings, necklaces, bracelets being jewelry, watches, rings being jewelry, pendants” in International Class 14; for “stickers, letterhead stationery, postcards, blank note cards, wrapping paper and bows, playing cards, address books, appointment books, paperweights, media guides, programs, brochures about upcoming events and education and entertainment programs at the University of Alabama, parking decals, envelopes, paper bags and pouches for packaging” in International Class 16; for “bar stools, bunk beds, chairs, benches, furniture tables, baby cribs, wooden picture frames and coat hangers, snow globes, plastic novelty license plates, metal picture frame, non-metal key chains” in International Class 20; for “drinking glasses, shot glasses, stained glass decoration, decorative glass figurines, water bottles sold empty, mugs, portable coolers” in International Class 21; for “men’s, women’s and children’s clothing, namely, hats socks, shirts, shorts, pants, jackets, jerseys, t-shirts” in International Class 25; and for “stuffed animals, yo-yos, spring toys, basketballs, golf balls, footballs, toy model cars and planes, board games, Christmas tree ornaments” in International Class 28; registered on December 29, 2009, claiming first use dates of June, 1998, for Class 6 and 14; September, 1998, for Class 11; November, 1998, for Class 16; April, 1999, for Class 20; July, 1998, for Classes 21; August, 1998, for Class 25; and November, 1999, for Class 28.



A true and correct copy of the TSDR Record for the mark BAMA & Elephant Design (Reg. No. 3,730,291) is attached as **Exhibit C**.

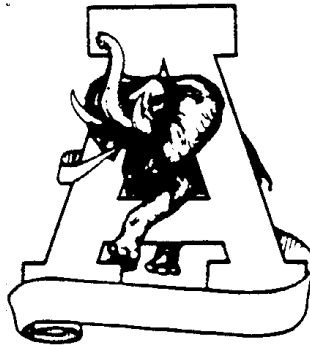
14. The University owns a federal registration for the mark A CRIMSON TIDE & Elephant Design (Reg. No. 1,322,955), depicted at the top of the next page, for “key chains” in International Class 6; and for “pens and decals” in International Class 16, registered on March 5, 1985, claiming a first use date of 1973.



A true and correct copy of the TSDR Record for the CRIMSON TIDE & Elephant Design (Reg. No. 1,322,955) is attached as **Exhibit D**.

15. The University has complied with all requirements necessary to maintain its registration of the mark A CRIMSON TIDE & Elephant Design (Reg. No. 1,322,955), which is now incontestable under 15 U.S.C. § 1065.

16. The University owns a federal registration for the mark A & Elephant Design (Reg. No. 1,351,302), depicted below, for “key rings” in International Class 6; for “watches” in International Class 14; for “drinking glasses” in Class 21; and for “shoes” in International Class 25, registered on July 30, 1985, claiming a first use date of 1973.



A true and correct copy of the TSDR Record for the mark A & Elephant Design (Reg. No. 1,351,302) is attached as **Exhibit E**.

17. The University has complied with all requirements necessary to maintain its registration of the mark A & Elephant Design (Reg. No. 1,351,302), which is now incontestable under 15 U.S.C. § 1065.

18. The University owns a federal registration for the mark A & Elephant Design (Reg. No. 2,745,882), depicted on the next page, for “metal and non-metal key chains, metal license plates” in International Class 6; for “earrings, necklaces, bracelets being jewelry, watches, rings being jewelry, pendants, ornamental lapel pins” in International Class 14; for “stickers, appointment books, paperweights, paper bags and pouches for packaging” in International Class 16; for “tables, snow globes, metal picture frames” in International Class 20; for “drinking glasses, stained glass decoration, decorative glass figurines” in International Class 21; for “men’s clothing, namely, hats, shirts, jerseys; women’s clothing, namely, shirts, shorts,

pants; children's clothing, namely, socks, shirts, pants, jackets" in International Class 25; for "toy stuffed animals, Christmas tree ornaments" in International Class 28; and for "Educational services, namely, university undergraduate, graduate, extension, and community education, public lectures, and workshops, seminars, and conferences conducted in connection with the foregoing" in International Class 41; registered on August 5, 2003; claiming a first use date of June, 1998, for Classes 6 and 14; September, 1998, for Class 16; April, 1999, for Class 20; July, 1998, for Class 21; August, 1998, for Classes 25 and 41; and September, 1999, for Class 28.



A true and correct copy of the TSDR Record for the mark A & Elephant Design (Reg. No. 2,745,882) is attached as **Exhibit F**.

19. The University has complied with all requirements necessary to maintain its registration of the mark A & Elephant Design (Reg. No. 2,745,882), which is now incontestable under 15 U.S.C. § 1065.

20. The University's trademarks in paragraphs 5 – 19 are collectively referred to as the "University's Elephant Design Marks."

21. For decades and well before Registrant's first use (actual or constructive) of Registrant's Mark, the University has used its Elephant Design Marks in connection with a variety of products and services, including apparel. The University's licensed products are sold



across the United States. Indeed, in the past five years alone, licensed sales of University-related apparel and other products, a large portion of which bear the University's Elephant Design Marks, exceeded \$300 million.

22. As a result of the University's longstanding and extensive use, the University's Elephant Design Marks are symbolic of the extensive goodwill and consumer recognition established by the University. The University's Elephant Design Marks have attained a high degree of distinctiveness and recognition throughout the United States in connection with educational services, apparel, and other goods and services commonly associated with a university as an educational institution and its athletic department. By virtue of the University's expenditure of substantial amounts of time, effort, and money in advertising and promoting its goods and services, the University's Elephant Design Marks have come to identify the University's athletics and other goods and services. Purchasers and prospective purchasers, as well as other members of the public, are familiar with and identify the University's Elephant Design Marks, and understand and expect that a wide variety of goods and services offered under the University's Elephant Design Marks are affiliated, sponsored, or licensed by the University. Indeed, the University's Elephant Design Marks have become well-known for the University's goods and services, including apparel.

#### **THE FAMOUS HOUNDSTOOTH HAT OF COACH PAUL "BEAR" BRYANT**

23. Paul W. "Bear" Bryant was the University's famous football coach from 1958 to 1982. Coach Bryant was national coach of the year three times and SEC coach of the year eight times. Coach Bryant coached six national championship teams and led the University to thirteen SEC championships. In 1982, Coach Bryant retired from coaching with more than 300 wins. Coach Bryant died in 1983.

24. Paul W. Bryant, Jr. is the heir to Coach Bryant and successor-in-interest to the rights Coach Bryant had in his name, likeness, image, and trademarks.

25. On the sidelines of University games, Coach Bryant frequently wore a houndstooth-patterned or a similarly checkered-patterned hat, as depicted below:



26. Coach Bryant's signature houndstooth-patterned hat is an instantly recognizable symbol associated with Coach Bryant and the University (Petitioners' houndstooth-pattern is hereinafter referred to as the "Houndstooth Pattern"). Over the past twenty years, the media

repeatedly has made reference to the Houndstooth Pattern as a shorthand reference to Coach Bryant and to the University. For example:

- “In Tuscaloosa, Ala., there are three things that reign supreme: Crimson Tide football, Bear Bryant, and houndstooth. . . . Given a choice between houndstooth or the latest design from Louis Vuitton or Gucci, the true Tide fan would not hesitate to side with the Bear.” Marquavis Burnett, *Postcard From Alabama: A Pattern Always In Fashion*, New York Times, October 11, 2011.
- “For Alabama fans, who have been waiting for this generation’s Bear Bryant to arrive for nearly three decades, let the hysteria commence. . . . This is a place where hospitals swaddle babies in ‘Bama crimson blankets moments after they’re born. This is a place where houndstooth never goes out of style.” Kelly Whiteside, *Alabama Runs Off with Title*, USA Today, January 8, 2010.
- “You won’t ever catch Saban wearing the houndstooth hat that was the symbol of Alabama’s revered icon Paul “Bear” Bryant. But plenty of Tide fans must be beginning to think the hat might fit. Greg Cote, *In My Opinion: Crimson Tide Ruin Florida Gators’ Perfect Ending*, Miami Herald, December 6, 2009.
- “Football is so enmeshed with Alabama’s identity that women wear houndstooth scarves to match their purses and babies are rocked to sleep from Mobile to Muscle Shoals with whispered tales about Bear Bryant.” Pete Thamel, *Alabama Knocks Florida Off Top*, New York Times, December 6, 2009.
- “Alabama (6-0, 3-0 SEC) ranked No. 2 in the polls and playing the kind of physical, bloody-your-nose football the guy in the houndstooth hat would have loved.” Chris Low, *SEC Midseason Review*, ESPN.com, October 15, 2008, located at <http://myspn.go.com/blogs/secconf/0-1-625/SEC-midseasonoverview.html>.
- “Wrote Chris Low on ESPN.com: ‘Munson was a homer all right, but he was also a treasure. I equate his voice with southern football much the same way as I do Bear Bryant’s houndstooth hat, Howard’s Rock and Tiger Stadium on a Saturday night.’” Ron Bellamy, *Going 0-fer vs. MWC?*, The Register Guard, September 26, 2008.
- “The 12-year-old wore a houndstooth hat - à la University of Alabama football coach Bear Bryant - when he accepted the savings bond on Tuesday. ‘There’s no doubt he wants to go to Alabama,’ his mother said.” Niki Doyle, *Freeman Children Get Savings Bond*, Huntsville Times, September 17, 2008.
- “The Houndstooth hat most famously worn by legendary coach Paul ‘Bear’ Bryant, has always loomed large at Alabama. Never quite this large.” Charles Goldberg, *College Beat*, Birmingham News, August 28, 2008 (Sports).

27. A portion of the royalties generated from the University's licensing program provide financial support for the Paul W. Bryant Museum (the "Museum"), which is operated by the University. The Museum exhibits artifacts and memorabilia that trace the long history of University of Alabama football. Among other prominent displays involving Coach Bryant, a special video production chronicles and highlights his amazing career. The Museum has long used the Houndstooth Pattern hat image as a prominent component of its trademark, as depicted below, which is used in connection with museum services and apparel:



Copies of records from the Alabama Secretary of State's website and Saegis reflecting State of Alabama trademark registrations for the mark are attached as **Exhibit G**.

28. For many years, and well before Registrant's first use (actual or constructive) of Registrant's Mark, the University has authorized use of the Houndstooth Pattern in connection with its licensing program. Examples of University licensed apparel products bearing the Houndstooth Pattern are depicted below:





29. Indeed, the University has authorized use of the Houndstooth Pattern in connection with of its Elephant Design Marks since at least as early as July 30, 2010. Examples of University licensed apparel products bearing the Houndstooth Pattern and the Elephant Design Mark are depicted below:



30. As a result of Petitioners' longstanding and extensive use, the Houndstooth Pattern is symbolic of the extensive goodwill and consumer recognition established by the

University and Coach Bryant. The Houndstooth Pattern has come to identify Coach Bryant, the University, its athletic teams, and other goods and services.

31. Petitioners' Houndstooth Pattern and the University's Elephant Design Marks are collectively referred to as "Petitioners' Marks."

32. Petitioners are suffering ongoing damage as a result of the registration of Registrant's Mark in connection with apparel because Registrant's Mark and its associated goods so resemble Petitioners' Marks and the associated goods and services as to be likely to cause confusion, mistake, and deception. The goods offered under Registrant's Mark are similar—and in some instances identical—to the goods offered under Petitioners' Marks. Indeed, on information and belief, Registrant developed Registrant's Mark with the direct intent to refer to the University and to a "symbol for [University of] Alabama fans everywhere." A true and correct copy of Registrant's Facebook page explaining the meaning of Registrant's Mark is attached as **Exhibit H**. Moreover, on information and belief, Registrant's features licensed apparel bearing the University's trademarks—including the Elephant Design Marks—on Registrant's Facebook page, thereby exacerbating the likelihood of consumer confusion. True and correct copies of web print outs from Registrant's Facebook page are attached as **Exhibit I**. On further information and belief, Registrant actively markets and sells apparel bearing Registrant's Mark to fans, students, and alumni of the University and at the University's events.

33. Persons familiar with Petitioners are likely to believe erroneously that Registrant's goods are offered by Petitioners or are authorized, licensed, endorsed, or sponsored by Petitioners, and registration of Registrant's Mark on the Principal Register will be inconsistent with Petitioners' rights in Petitioners' Marks.

34. Registrant's Mark also falsely suggests a connection with or endorsement by Petitioners and Coach Bryant, in violation of Section 2(a) of the Lanham Act, 15 U.S.C. § 1052(a).

35. The fee in the amount of \$600.00 is filed herewith. The Commissioner is authorized to debit the deposit account of Kilpatrick Stockton LLP (deposit account No. 11-0860) for any deficiency in the required fee.

WHEREAS, Petitioners request that U.S. Trademark Registration No. 3,993,520 be cancelled in its entirety and this Petition to Cancel be sustained in favor of Petitioners.

Dated: July 11, 2013

Respectfully submitted,

/s/ Alicia Grahm Jones  
R. Charles Henn Jr.  
Alicia Grahm Jones  
Harris W. Henderson  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 20309-4530  
(404) 815-6500

Attorneys for Petitioners

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing PETITION TO CANCEL was served on Registrant on July 11, 2013 via first class mail to:

Richard Diaz  
122 Fernway Drive  
Enterprise, Alabama 36330

/s/ Harris W. Henderson  
Counsel for Petitioners

**CERTIFICATE OF TRANSMITTAL**

I hereby certify that a true copy of the foregoing PETITION TO CANCEL is being filed electronically with the TTAB via ESTTA on this day, July 11, 2013.

/s/ Harris W. Henderson  
Counsel for Petitioners



## **Exhibit A**

**Generated on:** This page was generated by TSDR on 2013-07-11 08:11:38 EDT

**Mark:** A



**US Serial Number:** 76212792  
**US Registration Number:** 2706104  
**Register:** Principal  
**Mark Type:** Trademark  
**Status:** The registration has been renewed.  
**Status Date:** May 06, 2013  
**Publication Date:** Jan. 21, 2003

**Application Filing Date:** Feb. 20, 2001  
**Registration Date:** Apr. 15, 2003

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## Mark Information

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**Mark Literal Elements:** A  
**Standard Character Claim:** No  
**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)  
**Color(s) Claimed:** Color is not claimed as a feature of the mark.  
**Design Search Code(s):** 03.03.01 - Elephants; Mammoths; Mastodons  
03.03.24 - Stylized Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas

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## Related Properties Information

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**Claimed Ownership of US Registrations:** 1318889, 1322955, 1325940 and others

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## Goods and Services

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

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

**For:** [ FLASH LIGHTS, LAMPS, ELECTRIC NIGHT LIGHTS, WATER COOLERS ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** Sep. 1998

**Use in Commerce:** Sep. 1998

**For:** [ EARRINGS, NECKLACES, BRACELETS BEING JEWELRY, WATCHES, RINGS BEING JEWELRY, PENDANTS, ORNAMENTAL LAPEL PINS, MEDALLIONS ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** Jun. 1998

**Use in Commerce:** Jun. 1998

**For:** [ STICKERS, LETTERHEAD, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER, BOWS, PLAYING CARDS, ADDRESS BOOKS, APPOINTMENT BOOKS, PAPERWEIGHTS ]

**International Class(es):** 016 - Primary Class

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** Nov. 1998

**Use in Commerce:** Nov. 1998

|   |  |
|---|--|
| <b>For:</b> [ SNOW GLOBES ]   |  |
| <b>International Class(es):</b> 020 - Primary Class   | <b>U.S Class(es):</b> 002, 013, 022, 025, 032, 050           |
| <b>Class Status:</b> SECTION 8 - CANCELLED  |  |
| <b>Basis:</b> 1(a)  |  |
| <b>First Use:</b> Apr. 1999   | <b>Use in Commerce:</b> Apr. 1999                            |
| <hr/>   |  |
| <b>For:</b> [ DRINKING GLASSES, SHOT GLASSES, STAINED GLASS DECORATION, DECORATIVE GLASS FIGURINES, WATER BOTTLES SOLD EMPTY, MUGS, PORTABLE COOLERS ]      |  |
| <b>International Class(es):</b> 021 - Primary Class   | <b>U.S Class(es):</b> 002, 013, 023, 029, 030, 033, 040, 050 |
| <b>Class Status:</b> SECTION 8 - CANCELLED  |  |
| <b>Basis:</b> 1(a)  |  |
| <b>First Use:</b> Jul. 1998   | <b>Use in Commerce:</b> Jul. 1998                            |
| <hr/>   |  |
| <b>For:</b> MEN'S, WOMEN'S AND CHILDREN'S CLOTHING, NAMELY, HATS, SOCKS, SHOES, SHIRTS, SHORTS, PANTS, JACKETS, JERSEYS, T-SHIRTS                           |  |
| <b>International Class(es):</b> 025 - Primary Class   | <b>U.S Class(es):</b> 022, 039                               |
| <b>Class Status:</b> ACTIVE   |  |
| <b>Basis:</b> 1(a)  |  |
| <b>First Use:</b> Dec. 1998   | <b>Use in Commerce:</b> Dec. 1998                            |
| <hr/>   |  |
| <b>For:</b> [ STUFFED ANIMALS, YO-YO'S, SPRING TOYS, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES, CHRISTMAS TREE ORNAMENTS ] |  |
| <b>International Class(es):</b> 028 - Primary Class   | <b>U.S Class(es):</b> 022, 023, 038, 050                     |
| <b>Class Status:</b> SECTION 8 - CANCELLED  |  |
| <b>Basis:</b> 1(a)  |  |
| <b>First Use:</b> Apr. 1999   | <b>Use in Commerce:</b> Apr. 1999                            |

## Basis Information (Case Level)

|                           |                               |                        |
|---------------------------|-------------------------------|------------------------|
| <b>Filed Use:</b> Yes     | <b>Currently Use:</b> Yes     | <b>Amended Use:</b> No |
| <b>Filed ITU:</b> No      | <b>Currently ITU:</b> No      | <b>Amended ITU:</b> No |
| <b>Filed 44D:</b> No      | <b>Currently 44D:</b> No      | <b>Amended 44D:</b> No |
| <b>Filed 44E:</b> No      | <b>Currently 44E:</b> No      | <b>Amended 44E:</b> No |
| <b>Filed 66A:</b> No      | <b>Currently 66A:</b> No      |                        |
| <b>Filed No Basis:</b> No | <b>Currently No Basis:</b> No |                        |

## Current Owner(s) Information

|  |  |
|--|--|
| <b>Owner Name:</b> Board of Trustees of the University of Alabama  |  |
| <b>Owner Address:</b> P.O. Box BT<br>401 Queen City Avenue<br>Tuscaloosa, ALABAMA 354011551<br>UNITED STATES |  |
| <b>Legal Entity Type:</b> CORPORATION  | <b>State or Country Where Organized:</b> ALABAMA |

## Attorney/Correspondence Information

| Attorney of Record   |   |
|--|---|
| <b>Attorney Name:</b> JEFFREY H KAUFMAN  | <b>Docket Number:</b> 199198US-33           |
| <b>Attorney Primary Email Address:</b> <a href="mailto:tmddocket@oblon.com">tmddocket@oblon.com</a>  | <b>Attorney Email Authorized:</b> Yes       |
| Correspondent  |   |
| <b>Correspondent Name/Address:</b> JEFFREY H KAUFMAN<br>OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT<br>1940 DUKE ST<br>ALEXANDRIA, VIRGINIA 22314-3454<br>UNITED STATES |   |
| <b>Phone:</b> 703-413-3000   | <b>Fax:</b> 703-413-2220                    |
| <b>Correspondent e-mail:</b> <a href="mailto:tmddocket@oblon.com">tmddocket@oblon.com</a>  | <b>Correspondent e-mail Authorized:</b> Yes |
| Domestic Representative - Not Found  |   |

## Prosecution History

| Date          | Description  | Proceeding Number |
|---------------|--|-------------------|
| May 06, 2013  | NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED                  |                   |
| May 06, 2013  | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)            | 64591             |
| May 06, 2013  | REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8        | 64591             |
| May 06, 2013  | REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED               | 64591             |
| Apr. 15, 2013 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED     | 64591             |
| May 06, 2013  | CASE ASSIGNED TO POST REGISTRATION PARALEGAL               | 64591             |
| Apr. 15, 2013 | TEAS SECTION 8 & 9 RECEIVED                                |                   |
| Jul. 20, 2009 | REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | 69934             |
| Jul. 14, 2009 | ASSIGNED TO PARALEGAL                                      | 69934             |
| Jul. 02, 2009 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED                 |                   |
| Jul. 02, 2009 | PAPER RECEIVED   |                   |
| Mar. 17, 2008 | CASE FILE IN TICRS   |                   |
| Jul. 09, 2003 | CERTIFICATE OF CORRECTION ISSUED                           |                   |
| May 14, 2003  | SEC 7 REQUEST FILED  |                   |
| May 14, 2003  | PAPER RECEIVED   |                   |
| Apr. 15, 2003 | REGISTERED-PRINCIPAL REGISTER                              |                   |
| Jan. 21, 2003 | PUBLISHED FOR OPPOSITION                                   |                   |
| Nov. 29, 2002 | PAPER RECEIVED   |                   |
| Jan. 01, 2003 | NOTICE OF PUBLICATION                                      |                   |
| Oct. 29, 2002 | PAPER RECEIVED   |                   |
| Sep. 24, 2002 | APPROVED FOR PUB - PRINCIPAL REGISTER                      |                   |
| Sep. 05, 2002 | CORRESPONDENCE RECEIVED IN LAW OFFICE                      |                   |
| Sep. 05, 2002 | PAPER RECEIVED   |                   |
| Mar. 05, 2002 | FINAL REFUSAL MAILED                                       |                   |
| Oct. 05, 2001 | CORRESPONDENCE RECEIVED IN LAW OFFICE                      |                   |
| Nov. 05, 2001 | CORRESPONDENCE RECEIVED IN LAW OFFICE                      |                   |
| May 03, 2001  | NON-FINAL ACTION MAILED                                    |                   |
| May 02, 2001  | ASSIGNED TO EXAMINER                                       | 73362             |

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted in Part

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Apr. 15, 2013

**Change in Registration:** Yes

**Correction made to Registration:** In the statement, Column 1, line 5, "UNIVERSITY, AL 35486" should be deleted, and, TUSCALOOSA, AL 34501-1551 should be inserted.

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** TMO LAW OFFICE 115

**Date in Location:** May 06, 2013

## Proceedings

### Summary

**Number of Proceedings:** 2

**Type of Proceeding:** Opposition

**Proceeding Number:** [91210183](#)

**Status:** Pending

**Filing Date:** Apr 10, 2013

**Status Date:** Apr 10, 2013

Interlocutory Attorney: ROBERT COGGINS

**Defendant**

**Name:** Michael H. Cox

**Correspondent Address:** MICHAEL H COX  
3133 WOODBRIDGE DR  
BIRMINGHAM AL , 35242-3337  
UNITED STATES

**Correspondent e-mail:** [coxmi@charter.net](mailto:coxmi@charter.net)

**Associated marks**

| Mark | Application Status | Serial Number            | Registration Number |
|------|--------------------|--------------------------|---------------------|
|      | Opposition Pending | <a href="#">85652902</a> |                     |

**Plaintiff(s)**

**Name:** Board of Trustees of The University of Alabama

**Correspondent Address:** HARRIS W HENDERSON  
KILPATRICK TOWNSEND STOCKTON  
1100 PEACHTREE ST STE 2800  
ATLANTA GA , 20309-4530  
UNITED STATES

**Correspondent e-mail:** [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com) , [aljones@ktslaw.com](mailto:aljones@ktslaw.com) , [hhenderson@ktslaw.com](mailto:hhenderson@ktslaw.com) , [rzhou@ktslaw.com](mailto:rzhou@ktslaw.com) , [brook@ktslaw.com](mailto:brook@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com)

**Associated marks**

| Mark                 | Application Status                           | Serial Number            | Registration Number     |
|----------------------|--|--------------------------|-------------------------|
| ROLL TIDE            | Renewed                                      | <a href="#">73399073</a> | <a href="#">1335032</a> |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

**Prosecution History**

| Entry Number | History Text                             | Date         | Due Date     |
|--------------|--|--------------|--------------|
| 1            | FILED AND FEE                            | Apr 10, 2013 |              |
| 2            | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 10, 2013 | May 20, 2013 |
| 3            | PENDING, INSTITUTED                      | Apr 10, 2013 |              |
| 4            | ANSWER                                   | Apr 30, 2013 |              |
| 5            | BD SERVES # 4 ON P                       | May 03, 2013 |              |
| 6            | D CERT OF SERVICE FOR # 4                | May 06, 2013 |              |

**Type of Proceeding: Opposition**

**Proceeding Number:** [91194718](#)

**Filing Date:** May 03, 2010

**Status:** Terminated

**Status Date:** Aug 13, 2010

**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** The Tuscs, LLC

**Correspondent Address:** AKBAR BUTT  
The Tuscs, LLC  
1325 10TH AVENUE APT 12  
TUSCALOOSA AL , 35401  
UNITED STATES

**Correspondent e-mail:** [thetuscs@gmail.com](mailto:thetuscs@gmail.com)

**Associated marks**

| Mark | Application Status                      | Serial Number            | Registration Number |
|------|---|--------------------------|---------------------|
|      | Abandoned - After Inter-Partes Decision | <a href="#">77741702</a> |                     |

**Plaintiff(s)**

**Name:** Board of Trustees of The University of Alabama, Paul W. Bryant

**Correspondent Address:** ALICIA GRAHN JONES  
KILPATRICK STOCKTON LLP  
1100 PEACHTREE STREET SUITE 2800  
ATLANTA GA , 30309  
UNITED STATES

**Correspondent e-mail:** [tadmin@kilpatrickstockton.com](mailto:tadmin@kilpatrickstockton.com) , [aljones@kilpatrickstockton.com](mailto:aljones@kilpatrickstockton.com) , [hhenderson@kilpatrickstockton.com](mailto:hhenderson@kilpatrickstockton.com) ,  
[brook@kilpatrickstockton.com](mailto:brook@kilpatrickstockton.com)

| Associated marks     |  |                          |                         |
|----------------------|--|--------------------------|-------------------------|
| Mark                 | Application Status                           | Serial Number            | Registration Number     |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

| Prosecution History |  |              |              |
|---------------------|--|--------------|--------------|
| Entry Number        | History Text                             | Date         | Due Date     |
| 1                   | FILED AND FEE                            | May 03, 2010 | Jun 12, 2010 |
| 2                   | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | May 03, 2010 |              |
| 3                   | PENDING, INSTITUTED                      | May 03, 2010 |              |
| 4                   | NOTICE OF DEFAULT                        | Jun 29, 2010 |              |
| 5                   | BOARD'S DECISION: SUSTAINED              | Aug 13, 2010 |              |
| 6                   | TERMINATED                               | Aug 13, 2010 |              |

## **Exhibit B**

**Generated on:** This page was generated by TSDR on 2013-07-11 08:13:02 EDT

**Mark:** ALABAMA CRIMSON TIDE



**US Serial Number:** 76212790

**Application Filing Date:** Feb. 20, 2001

**US Registration Number:** 3730292

**Registration Date:** Dec. 29, 2009

**Register:** Principal

**Mark Type:** Trademark, Service Mark

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

**Status Date:** Dec. 29, 2009

**Publication Date:** Dec. 03, 2002

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## Mark Information

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**Mark Literal Elements:** ALABAMA CRIMSON TIDE

**Standard Character Claim:** No

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

**Acquired Distinctiveness Claim:** In part

**Distinctiveness Limitation Statement:** as to "ALABAMA"

**Design Search Code(s):** 03.03.01 - Elephants; Mammoths; Mastodons  
03.03.16 - Heads of Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas  
03.03.24 - Stylized Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas  
03.03.26 - Costumed Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas

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## Related Properties Information

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**Claimed Ownership of US Registrations:** 1322955, 1325940, 1338772, 1429820, 1483027, 1483351 and others

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## Goods and Services

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

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

**For:** METAL AND NON-METAL KEY CHAINS, METAL LICENSE PLATES, METAL PADLOCKS

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 1998

**Use in Commerce:** Jun. 1998

**For:** FLASH LIGHTS, LAMPS, ELECTRIC NIGHT LIGHTS, WATER COOLERS

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 1998

**Use in Commerce:** Sep. 1998

**For:** EARRINGS, NECKLACES, BRACELETS BEING JEWELRY, WATCHES, RINGS BEING JEWELRY, PENDANTS, ORNAMENTAL LAPEL PINS, MEDALLIONS

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 1998

**Use in Commerce:** Aug. 1998



|   |                     |  |
|---|---------------------|--|
| <b>For:</b> STICKERS, LETTERHEAD STATIONERY, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER, BOWS, PLAYING CARDS, ADDRESS BOOKS, APPOINTMENT BOOKS, PAPERWEIGHTS, MEDIA GUIDES, PROGRAMS, BROCHURES ABOUT UPCOMING EVENTS AND EDUCATIONAL AND ENTERTAINMENT PROGRAMS AT THE UNIVERSITY OF ALABAMA, PARKING DECALS, ENVELOPES, PAPER BAGS AND POUCHES FOR PACKAGING |                     |  |
| <b>International Class(es):</b>   | 016 - Primary Class | <b>U.S Class(es):</b> 002, 005, 022, 023, 029, 037, 038, 050 |
| <b>Class Status:</b>  | ACTIVE              |  |
| <b>Basis:</b>   | 1(a)                |  |
| <b>First Use:</b>   | Nov. 1998           | <b>Use in Commerce:</b> Nov. 1998                            |
|   |                     |  |
| <b>For:</b> BAR STOOLS, BUNK BEDS, CHAIRS, BENCHES, TABLES, BABY CRIBS, WOODEN PICTURE FRAMES, SNOW GLOBES, PLASTIC NOVELTY LICENSE PLATES, METAL PICTURE FRAMES  |                     |  |
| <b>International Class(es):</b>   | 020 - Primary Class | <b>U.S Class(es):</b> 002, 013, 022, 025, 032, 050           |
| <b>Class Status:</b>  | ACTIVE              |  |
| <b>Basis:</b>   | 1(a)                |  |
| <b>First Use:</b>   | Sep. 1998           | <b>Use in Commerce:</b> Sep. 1998                            |
|   |                     |  |
| <b>For:</b> Drinking GLASSES, SHOT GLASSES, STAINED GLASS DECORATION, DECORATIVE GLASS FIGURINES, WATER BOTTLES SOLD EMPTY, MUGS, BOTTLE OPENERS, PORTABLE COOLERS  |                     |  |
| <b>International Class(es):</b>   | 021 - Primary Class | <b>U.S Class(es):</b> 002, 013, 023, 029, 030, 033, 040, 050 |
| <b>Class Status:</b>  | ACTIVE              |  |
| <b>Basis:</b>   | 1(a)                |  |
| <b>First Use:</b>   | Jul. 1998           | <b>Use in Commerce:</b> Jul. 1998                            |
|   |                     |  |
| <b>For:</b> MEN'S, WOMEN'S AND CHILDREN'S Clothing - NAMELY, HATS, SOCKS, SHOES, SHIRTS, SHORTS, PANTS, JACKETS, JERSEYS, T-SHIRTS  |                     |  |
| <b>International Class(es):</b>   | 025 - Primary Class | <b>U.S Class(es):</b> 022, 039                               |
| <b>Class Status:</b>  | ACTIVE              |  |
| <b>Basis:</b>   | 1(a)                |  |
| <b>First Use:</b>   | Jul. 1998           | <b>Use in Commerce:</b> Jul. 1998                            |
|   |                     |  |
| <b>For:</b> STUFFED ANIMALS, YO-YO'S, SPRING TOYS, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES, CHRISTMAS TREE ORNAMENTS   |                     |  |
| <b>International Class(es):</b>   | 028 - Primary Class | <b>U.S Class(es):</b> 022, 023, 038, 050                     |
| <b>Class Status:</b>  | ACTIVE              |  |
| <b>Basis:</b>   | 1(a)                |  |
| <b>First Use:</b>   | Sep. 1998           | <b>Use in Commerce:</b> Sep. 1998                            |
|   |                     |  |
| <b>For:</b> EDUCATIONAL SERVICES, NAMELY, UNIVERSITY UNDERGRADUATE, GRADUATE, EXTENSION, AND COMMUNITY EDUCATION, PUBLIC LECTURES, AND WORKSHOPS, SEMINARS, AND CONFERENCES CONDUCTED IN CONNECTION WITH THE FOREGOING  |                     |  |
| <b>International Class(es):</b>   | 041 - Primary Class | <b>U.S Class(es):</b> 100, 101, 107                          |
| <b>Class Status:</b>  | ACTIVE              |  |
| <b>Basis:</b>   | 1(a)                |  |
| <b>First Use:</b>   | Aug. 1998           | <b>Use in Commerce:</b> Aug. 1998                            |

## Basis Information (Case Level)

|                           |                               |                        |
|---------------------------|-------------------------------|------------------------|
| <b>Filed Use:</b> Yes     | <b>Currently Use:</b> Yes     | <b>Amended Use:</b> No |
| <b>Filed ITU:</b> No      | <b>Currently ITU:</b> No      | <b>Amended ITU:</b> No |
| <b>Filed 44D:</b> No      | <b>Currently 44D:</b> No      | <b>Amended 44D:</b> No |
| <b>Filed 44E:</b> No      | <b>Currently 44E:</b> No      | <b>Amended 44E:</b> No |
| <b>Filed 66A:</b> No      | <b>Currently 66A:</b> No      |                        |
| <b>Filed No Basis:</b> No | <b>Currently No Basis:</b> No |                        |

## Current Owner(s) Information

|  |  |
|--|--|
| <b>Owner Name:</b> Board of Trustees of the University of Alabama, The                                   |  |
| <b>Owner Address:</b> P.O. Box BT<br>401 Queen City Avenue<br>Tuscaloosa, ALABAMA 35487<br>UNITED STATES |  |
| <b>Legal Entity Type:</b> CORPORATION  | <b>State or Country Where Organized:</b> ALABAMA |

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** David J Kera

**Docket Number:** 199197US-772

### Correspondent

**Correspondent Name/Address:** DAVID J KERA  
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT  
1940 DUKE ST  
ALEXANDRIA, VIRGINIA 22314-3454  
UNITED STATES

### Domestic Representative - Not Found

## Prosecution History

| Date          | Description                                      | Proceeding Number |
|---------------|--|-------------------|
| Apr. 21, 2010 | CERTIFICATE OF CORRECTION ISSUED                 | 76293             |
| Jan. 15, 2010 | SEC 7 REQUEST FILED                              | 76293             |
| Apr. 21, 2010 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL     | 76293             |
| Jan. 15, 2010 | PAPER RECEIVED                                   |                   |
| Dec. 29, 2009 | REGISTERED-PRINCIPAL REGISTER                    |                   |
| Nov. 24, 2009 | TTAB RELEASE CASE TO TRADEMARKS                  | 172387            |
| Nov. 24, 2009 | OPPOSITION TERMINATED NO. 999999                 | 172387            |
| Nov. 24, 2009 | OPPOSITION DISMISSED NO. 999999                  | 172387            |
| Aug. 17, 2006 | OPPOSITION INSTITUTED NO. 999999                 | 172387            |
| Jul. 31, 2006 | EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED |                   |
| Sep. 10, 2004 | CASE FILE IN TICRS                               |                   |
| Jan. 10, 2003 | EXTENSION OF TIME TO OPPOSE RECEIVED             |                   |
| Nov. 29, 2002 | PAPER RECEIVED                                   |                   |
| Dec. 03, 2002 | PUBLISHED FOR OPPOSITION                         |                   |
| Nov. 13, 2002 | NOTICE OF PUBLICATION                            |                   |
| Oct. 29, 2002 | PAPER RECEIVED                                   |                   |
| Sep. 24, 2002 | APPROVED FOR PUB - PRINCIPAL REGISTER            |                   |
| Sep. 05, 2002 | CORRESPONDENCE RECEIVED IN LAW OFFICE            |                   |
| Sep. 05, 2002 | PAPER RECEIVED                                   |                   |
| Mar. 06, 2002 | FINAL REFUSAL MAILED                             |                   |
| Nov. 05, 2001 | CORRESPONDENCE RECEIVED IN LAW OFFICE            |                   |
| May 03, 2001  | NON-FINAL ACTION MAILED                          |                   |
| May 02, 2001  | ASSIGNED TO EXAMINER                             | 73362             |

## Maintenance Filings or Post Registration Information

**Change in Registration:** Yes

**Correction made to Registration:** Line 5, "university, AL 35486" should be deleted, and "Tuscaloosa, AL 35487" should be inserted.

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** POST REGISTRATION

**Date in Location:** Jun. 02, 2010

## Proceedings

### Summary

**Number of Proceedings:** 4

### Type of Proceeding: Opposition

**Proceeding Number:** [91210183](#)

**Filing Date:** Apr 10, 2013

Status: Pending

Status Date: Apr 10, 2013

Interlocutory Attorney: ROBERT COGGINS

**Defendant**

Name: Michael H. Cox

Correspondent Address: MICHAEL H COX  
3133 WOODBRIDGE DR  
BIRMINGHAM AL , 35242-3337  
UNITED STATES

Correspondent e-mail: [coxmi@charter.net](mailto:coxmi@charter.net)

**Associated marks**

| Mark | Application Status | Serial Number            | Registration Number |
|------|--------------------|--------------------------|---------------------|
|      | Opposition Pending | <a href="#">85652902</a> |                     |

**Plaintiff(s)**

Name: Board of Trustees of The University of Alabama

Correspondent Address: HARRIS W HENDERSON  
KILPATRICK TOWNSEND STOCKTON  
1100 PEACHTREE ST STE 2800  
ATLANTA GA , 20309-4530  
UNITED STATES

Correspondent e-mail: [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com) , [aljones@ktslaw.com](mailto:aljones@ktslaw.com) , [hhenderson@ktslaw.com](mailto:hhenderson@ktslaw.com) , [rchou@ktslaw.com](mailto:rchou@ktslaw.com) , [brook@ktslaw.com](mailto:brook@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com)

**Associated marks**

| Mark                 | Application Status                           | Serial Number            | Registration Number     |
|----------------------|--|--------------------------|-------------------------|
| ROLL TIDE            | Renewed                                      | <a href="#">73399073</a> | <a href="#">1335032</a> |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

**Prosecution History**

| Entry Number | History Text                             | Date         | Due Date     |
|--------------|--|--------------|--------------|
| 1            | FILED AND FEE                            | Apr 10, 2013 |              |
| 2            | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 10, 2013 | May 20, 2013 |
| 3            | PENDING, INSTITUTED                      | Apr 10, 2013 |              |
| 4            | ANSWER                                   | Apr 30, 2013 |              |
| 5            | BD SERVES # 4 ON P                       | May 03, 2013 |              |
| 6            | D CERT OF SERVICE FOR # 4                | May 06, 2013 |              |

**Type of Proceeding: Opposition**

Proceeding Number: [91194718](#)

Filing Date: May 03, 2010

Status: Terminated

Status Date: Aug 13, 2010

Interlocutory Attorney: ROBERT COGGINS

**Defendant**

Name: The Tuscs, LLC

Correspondent Address: AKBAR BUTT  
The Tuscs, LLC  
1325 10TH AVENUE APT 12  
TUSCALOOSA AL , 35401  
UNITED STATES

Correspondent e-mail: [thetuscs@gmail.com](mailto:thetuscs@gmail.com)

**Associated marks**

| Mark | Application Status                      | Serial Number            | Registration Number |
|------|---|--------------------------|---------------------|
|      | Abandoned - After Inter-Partes Decision | <a href="#">77741702</a> |                     |

**Plaintiff(s)**

**Name:** Board of Trustees of The University of Alabama, Paul W. Bryant

**Correspondent Address:** ALICIA GRAHN JONES  
KILPATRICK STOCKTON LLP  
1100 PEACHTREE STREET SUITE 2800  
ATLANTA GA , 30309  
UNITED STATES

**Correspondent e-mail:** [tmadmin@kilpatrickstockton.com](mailto:tmadmin@kilpatrickstockton.com) , [aljones@kilpatrickstockton.com](mailto:aljones@kilpatrickstockton.com) , [hhenderson@kilpatrickstockton.com](mailto:hhenderson@kilpatrickstockton.com) ,  
[brook@kilpatrickstockton.com](mailto:brook@kilpatrickstockton.com)

| Associated marks     |  |                          |                         |
|----------------------|--|--------------------------|-------------------------|
| Mark                 | Application Status                           | Serial Number            | Registration Number     |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

| Prosecution History |  |              |              |
|---------------------|--|--------------|--------------|
| Entry Number        | History Text                             | Date         | Due Date     |
| 1                   | FILED AND FEE                            | May 03, 2010 |              |
| 2                   | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | May 03, 2010 | Jun 12, 2010 |
| 3                   | PENDING, INSTITUTED                      | May 03, 2010 |              |
| 4                   | NOTICE OF DEFAULT                        | Jun 29, 2010 |              |
| 5                   | BOARD'S DECISION: SUSTAINED              | Aug 13, 2010 |              |
| 6                   | TERMINATED                               | Aug 13, 2010 |              |

**Type of Proceeding: Opposition**

**Proceeding Number:** [91172387](#)

**Filing Date:** Jul 17, 2006

**Status:** Terminated

**Status Date:** Nov 24, 2009

**Interlocutory Attorney:** ANGELA LYKOS

**Defendant**

**Name:** Board of Trustees of the University of Alabama, The

**Correspondent Address:** DAVID J KERA  
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT  
1940 DUKE ST  
ALEXANDRIA VA , 22314-3454  
UNITED STATES

**Correspondent e-mail:** [DKera@oblon.com](mailto:DKera@oblon.com)

| Associated marks     |                    |                          |                         |
|----------------------|--------------------|--------------------------|-------------------------|
| Mark                 | Application Status | Serial Number            | Registration Number     |
| ALABAMA CRIMSON TIDE | Registered         | <a href="#">76212790</a> | <a href="#">3730292</a> |

**Plaintiff(s)**

**Name:** Athletics Investment Group LLC, dba The Oakland Athletics Baseball Company

**Correspondent Address:** Rosemary S. Tarlton  
Morrison & Foerster, LLP  
425 Market Street  
San Francisco CA , 94105  
UNITED STATES

**Correspondent e-mail:** [Rtarlton@mofo.com](mailto:Rtarlton@mofo.com)

| Prosecution History |  |              |              |
|---------------------|--|--------------|--------------|
| Entry Number        | History Text                             | Date         | Due Date     |
| 1                   | FILED AND FEE                            | Jul 17, 2006 |              |
| 2                   | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Aug 17, 2006 | Sep 26, 2006 |
| 3                   | PENDING, INSTITUTED                      | Aug 17, 2006 |              |
| 4                   | STIP TO SUSPEND PEND SETTLEMENT NEGOTNS  | Sep 26, 2006 |              |
| 5                   | SUSPENDED                                | Sep 26, 2006 |              |

|    |  |              |
|----|--|--------------|
| 6  | STIP TO SUSPEND PEND SETTLEMENT NEGOTNS  | Mar 22, 2007 |
| 7  | SUSPENDED                                | Mar 22, 2007 |
| 8  | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 06, 2007 |
| 9  | SUSPENDED                                | Sep 06, 2007 |
| 10 | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Feb 27, 2008 |
| 11 | SUSPENDED                                | Feb 27, 2008 |
| 12 | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Aug 20, 2008 |
| 13 | SUSPENDED                                | Aug 29, 2008 |
| 14 | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Feb 17, 2009 |
| 15 | SUSPENDED                                | Feb 19, 2009 |
| 16 | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Aug 17, 2009 |
| 17 | SUSPENDED                                | Aug 25, 2009 |
| 18 | WITHDRAWAL OF OPPOSITION                 | Nov 20, 2009 |
| 19 | BD'S DECISION: DISMISSED W/O PREJUDICE   | Nov 24, 2009 |
| 20 | TERMINATED                               | Nov 24, 2009 |

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [76212790](#)

**Filing Date:** Jan 24, 2003

**Status:** Terminated

**Status Date:** Jul 31, 2006

**Interlocutory Attorney:**

**Defendant**

**Name:** Board of Trustees of the University of A

**Correspondent Address:** DAVID J KERA  
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT  
1940 DUKE ST  
ALEXANDRIA VA , 22314-3454

**Associated marks**

| Mark                 | Application Status | Serial Number            | Registration Number     |
|----------------------|--------------------|--------------------------|-------------------------|
| ALABAMA CRIMSON TIDE | Registered         | <a href="#">76212790</a> | <a href="#">3730292</a> |

**Potential Opposer(s)**

**Name:** Athletics Investment Group LLC d/b/a

**Correspondent Address:** Rosemary S. Tarlton  
Morrison & Foerster, LLP  
425 Market Street  
San Francisco CA , 94105-2482

**Name:** Athletics Investment Group LLC, dba The Oakland Athletics Baseball Company

**Correspondent Address:** Rosemary S. Tarlton  
Morrison & Foerster, LLP  
425 Market Street  
San Francisco CA , 94105

**Associated marks**

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

**Prosecution History**

| Entry Number | History Text                        | Date         | Due Date |
|--------------|-------------------------------------|--------------|----------|
| 1            | INCOMING - EXT TIME TO OPPOSE FILED | Jan 02, 2003 |          |
| 2            | EXTENSION OF TIME GRANTED           | Jan 24, 2003 |          |
| 3            | INCOMING - EXT TIME TO OPPOSE FILED | Jan 30, 2003 |          |
| 4            | EXTENSION OF TIME GRANTED           | Feb 12, 2003 |          |
| 5            | INCOMING - EXT TIME TO OPPOSE FILED | Apr 01, 2003 |          |
| 6            | EXTENSION OF TIME GRANTED           | Apr 10, 2003 |          |
| 7            | INCOMING - EXT TIME TO OPPOSE FILED | May 14, 2003 |          |
| 8            | PROGRESS LETTER/EXT OF TIME GRANTED | May 20, 2003 |          |
| 9            | INCOMING - EXT TIME TO OPPOSE FILED | Jul 29, 2003 |          |
| 10           | PROGRESS LETTER/EXT OF TIME GRANTED | Aug 14, 2003 |          |

|    |                                     |              |
|----|-------------------------------------|--------------|
| 11 | INCOMING - EXT TIME TO OPPOSE FILED | Sep 26, 2003 |
| 12 | EXTENSION OF TIME GRANTED           | Oct 06, 2003 |
| 13 | INCOMING - EXT TIME TO OPPOSE FILED | Nov 13, 2003 |
| 14 | EXTENSION OF TIME GRANTED           | Nov 20, 2003 |
| 15 | INCOMING - EXT TIME TO OPPOSE FILED | Jan 23, 2004 |
| 16 | EXTENSION OF TIME GRANTED           | Feb 06, 2004 |
| 17 | INCOMING - EXT TIME TO OPPOSE FILED | Mar 22, 2004 |
| 18 | EXTENSION OF TIME GRANTED           | Mar 26, 2004 |
| 19 | INCOMING - EXT TIME TO OPPOSE FILED | May 25, 2004 |
| 20 | EXTENSION OF TIME GRANTED           | Jun 01, 2004 |
| 21 | INCOMING - EXT TIME TO OPPOSE FILED | Jun 10, 2004 |
| 22 | EXTENSION OF TIME GRANTED           | Jun 17, 2004 |
| 23 | INCOMING - EXT TIME TO OPPOSE FILED | Aug 20, 2004 |
| 24 | EXTENSION OF TIME GRANTED           | Sep 01, 2004 |
| 25 | INCOMING - EXT TIME TO OPPOSE FILED | Oct 28, 2004 |
| 26 | EXTENSION OF TIME GRANTED           | Nov 01, 2004 |
| 27 | INCOMING - EXT TIME TO OPPOSE FILED | Dec 09, 2004 |
| 28 | EXTENSION OF TIME GRANTED           | Dec 21, 2004 |
| 29 | INCOMING - EXT TIME TO OPPOSE FILED | Feb 16, 2005 |
| 30 | EXTENSION OF TIME GRANTED           | Mar 04, 2005 |
| 31 | INCOMING - EXT TIME TO OPPOSE FILED | Apr 21, 2005 |
| 32 | EXTENSION OF TIME GRANTED           | Apr 28, 2005 |
| 33 | INCOMING - EXT TIME TO OPPOSE FILED | Jun 20, 2005 |
| 34 | EXTENSION OF TIME GRANTED           | Jun 24, 2005 |
| 35 | INCOMING - EXT TIME TO OPPOSE FILED | Aug 17, 2005 |
| 36 | EXTENSION OF TIME GRANTED           | Aug 24, 2005 |
| 37 | INCOMING - EXT TIME TO OPPOSE FILED | Oct 17, 2005 |
| 38 | EXTENSION OF TIME GRANTED           | Oct 26, 2005 |
| 39 | INCOMING - EXT TIME TO OPPOSE FILED | Dec 16, 2005 |
| 40 | EXTENSION OF TIME GRANTED           | Dec 27, 2005 |
| 41 | INCOMING - EXT TIME TO OPPOSE FILED | Jan 13, 2006 |
| 42 | EXTENSION OF TIME GRANTED           | Jan 24, 2006 |
| 43 | INCOMING - EXT TIME TO OPPOSE FILED | Mar 03, 2006 |
| 44 | EXTENSION OF TIME GRANTED           | Mar 19, 2006 |
| 45 | INCOMING - EXT TIME TO OPPOSE FILED | May 03, 2006 |
| 46 | EXTENSION OF TIME GRANTED           | May 10, 2006 |

## **Exhibit C**

**Generated on:** This page was generated by TSDR on 2013-07-11 08:16:09 EDT

**Mark:** BAMA



**US Serial Number:** 76212456  
**US Registration Number:** 3730291  
**Register:** Principal  
**Mark Type:** Trademark  
**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.  
**Status Date:** Dec. 29, 2009  
**Publication Date:** Dec. 16, 2003

**Application Filing Date:** Feb. 20, 2001

**Registration Date:** Dec. 29, 2009

---

## Mark Information

---

**Mark Literal Elements:** BAMA  
**Standard Character Claim:** No  
**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)  
**Design Search Code(s):** 03.03.16 - Heads of Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas

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## Related Properties Information

---

**Claimed Ownership of US Registrations:** 1322955, 1325940, 1526504 and others

---

## 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
- Asterisks \*...\* identify additional (new) wording in the goods/services.

**For:** METAL KEY CHAINS; METAL LICENSE PLATES; METAL PADLOCKS

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 1998

**Use in Commerce:** Jun. 1998

**For:** FLASH LIGHTS, LAMPS, ELECTRIC NIGHT LIGHTS, WATER COOLERS

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 1998

**Use in Commerce:** Sep. 1998

**For:** EARRINGS, NECKLACES, BRACELETS BEING JEWELRY, WATCHES, RINGS BEING JEWELRY, PENDANTS

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 1998

**Use in Commerce:** Jun. 1998

**For:** STICKERS, LETTERHEAD STATIONERY, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER AND BOWS, PLAYING CARDS, ADDRESS BOOKS, APPOINTMENT BOOKS, PAPER WEIGHTS, MEDIA GUIDES, PROGRAMS, BROCHURES ABOUT UPCOMING UNIVERSITY EVENTS AND EDUCATIONAL AND ENTERTAINMENT PROGRAMS, PARKING DECALS, ENVELOPES, PAPER BAGS AND POUCHES FOR PACKAGING

**International Class(es):** 016 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 1998

**Use in Commerce:** Nov. 1998



|   |  |  |
|---|--|--|
| <b>For:</b> BAR STOOLS, BUNK BEDS, CHAIRS, BENCHES, FURNITURE TABLES, BABY CRIBS, WOODEN PICTURE FRAMES AND COAT HANGERS, SNOW GLOBES, PLASTIC NOVELTY LICENSE PLATES, METAL PICTURE FRAMES, NON-METAL KEY CHAINS |  |  |
| <b>International Class(es):</b> 020 - Primary Class   | <b>U.S Class(es):</b> 002, 013, 022, 025, 032, 050 |  |
| <b>Class Status:</b> ACTIVE   |  |  |
| <b>Basis:</b> 1(a)  |  |  |
| <b>First Use:</b> Apr. 1999   | <b>Use in Commerce:</b> Apr. 1999                  |  |

|  |  |  |
|--|--|--|
| <b>For:</b> DRINKING GLASSES, SHOT GLASSES, STAINED GLASS DECORATION, DECORATIVE GLASS FIGURINES, WATER BOTTLES SOLD EMPTY, MUGS, PORTABLE COOLERS |  |  |
| <b>International Class(es):</b> 021 - Primary Class  | <b>U.S Class(es):</b> 002, 013, 023, 029, 030, 033, 040, 050 |  |
| <b>Class Status:</b> ACTIVE  |  |  |
| <b>Basis:</b> 1(a)   |  |  |
| <b>First Use:</b> Jul. 1998  | <b>Use in Commerce:</b> Jul. 1998                            |  |

|   |                                   |  |
|---|-----------------------------------|--|
| <b>For:</b> MEN'S, WOMEN'S AND CHILDREN'S CLOTHING, NAMELY, HATS, SOCKS, SHOES, SHIRTS, SHORTS, PANTS, JACKETS, JERSEYS, T-SHIRTS |                                   |  |
| <b>International Class(es):</b> 025 - Primary Class   | <b>U.S Class(es):</b> 022, 039    |  |
| <b>Class Status:</b> ACTIVE   |                                   |  |
| <b>Basis:</b> 1(a)  |                                   |  |
| <b>First Use:</b> Aug. 1998   | <b>Use in Commerce:</b> Aug. 1998 |  |

|  |  |  |
|--|--|--|
| <b>For:</b> STUFFED ANIMALS, YO-YO'S, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES, CHRISTMAS TREE ORNAMENTS |  |  |
| <b>International Class(es):</b> 028 - Primary Class  | <b>U.S Class(es):</b> 022, 023, 038, 050 |  |
| <b>Class Status:</b> ACTIVE  |  |  |
| <b>Basis:</b> 1(a)   |  |  |
| <b>First Use:</b> Nov. 1999  | <b>Use in Commerce:</b> Nov. 1999        |  |

## Basis Information (Case Level)

|                           |                               |                        |
|---------------------------|-------------------------------|------------------------|
| <b>Filed Use:</b> Yes     | <b>Currently Use:</b> Yes     | <b>Amended Use:</b> No |
| <b>Filed ITU:</b> No      | <b>Currently ITU:</b> No      | <b>Amended ITU:</b> No |
| <b>Filed 44D:</b> No      | <b>Currently 44D:</b> No      | <b>Amended 44D:</b> No |
| <b>Filed 44E:</b> No      | <b>Currently 44E:</b> No      | <b>Amended 44E:</b> No |
| <b>Filed 66A:</b> No      | <b>Currently 66A:</b> No      |                        |
| <b>Filed No Basis:</b> No | <b>Currently No Basis:</b> No |                        |

## Current Owner(s) Information

|  |  |
|--|--|
| <b>Owner Name:</b> The Board of Trustees of the University of Alabama  |  |
| <b>Owner Address:</b> P.O. Box BT<br>401 Queen City Avenue<br>Tuscaloosa, ALABAMA 354011551<br>UNITED STATES |  |
| <b>Legal Entity Type:</b> CORPORATION  | <b>State or Country Where Organized:</b> ALABAMA |

## Attorney/Correspondence Information

|  |  |
|--|--|
| <b>Attorney of Record</b>  |  |
| <b>Attorney Name:</b> David J. Kera  |  |
| <b>Correspondent</b>   |  |
| <b>Correspondent Name/Address:</b> DAVID J. KERA<br>OBLON SPIVAK MCCLELLAND MAIER & ET AL<br>1940 DUKE STREET<br>ALEXANDRIA, VIRGINIA 22314<br>UNITED STATES |  |
| <b>Phone:</b> (703) 413-3000   |  |
| <b>Domestic Representative - Not Found</b>   |  |

## Prosecution History

| Date | Description | Proceeding Number |
|------|-------------|-------------------|
|------|-------------|-------------------|

|               |   |        |
|---------------|---|--------|
| Apr. 21, 2010 | CERTIFICATE OF CORRECTION ISSUED                  | 76293  |
| Jan. 15, 2010 | SEC 7 REQUEST FILED                               | 76293  |
| Apr. 21, 2010 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL      | 76293  |
| Jan. 15, 2010 | PAPER RECEIVED                                    |        |
| Dec. 29, 2009 | REGISTERED-PRINCIPAL REGISTER                     |        |
| Nov. 23, 2009 | TTAB RELEASE CASE TO TRADEMARKS                   | 160945 |
| Nov. 23, 2009 | OPPOSITION TERMINATED NO. 999999                  | 160945 |
| Nov. 23, 2009 | OPPOSITION DISMISSED NO. 999999                   | 160945 |
| Jun. 08, 2006 | ASSIGNED TO EXAMINER                              | 62871  |
| Jun. 19, 2004 | OPPOSITION INSTITUTED NO. 999999                  | 160945 |
| Jan. 22, 2004 | EXTENSION OF TIME TO OPPOSE RECEIVED              |        |
| Dec. 16, 2003 | PUBLISHED FOR OPPOSITION                          |        |
| Nov. 26, 2003 | NOTICE OF PUBLICATION                             |        |
| Oct. 14, 2003 | APPROVED FOR PUB - PRINCIPAL REGISTER             |        |
| Oct. 07, 2003 | EXAMINERS AMENDMENT MAILED                        |        |
| Sep. 08, 2003 | CASE FILE IN TICRS                                |        |
| Aug. 26, 2003 | PETITION TO REVIVE-GRANTED                        | 69690  |
| Jul. 25, 2003 | PAPER RECEIVED                                    |        |
| Jun. 02, 2003 | PETITION TO REVIVE-RECEIVED                       |        |
| Jun. 02, 2003 | PAPER RECEIVED                                    |        |
| Mar. 31, 2003 | ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE |        |
| Nov. 29, 2002 | PAPER RECEIVED                                    |        |
| Oct. 29, 2002 | PAPER RECEIVED                                    |        |
| Oct. 17, 2002 | ASSIGNED TO EXAMINER                              | 77770  |
| Aug. 16, 2002 | FINAL REFUSAL MAILED                              |        |
| Jul. 25, 2002 | PETITION TO REVIVE-GRANTED                        |        |
| Mar. 04, 2002 | PETITION TO REVIVE-RECEIVED                       |        |
| Jan. 04, 2002 | ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE |        |
| May 08, 2001  | NON-FINAL ACTION MAILED                           |        |
| May 02, 2001  | ASSIGNED TO EXAMINER                              | 77877  |

## Maintenance Filings or Post Registration Information

**Change in Registration:** Yes

**Correction made to Registration:** Page 2, line 9, "spring toys" should be deleted.

## TM Staff and Location Information

TM Staff Information - None

File Location

**Current Location:** POST REGISTRATION

**Date in Location:** Jun. 02, 2010

## Proceedings

### Summary

**Number of Proceedings:** 4

### Type of Proceeding: Opposition

**Proceeding Number:** [91210183](#)

**Filing Date:** Apr 10, 2013

**Status:** Pending

**Status Date:** Apr 10, 2013

**Interlocutory Attorney:** ROBERT COGGINS

### Defendant

**Name:** Michael H. Cox

**Correspondent Address:** MICHAEL H COX  
3133 WOODBRIDGE DR

BIRMINGHAM AL , 35242-3337  
UNITED STATES

Correspondent e-mail: [coxmi@charter.net](mailto:coxmi@charter.net)

| Associated marks   |                    |                          |                     |
|--------------------|--------------------|--------------------------|---------------------|
| Mark               | Application Status | Serial Number            | Registration Number |
| Opposition Pending |                    | <a href="#">85652902</a> |                     |
| Plaintiff(s)       |                    |                          |                     |

Name: Board of Trustees of The University of Alabama

Correspondent Address: HARRIS W HENDERSON  
KILPATRICK TOWNSEND STOCKTON  
1100 PEACHTREE ST STE 2800  
ATLANTA GA , 20309-4530  
UNITED STATES

Correspondent e-mail: [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com) , [aljones@ktslaw.com](mailto:aljones@ktslaw.com) , [hhenderson@ktslaw.com](mailto:hhenderson@ktslaw.com) , [rchou@ktslaw.com](mailto:rchou@ktslaw.com) , [brook@ktslaw.com](mailto:brook@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com)

| Associated marks     |  |                          |                         |
|----------------------|--|--------------------------|-------------------------|
| Mark                 | Application Status                           | Serial Number            | Registration Number     |
| ROLL TIDE            | Renewed                                      | <a href="#">73399073</a> | <a href="#">1335032</a> |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

| Prosecution History |  |              |              |
|---------------------|--|--------------|--------------|
| Entry Number        | History Text                             | Date         | Due Date     |
| 1                   | FILED AND FEE                            | Apr 10, 2013 |              |
| 2                   | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 10, 2013 | May 20, 2013 |
| 3                   | PENDING, INSTITUTED                      | Apr 10, 2013 |              |
| 4                   | ANSWER                                   | Apr 30, 2013 |              |
| 5                   | BD SERVES # 4 ON P                       | May 03, 2013 |              |
| 6                   | D CERT OF SERVICE FOR # 4                | May 06, 2013 |              |

**Type of Proceeding: Opposition**

Proceeding Number: [91194718](#)

Filing Date: May 03, 2010

Status: Terminated

Status Date: Aug 13, 2010

Interlocutory Attorney: ROBERT COGGINS

| Defendant  |  |
|--|--|
| Name: The Tuscs, LLC   |  |
| Correspondent Address: AKBAR BUTT<br>The Tuscs, LLC<br>1325 10TH AVENUE APT 12<br>TUSCALOOSA AL , 35401<br>UNITED STATES |  |
| Correspondent e-mail: <a href="mailto:thetuscs@gmail.com">thetuscs@gmail.com</a>   |  |

| Associated marks                        |                    |                          |                     |
|---|--------------------|--------------------------|---------------------|
| Mark                                    | Application Status | Serial Number            | Registration Number |
| Abandoned - After Inter-Partes Decision |                    | <a href="#">77741702</a> |                     |
| Plaintiff(s)                            |                    |                          |                     |

Name: Board of Trustees of The University of Alabama, Paul W. Bryant

Correspondent Address: ALICIA GRAHN JONES  
KILPATRICK STOCKTON LLP  
1100 PEACHTREE STREET SUITE 2800  
ATLANTA GA , 30309  
UNITED STATES

Correspondent e-mail: [tmadmin@kilpatrickstockton.com](mailto:tmadmin@kilpatrickstockton.com) , [aljones@kilpatrickstockton.com](mailto:aljones@kilpatrickstockton.com) , [hhenderson@kilpatrickstockton.com](mailto:hhenderson@kilpatrickstockton.com) ,

| Associated marks     |  |                          |                         |
|----------------------|--|--------------------------|-------------------------|
| Mark                 | Application Status                           | Serial Number            | Registration Number     |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

| Prosecution History |  |              |              |
|---------------------|--|--------------|--------------|
| Entry Number        | History Text                             | Date         | Due Date     |
| 1                   | FILED AND FEE                            | May 03, 2010 |              |
| 2                   | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | May 03, 2010 | Jun 12, 2010 |
| 3                   | PENDING, INSTITUTED                      | May 03, 2010 |              |
| 4                   | NOTICE OF DEFAULT                        | Jun 29, 2010 |              |
| 5                   | BOARD'S DECISION: SUSTAINED              | Aug 13, 2010 |              |
| 6                   | TERMINATED                               | Aug 13, 2010 |              |

**Type of Proceeding: Opposition**Proceeding Number: [91160945](#)

Filing Date: Jun 14, 2004

Status: Terminated

Status Date: Nov 23, 2009

Interlocutory Attorney: FRANCES S WOLFSON

**Defendant**

Name: The Board of Trustees of the University of Alabama

Correspondent Address: DAVID J. KERA  
OBLON SPIVAK MCCLELLAND MAIER & ET AL  
1940 DUKE STREET  
ALEXANDRIA VA , 22314  
UNITED STATES

Correspondent e-mail: [DKera@oblon.com](mailto:DKera@oblon.com)

| Associated marks |                    |                          |                         |
|------------------|--------------------|--------------------------|-------------------------|
| Mark             | Application Status | Serial Number            | Registration Number     |
| BAMA             | Registered         | <a href="#">76212456</a> | <a href="#">3730291</a> |

**Plaintiff(s)**

Name: Athletics Investment Group LLC, d/b/a The Oakland Athletics Baseball Company

Correspondent Address: Rosemary S. Tarlton  
Morrison & Foerster LLP  
425 Market Street  
San Francisco CA , 94105-2482  
UNITED STATES

Correspondent e-mail: [rtarlton@mofo.com](mailto:rtarlton@mofo.com)

| Associated marks     |                    |                          |                         |
|----------------------|--------------------|--------------------------|-------------------------|
| Mark                 | Application Status | Serial Number            | Registration Number     |
| ELEPHANT DESIGN MARK | Renewed            | <a href="#">74802639</a> | <a href="#">1951990</a> |

| Prosecution History |  |              |              |
|---------------------|--|--------------|--------------|
| Entry Number        | History Text                             | Date         | Due Date     |
| 1                   | FILED AND FEE                            | Jun 14, 2004 |              |
| 2                   | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jun 19, 2004 | Jul 29, 2004 |
| 3                   | PENDING, INSTITUTED                      | Jun 19, 2004 |              |
| 4                   | DEF'S MOT TO SUSPEND PROCS W/CONSENT     | Jul 07, 2004 |              |
| 5                   | SUSPENDED                                | Jul 23, 2004 |              |
| 6                   | PL'S MOT TO SUSPEND ALL PROCEEDINGS      | Jan 24, 2005 |              |

|    |  |              |
|----|--|--------------|
| 7  | STIPULATION NOTED AND APPROVED           | Feb 25, 2005 |
| 8  | DEFENDANT'S MOTION                       | Aug 25, 2005 |
| 9  | STIPULATION NOTED AND APPROVED           | Sep 06, 2005 |
| 10 | P'S MOT FOR EXTEN. OF TIME W/ CONSENT    | Mar 03, 2006 |
| 11 | SUSPENDED                                | Mar 09, 2006 |
| 12 | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 13, 2006 |
| 13 | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 13, 2006 |
| 14 | MOTION GRANTED                           | Sep 20, 2006 |
| 15 | STIP TO SUSPEND PEND SETTLEMENT NEGOTNS  | Mar 20, 2007 |
| 16 | OPP'S RESPONSE DUE 30 DAYS               | Mar 22, 2007 |
| 17 | P'S MOT FOR EXTEN. OF TIME W/ CONSENT    | Mar 20, 2007 |
| 18 | SUSPENDED                                | Apr 02, 2007 |
| 19 | STIP TO SUSPEND PEND SETTLEMENT NEGOTNS  | Sep 19, 2007 |
| 20 | MOTION DENIED; DATES REMAIN AS SET       | Sep 26, 2007 |
| 21 | P'S MOT FOR EXTEN. OF TIME W/ CONSENT    | Sep 27, 2007 |
| 22 | SUSPENDED                                | Oct 30, 2007 |
| 23 | P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Apr 22, 2008 |
| 24 | SUSPENDED                                | Jun 02, 2008 |
| 25 | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Aug 29, 2008 |
| 26 | ANSWER DUE 20 DAYS                       | Sep 10, 2008 |
| 27 | ANSWER                                   | Sep 29, 2008 |
| 28 | STIPULATION TO REOPEN DISCOVERY          | Dec 22, 2008 |
| 29 | EXTENSION OF TIME GRANTED                | Jan 02, 2009 |
| 30 | P'S MOTION FOR AN EXTENSION OF TIME      | Jun 29, 2009 |
| 31 | MOTION GRANTED                           | Jul 07, 2009 |
| 32 | WITHDRAWAL OF OPPOSITION                 | Nov 20, 2009 |
| 33 | WITHDRAWAL OF OPPOSITION                 | Nov 20, 2009 |
| 34 | BD'S DECISION: DISMISSED W/O PREJUDICE   | Nov 23, 2009 |
| 35 | TERMINATED                               | Nov 23, 2009 |

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [76212456](#)

**Filing Date:** Jan 15, 2004

**Status:** Terminated

**Status Date:** Feb 03, 2004

**Interlocutory Attorney:**

**Defendant**

**Name:** The Board of Trustees of the University

**Correspondent Address:** DAVID J. KERA  
OBLON SPIVAK MCCLELLAND MAIER ET AL  
1940 DUKE STREET  
ALEXANDRIA VA , 22314

**Associated marks**

| Mark | Application Status | Serial Number            | Registration Number     |
|------|--------------------|--------------------------|-------------------------|
| BAMA | Registered         | <a href="#">76212456</a> | <a href="#">3730291</a> |

**Potential Opposer(s)**

**Name:** Athletics Investment Group LLC, d/b/a

**Correspondent Address:** Rosemary S. Tarlton  
Morrison & Foerster LLP  
425 Market Street  
San Francisco CA , 94105-2482

**Associated marks**

| Mark                 | Application Status | Serial Number            | Registration Number     |
|----------------------|--------------------|--------------------------|-------------------------|
| ELEPHANT DESIGN MARK | Renewed            | <a href="#">74802639</a> | <a href="#">1951990</a> |

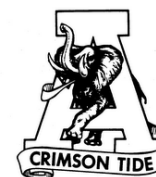
**Prosecution History**

| Entry Number | History Text                        | Date         | Due Date |
|--------------|-------------------------------------|--------------|----------|
| 1            | INCOMING - EXT TIME TO OPPOSE FILED | Jan 15, 2004 |          |
| 2            | EXTENSION OF TIME GRANTED           | Feb 03, 2004 |          |
| 3            | INCOMING - EXT TIME TO OPPOSE FILED | Mar 22, 2004 |          |
| 4            | REQ. TO EXT. TIME TO OPPOSE DENIED  | Apr 12, 2004 |          |
| 5            | REQUEST FOR RECONSIDERATION         | Apr 29, 2004 |          |
| 6            | EXTENSION OF TIME GRANTED           | May 11, 2004 |          |

## **Exhibit D**

**Generated on:** This page was generated by TSDR on 2013-07-11 08:17:04 EDT

**Mark:** A CRIMSON TIDE



**US Serial Number:** 73399005

**Application Filing Date:** Sep. 30, 1982

**US Registration Number:** 1322955

**Registration Date:** Mar. 05, 1985

**Register:** Principal

**Mark Type:** Trademark

**Status:** The registration has been renewed.

**Status Date:** Feb. 20, 2006

**Publication Date:** Dec. 25, 1984

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## Mark Information

---

**Mark Literal Elements:** A CRIMSON TIDE

**Standard Character Claim:** No

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

**Design Search Code(s):** 03.03.01 - Elephants; Mammoths; Mastodons  
24.09.07 - Banners; Advertising, banners

---

## 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
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Key Chains

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

**U.S Class(es):** 013

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Megaphones and Sunglasses ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Commode Seats and Electric Lamps ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Clocks ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Notebooks, Notepad Holders, Wall Calendars, ] Pens, and Decals

**International Class(es):** 016 - Primary Class

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



**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Garment Bags for Travel and Umbrellas ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Stadium Cushions, and Decorative Wall Plaques ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Drinking Mugs, Glasses, and Cups, Insulating Sleeve-Holders for Beverage Cans and Picnic Coolers ]

**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)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Blankets and Pennants ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

**For:** [ Undershirts, Shirts, T-Shirts, Jerseys, Sweat Shirts, Sweat Suits, Shorts, and Caps ]

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

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Board of Trustees of The University of Alabama; The

**Owner Address:** P.O. Box BT  
401 Queen City Ave.  
University, ALABAMA 35486  
UNITED STATES

**Legal Entity Type:** CORPORATION

**State or Country Where  
Organized:** ALABAMA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** DAVID J. KERA

### Correspondent

**Correspondent  
Name/Address:** DAVID J KERA  
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUST  
1940 DUKE ST  
ALEXANDRIA, VIRGINIA 22314  
UNITED STATES

## Domestic Representative - Not Found

**Prosecution History**

| Date          | Description  | Proceeding Number |
|---------------|--|-------------------|
| May 27, 2008  | CASE FILE IN TICRS                                     |                   |
| Feb. 20, 2006 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)        |                   |
| Feb. 20, 2006 | REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8    |                   |
| Feb. 20, 2006 | REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED           |                   |
| Feb. 20, 2006 | ASSIGNED TO PARALEGAL                                  | 76293             |
| Jan. 04, 2006 | TEAS CHANGE OF CORRESPONDENCE RECEIVED                 |                   |
| Sep. 06, 2005 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED |                   |
| Sep. 06, 2005 | TEAS SECTION 8 & 9 RECEIVED                            |                   |
| Dec. 09, 1991 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.     |                   |
| Nov. 27, 1991 | RESPONSE RECEIVED TO POST REG. ACTION                  |                   |
| Oct. 24, 1991 | POST REGISTRATION ACTION MAILED - SEC. 8 & 15          |                   |
| Jul. 22, 1991 | POST REGISTRATION ACTION MAILED - SEC. 8 & 15          |                   |
| Mar. 05, 1991 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED             |                   |
| Mar. 05, 1985 | REGISTERED-PRINCIPAL REGISTER                          |                   |
| Dec. 25, 1984 | PUBLISHED FOR OPPOSITION                               |                   |
| Dec. 12, 1984 | NOTICE OF PUBLICATION                                  |                   |
| Oct. 26, 1984 | APPROVED FOR PUB - PRINCIPAL REGISTER                  |                   |
| Oct. 17, 1984 | CORRESPONDENCE RECEIVED IN LAW OFFICE                  |                   |
| Apr. 20, 1984 | NON-FINAL ACTION MAILED                                |                   |
| Feb. 24, 1984 | CORRESPONDENCE RECEIVED IN LAW OFFICE                  |                   |
| Aug. 29, 1983 | NON-FINAL ACTION MAILED                                |                   |
| Aug. 01, 1983 | ASSIGNED TO EXAMINER                                   |                   |

**Maintenance Filings or Post Registration Information**

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Mar. 05, 2005

**Change in Registration:** Yes

**TM Staff and Location Information**

## TM Staff Information - None

## File Location

**Current Location:** SCANNING ON DEMAND

**Date in Location:** May 27, 2008

**Proceedings****Summary**

**Number of Proceedings:** 2

**Type of Proceeding: Opposition**

**Proceeding Number:** [91210183](#)

**Filing Date:** Apr 10, 2013

**Status:** Pending

**Status Date:** Apr 10, 2013

**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** Michael H. Cox

**Correspondent Address:** MICHAEL H COX  
3133 WOODBRIDGE DR  
BIRMINGHAM AL , 35242-3337

UNITED STATES

Correspondent e-mail: [coxmi@charter.net](mailto:coxmi@charter.net)

| Associated marks   |                    |                          |                     |
|--------------------|--------------------|--------------------------|---------------------|
| Mark               | Application Status | Serial Number            | Registration Number |
| Opposition Pending |                    | <a href="#">85652902</a> |                     |
| Plaintiff(s)       |                    |                          |                     |

**Name:** Board of Trustees of The University of Alabama

**Correspondent Address:** HARRIS W HENDERSON  
KILPATRICK TOWNSEND STOCKTON  
1100 PEACHTREE ST STE 2800  
ATLANTA GA , 20309-4530  
UNITED STATES

**Correspondent e-mail:** [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com) , [aljones@ktslaw.com](mailto:aljones@ktslaw.com) , [hhenderson@ktslaw.com](mailto:hhenderson@ktslaw.com) , [rchou@ktslaw.com](mailto:rchou@ktslaw.com) , [brook@ktslaw.com](mailto:brook@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com)

| Associated marks     |  |                          |                         |
|----------------------|--|--------------------------|-------------------------|
| Mark                 | Application Status                           | Serial Number            | Registration Number     |
| ROLL TIDE            | Renewed                                      | <a href="#">73399073</a> | <a href="#">1335032</a> |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

| Prosecution History |  |              |              |
|---------------------|--|--------------|--------------|
| Entry Number        | History Text                             | Date         | Due Date     |
| 1                   | FILED AND FEE                            | Apr 10, 2013 |              |
| 2                   | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 10, 2013 | May 20, 2013 |
| 3                   | PENDING, INSTITUTED                      | Apr 10, 2013 |              |
| 4                   | ANSWER                                   | Apr 30, 2013 |              |
| 5                   | BD SERVES # 4 ON P                       | May 03, 2013 |              |
| 6                   | D CERT OF SERVICE FOR # 4                | May 06, 2013 |              |

**Type of Proceeding: Opposition**

**Proceeding Number:** [91194718](#)

**Filing Date:** May 03, 2010

**Status:** Terminated

**Status Date:** Aug 13, 2010

**Interlocutory Attorney:** ROBERT COGGINS

| Defendant   |  |
|---|--|
| <b>Name:</b> The Tuscs, LLC   |  |
| <b>Correspondent Address:</b> AKBAR BUTT<br>The Tuscs, LLC<br>1325 10TH AVENUE APT 12<br>TUSCALOOSA AL , 35401<br>UNITED STATES |  |
| <b>Correspondent e-mail:</b> <a href="mailto:thetuscs@gmail.com">thetuscs@gmail.com</a>   |  |

| Associated marks                        |                    |                          |                     |
|---|--------------------|--------------------------|---------------------|
| Mark                                    | Application Status | Serial Number            | Registration Number |
| Abandoned - After Inter-Partes Decision |                    | <a href="#">77741702</a> |                     |
| Plaintiff(s)                            |                    |                          |                     |

**Name:** Board of Trustees of The University of Alabama, Paul W. Bryant

**Correspondent Address:** ALICIA GRAHN JONES  
KILPATRICK STOCKTON LLP  
1100 PEACHTREE STREET SUITE 2800  
ATLANTA GA , 30309  
UNITED STATES

**Correspondent e-mail:** [tmadmin@kilpatrickstockton.com](mailto:tmadmin@kilpatrickstockton.com) , [aljones@kilpatrickstockton.com](mailto:aljones@kilpatrickstockton.com) , [hhenderson@kilpatrickstockton.com](mailto:hhenderson@kilpatrickstockton.com) , [brook@kilpatrickstockton.com](mailto:brook@kilpatrickstockton.com)

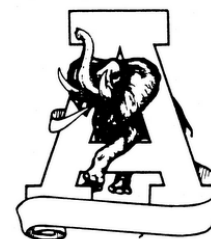
| Associated marks     |  |                          |                         |
|----------------------|--|--------------------------|-------------------------|
| Mark                 | Application Status                           | Serial Number            | Registration Number     |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

| Prosecution History |  |              |              |
|---------------------|--|--------------|--------------|
| Entry Number        | History Text                             | Date         | Due Date     |
| 1                   | FILED AND FEE                            | May 03, 2010 |              |
| 2                   | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | May 03, 2010 | Jun 12, 2010 |
| 3                   | PENDING, INSTITUTED                      | May 03, 2010 |              |
| 4                   | NOTICE OF DEFAULT                        | Jun 29, 2010 |              |
| 5                   | BOARD'S DECISION: SUSTAINED              | Aug 13, 2010 |              |
| 6                   | TERMINATED                               | Aug 13, 2010 |              |

## **Exhibit E**

Generated on: This page was generated by TSDR on 2013-07-11 08:18:06 EDT

Mark: A



US Serial Number: 73399068

Application Filing Date: Sep. 30, 1982

US Registration Number: 1351302

Registration Date: Jul. 30, 1985

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Apr. 17, 2006

Publication Date: Feb. 19, 1985

## Mark Information

Mark Literal Elements: A

Standard Character Claim: No

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

Design Search Code(s): 03.03.01 - Elephants; Mammoths; Mastodons  
24.09.07 - Banners; Advertising, banners

## 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
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Key Rings, [Metal License Plates, and License Plate Frames]

International Class(es): 006 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1973

Use in Commerce: 1973

For: [Megaphones]

International Class(es): 009 - Primary Class

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

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: 1973

Use in Commerce: 1973

For: [Commode Seats, Electrical Fans for Domestic Use, Electric Nightlights, and Lamps]

International Class(es): 011 - Primary Class

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

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: 1973

Use in Commerce: 1973

For: [Bicycles, Tricycles, Baby Carriages, and Car Horns]

International Class(es): 012 - Primary Class

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

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: 1973

Use in Commerce: 1973

For: [Gold Pins, Tie Tacs, Necklaces, Bracelets, Jewelry Chains, Broaches, Rings,] Watches, [and Clocks]

|  |  |
|--|--|
| <b>International Class(es):</b> 014 - Primary Class  | <b>U.S Class(es):</b> 002, 027, 028, 050                     |
| <b>Class Status:</b> ACTIVE  |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> [Books, Notebooks, Looseleaf Binders, Writing Paper and Envelopes, Desk Pads, Notepad Holders, Letter Openers, Pencil Cups, Plastic Containers for Paper Clips, Lap Boards for Holding Books and Paper, Appointment Books, Address Books, Wall Calendars, Protective Binders for Diplomas, Pens, Pen and Pencil Sets, Book Ends, Decals, Postcards, Bumper Stickers and Playing Cards] |  |
| <b>International Class(es):</b> 016 - Primary Class  | <b>U.S Class(es):</b> 002, 005, 022, 023, 029, 037, 038, 050 |
| <b>Class Status:</b> SECTION 8 - CANCELLED   |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> [School Book Bags, Tote Bags, Hand Luggage, Briefcases, Attache Cases, Briefcase Type Portfolios, Backpacks, Garment Bags for Travel, Wallets, and Umbrellas]  |  |
| <b>International Class(es):</b> 018 - Primary Class  | <b>U.S Class(es):</b> 001, 002, 003, 022, 041                |
| <b>Class Status:</b> SECTION 8 - CANCELLED   |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> [Pillows, Stadium Cushions, Chairs, Chair Cushions, and Decorative Wall Plaques]   |  |
| <b>International Class(es):</b> 020 - Primary Class  | <b>U.S Class(es):</b> 002, 013, 022, 025, 032, 050           |
| <b>Class Status:</b> SECTION 8 - CANCELLED   |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> Drinking [Mugs,] Glasses, [Cups, Plates, Vacuum Bottles, Picnic Coolers, Soap Dishes, Ceramic Statues, and Wastebaskets]   |  |
| <b>International Class(es):</b> 021 - Primary Class  | <b>U.S Class(es):</b> 002, 013, 023, 029, 030, 033, 040, 050 |
| <b>Class Status:</b> ACTIVE  |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> [Towels, Blankets, Pennants, and Banners]  |  |
| <b>International Class(es):</b> 024 - Primary Class  | <b>U.S Class(es):</b> 042, 050                               |
| <b>Class Status:</b> SECTION 8 - CANCELLED   |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> [Sleep Shirts, Robes, Shirts, T-Shirts, Tennis Shirts, Ladies' Tops, Jerseys, Warm-Up Suits, Sweaters, Blazers, Jackets, Vests, Shorts, Baby Pants, Bibs, Ties,] Shoes, [Mittens, Scarves, Socks, Caps, and Visors]  |  |
| <b>International Class(es):</b> 025 - Primary Class  | <b>U.S Class(es):</b> 022, 039                               |
| <b>Class Status:</b> ACTIVE  |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> [Belt Buckles, Buttons for Clothing, and Clothing Patches]   |  |
| <b>International Class(es):</b> 026 - Primary Class  | <b>U.S Class(es):</b> 037, 039, 040, 042, 050                |
| <b>Class Status:</b> SECTION 8 - CANCELLED   |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> [Door Mats]  |  |
| <b>International Class(es):</b> 027 - Primary Class  | <b>U.S Class(es):</b> 019, 020, 037, 042, 050                |
| <b>Class Status:</b> SECTION 8 - CANCELLED   |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |
| <b>For:</b> [Racquet Covers, Footballs, Basketballs, Toy Stuffed Animals, and Toy Flying Discs]  |  |
| <b>International Class(es):</b> 028 - Primary Class  | <b>U.S Class(es):</b> 022, 023, 038, 050                     |
| <b>Class Status:</b> SECTION 8 - CANCELLED   |  |
| <b>Basis:</b> 1(a)   |  |
| <b>First Use:</b> 1973   | <b>Use in Commerce:</b> 1973                                 |

**For:** [Ashtrays, Cigarette Lighters, and Pipes]

**International Class(es):** 034 - Primary Class

**U.S Class(es):** 002, 008, 009, 017

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** 1973

**Use in Commerce:** 1973

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Board of Trustees of the University of Alabama; The

**Owner Address:** P.O. Box BT  
401 Queen City Ave.  
University, ALABAMA 35486  
UNITED STATES

**Legal Entity Type:** CORPORATION

**State or Country Where  
Organized:** ALABAMA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** David J. Kera

### Correspondent

**Correspondent  
Name/Address:** DAVID J KERA  
OBLON SPIVAK MCCLELLAND, ET AL  
1940 DUKE ST  
ALEXANDRIA, VIRGINIA 22314  
UNITED STATES

### Domestic Representative

**Domestic Representative  
Name:** OBLON SPIVAK MCCLELLAND, ET AL.

## Prosecution History

| Date          | Description  | Proceeding<br>Number |
|---------------|--|----------------------|
| Apr. 17, 2006 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)            |                      |
| Apr. 17, 2006 | REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8        |                      |
| Apr. 17, 2006 | REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED               | 60234                |
| Apr. 13, 2006 | ASSIGNED TO PARALEGAL                                      | 60234                |
| Jan. 30, 2006 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED     |                      |
| Jan. 30, 2006 | PAPER RECEIVED   |                      |
| Nov. 04, 1991 | REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. |                      |
| Jun. 24, 1991 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED                 |                      |
| Jun. 24, 1991 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED                 |                      |
| Jul. 30, 1985 | REGISTERED-PRINCIPAL REGISTER                              |                      |
| Feb. 19, 1985 | PUBLISHED FOR OPPOSITION                                   |                      |
| Feb. 12, 1985 | NOTICE OF PUBLICATION                                      |                      |
| Jan. 12, 1985 | NOTICE OF PUBLICATION                                      |                      |
| Dec. 19, 1984 | APPROVED FOR PUB - PRINCIPAL REGISTER                      |                      |
| Dec. 04, 1984 | EXAMINERS AMENDMENT MAILED                                 |                      |
| Mar. 27, 1984 | FINAL REFUSAL MAILED                                       |                      |



Feb. 05, 1984 CORRESPONDENCE RECEIVED IN LAW OFFICE  
Aug. 16, 1983 NON-FINAL ACTION MAILED  
Aug. 02, 1983 ASSIGNED TO EXAMINER

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted in Part

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Jul. 30, 2005

**Change in Registration:** Yes

## TM Staff and Location Information

TM Staff Information - None

File Location

**Current Location:** POST REGISTRATION

**Date in Location:** Apr. 17, 2006

## Proceedings

### Summary

**Number of Proceedings:** 3

### Type of Proceeding: Opposition

**Proceeding Number:** [91210183](#)

**Filing Date:** Apr 10, 2013

**Status:** Pending

**Status Date:** Apr 10, 2013

**Interlocutory Attorney:** ROBERT COGGINS

### Defendant

**Name:** Michael H. Cox

**Correspondent Address:** MICHAEL H COX  
3133 WOODBRIDGE DR  
BIRMINGHAM AL , 35242-3337  
UNITED STATES

**Correspondent e-mail:** [coxmi@charter.net](mailto:coxmi@charter.net)

### Associated marks

| Mark | Application Status | Serial Number            | Registration Number |
|------|--------------------|--------------------------|---------------------|
|      | Opposition Pending | <a href="#">85652902</a> |                     |

### Plaintiff(s)

**Name:** Board of Trustees of The University of Alabama

**Correspondent Address:** HARRIS W HENDERSON  
KILPATRICK TOWNSEND STOCKTON  
1100 PEACHTREE ST STE 2800  
ATLANTA GA , 20309-4530  
UNITED STATES

**Correspondent e-mail:** [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com) , [aljones@ktslaw.com](mailto:aljones@ktslaw.com) , [hhenderson@ktslaw.com](mailto:hhenderson@ktslaw.com) , [rchou@ktslaw.com](mailto:rchou@ktslaw.com) , [brook@ktslaw.com](mailto:brook@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com)

### Associated marks

| Mark                 | Application Status                           | Serial Number            | Registration Number     |
|----------------------|--|--------------------------|-------------------------|
| ROLL TIDE            | Renewed                                      | <a href="#">73399073</a> | <a href="#">1335032</a> |
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

### Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--------------|------|----------|
|--------------|--------------|------|----------|

|   |  |              |              |
|---|--|--------------|--------------|
| 1 | FILED AND FEE                            | Apr 10, 2013 |              |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 10, 2013 | May 20, 2013 |
| 3 | PENDING, INSTITUTED                      | Apr 10, 2013 |              |
| 4 | ANSWER                                   | Apr 30, 2013 |              |
| 5 | BD SERVES # 4 ON P                       | May 03, 2013 |              |
| 6 | D CERT OF SERVICE FOR # 4                | May 06, 2013 |              |

**Type of Proceeding: Opposition**

**Proceeding Number:** [91194718](#)

**Filing Date:** May 03, 2010

**Status:** Terminated

**Status Date:** Aug 13, 2010

**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** The Tuscs, LLC

**Correspondent Address:** AKBAR BUTT  
The Tuscs, LLC  
1325 10TH AVENUE APT 12  
TUSCALOOSA AL , 35401  
UNITED STATES

**Correspondent e-mail:** [thetuscs@gmail.com](mailto:thetuscs@gmail.com)

**Associated marks**

| Mark | Application Status                      | Serial Number            | Registration Number |
|------|---|--------------------------|---------------------|
|      | Abandoned - After Inter-Partes Decision | <a href="#">77741702</a> |                     |

**Plaintiff(s)**

**Name:** Board of Trustees of The University of Alabama, Paul W. Bryant

**Correspondent Address:** ALICIA GRAHN JONES  
KILPATRICK STOCKTON LLP  
1100 PEACHTREE STREET SUITE 2800  
ATLANTA GA , 30309  
UNITED STATES

**Correspondent e-mail:** [tmadmin@kilpatrickstockton.com](mailto:tmadmin@kilpatrickstockton.com) , [aljones@kilpatrickstockton.com](mailto:aljones@kilpatrickstockton.com) , [hhenderson@kilpatrickstockton.com](mailto:hhenderson@kilpatrickstockton.com) , [brook@kilpatrickstockton.com](mailto:brook@kilpatrickstockton.com)

**Associated marks**

| Mark                 | Application Status                           | Serial Number            | Registration Number     |
|----------------------|--|--------------------------|-------------------------|
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

**Prosecution History**

| Entry Number | History Text                             | Date         | Due Date     |
|--------------|--|--------------|--------------|
| 1            | FILED AND FEE                            | May 03, 2010 |              |
| 2            | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | May 03, 2010 | Jun 12, 2010 |
| 3            | PENDING, INSTITUTED                      | May 03, 2010 |              |
| 4            | NOTICE OF DEFAULT                        | Jun 29, 2010 |              |
| 5            | BOARD'S DECISION: SUSTAINED              | Aug 13, 2010 |              |
| 6            | TERMINATED                               | Aug 13, 2010 |              |

**Type of Proceeding: Opposition**

**Proceeding Number:** [91175121](#)

**Filing Date:** Jan 08, 2007

**Status:** Terminated

**Status Date:** May 07, 2012

**Interlocutory Attorney:** CHERYL S GOODMAN

**Defendant**

**Name:** Atlanta National League Baseball Club, Inc.

**Correspondent Address:** MARYANN E LICCIARDI

COWAN LIEBOWITZ & LATMAN PC  
1133 AVENUE OF THE AMERICAS  
NEW YORK NY , 10036-6799  
UNITED STATES

Correspondent e-mail: [mel@cll.com](mailto:mel@cll.com) , [trademark@cll.com](mailto:trademark@cll.com) , [mlk@cll.com](mailto:mlk@cll.com) , [jmn@cll.com](mailto:jmn@cll.com)

**Associated marks**

| Mark                | Application Status | Serial Number            | Registration Number     |
|---------------------|--------------------|--------------------------|-------------------------|
| A                   | Registered         | <a href="#">78749017</a> | <a href="#">4298516</a> |
| <b>Plaintiff(s)</b> |                    |                          |                         |

**Name:** The Board of Trustees of the University of Alabama

**Correspondent Address:** DAVID J KERA  
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC  
1940 DUKE STREET  
ALEXANDRIA VA , 22314  
UNITED STATES

Correspondent e-mail: [DKera@oblon.com](mailto:DKera@oblon.com) , [tmdocket@oblon.com](mailto:tmdocket@oblon.com) , [RTarlton@mofo.com](mailto:RTarlton@mofo.com) , [jhudis@oblon.com](mailto:jhudis@oblon.com) , [jkaufman@oblon.com](mailto:jkaufman@oblon.com) , [kbunn@oblon.com](mailto:kbunn@oblon.com),

**Associated marks**

| Mark | Application Status | Serial Number            | Registration Number     |
|------|--------------------|--------------------------|-------------------------|
| A    | Renewed            | <a href="#">73399068</a> | <a href="#">1351302</a> |

**Prosecution History**

| Entry Number | History Text                             | Date         | Due Date     |
|--------------|--|--------------|--------------|
| 1            | FILED AND FEE                            | Jan 08, 2007 |              |
| 2            | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2007 | Feb 23, 2007 |
| 3            | PENDING, INSTITUTED                      | Jan 14, 2007 |              |
| 4            | CHANGE OF CORRESPONDENCE ADDRESS         | Feb 16, 2007 |              |
| 5            | STIP TO SUSPEND PEND SETTLEMENT NEGOTNS  | Feb 16, 2007 |              |
| 6            | SUSPENDED                                | Feb 16, 2007 |              |
| 7            | CHANGE OF CORRESPONDENCE ADDRESS         | Aug 14, 2007 |              |
| 8            | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Aug 15, 2007 |              |
| 9            | SUSPENDED                                | Aug 15, 2007 |              |
| 10           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Feb 13, 2008 |              |
| 11           | SUSPENDED                                | Feb 14, 2008 |              |
| 12           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Aug 06, 2008 |              |
| 13           | SUSPENDED                                | Aug 07, 2008 |              |
| 14           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Feb 10, 2009 |              |
| 15           | SUSPENDED                                | Feb 10, 2009 |              |
| 16           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Aug 10, 2009 |              |
| 17           | SUSPENDED                                | Aug 15, 2009 |              |
| 18           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Feb 08, 2010 |              |
| 19           | SUSPENDED                                | Feb 16, 2010 |              |
| 20           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Aug 05, 2010 |              |
| 21           | SUSPENDED                                | Aug 17, 2010 |              |
| 22           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Feb 09, 2011 |              |
| 23           | SUSPENDED                                | Mar 07, 2011 |              |
| 24           | CHANGE OF CORRESPONDENCE ADDRESS         | Mar 30, 2011 |              |
| 25           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Aug 10, 2011 |              |
| 26           | TRIAL DATES RESET                        | Aug 19, 2011 |              |
| 27           | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Feb 09, 2012 |              |
| 28           | SUSPENDED                                | Feb 15, 2012 |              |
| 29           | WITHDRAWAL OF OPPOSITION                 | Apr 30, 2012 |              |
| 30           | BD'S DECISION: DISMISSED W/O PREJUDICE   | May 07, 2012 |              |
| 31           | TERMINATED                               | May 07, 2012 |              |

## **Exhibit F**

**Generated on:** This page was generated by TSDR on 2013-07-11 08:19:08 EDT

**Mark:** A



**US Serial Number:** 76212791  
**US Registration Number:** 2745882  
**Register:** Principal  
**Mark Type:** Trademark, Service Mark  
**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
**Status Date:** Aug. 17, 2009  
**Publication Date:** Dec. 03, 2002

**Application Filing Date:** Feb. 20, 2001  
**Registration Date:** Aug. 05, 2003

## Mark Information

**Mark Literal Elements:** A  
**Standard Character Claim:** No  
**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)  
**Lining and Stippling Statement:** The stippling is a feature of the mark.  
**Design Search Code(s):** 03.03.01 - Elephants; Mammoths; Mastodons  
03.03.16 - Heads of Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas  
03.03.24 - Stylized Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas  
03.03.26 - Costumed Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas

## Related Properties Information

**Claimed Ownership of US Registrations:** 1264212, 1322955, 1325940, 1351302 and others

## 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
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** METAL AND NON-METAL KEY CHAINS, METAL LICENSE PLATES [, METAL PADLOCKS ]

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 1998

**Use in Commerce:** Jun. 1998

**For:** EARRINGS, NECKLACES, BRACELETS BEING JEWELRY, WATCHES [, RINGS BEING JEWELRY, ] PENDANTS, ORNAMENTAL LAPEL PINS [, MEDALLIONS ]

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 1998

**Use in Commerce:** Jun. 1998

**For:** STICKERS, [ LETTERHEAD STATIONERY, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER, BOWS, PLAYING CARDS, ADDRESS BOOKS, ] APPOINTMENT BOOKS, PAPER WEIGHTS, [ MEDIA GUIDES, PROGRAMS, BROCHURES ABOUT UPCOMING EVENTS AND EDUCATIONAL AND ENTERTAINMENT PROGRAMS AT THE UNIVERSITY OF ALABAMA, PARKING DECALS, ENVELOPES, ] PAPER BAGS AND POUCHES FOR PACKAGING

**International Class(es):** 016 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 1998

**Use in Commerce:** Nov. 1998

|   |                     |  |
|---|---------------------|--|
| <b>For:</b> [ BAR STOOLS, BUNK BEDS, CHAIRS, BENCHES, ] TABLES, [ BABY CRIBS, WOODEN PICTURE FRAMES, ] SNOW GLOBES, [ PLASTIC NOVELTY LICENSE PLATES, ] METAL PICTURE FRAMES  |                     |  |
| <b>International Class(es):</b>   | 020 - Primary Class | <b>U.S Class(es):</b> 002, 013, 022, 025, 032, 050           |
| <b>Class Status:</b> ACTIVE   |                     |  |
| <b>Basis:</b> 1(a)  |                     |  |
| <b>First Use:</b> Apr. 1999   |                     | <b>Use in Commerce:</b> Apr. 1999                            |
| <hr/>   |                     |  |
| <b>For:</b> DRINKING GLASSES, [ SHOT GLASSES, ] STAINED GLASS DECORATION, DECORATIVE GLASS FIGURINES [, WATER BOTTLES SOLD EMPTY, MUGS, BOTTLE OPENERS ]  |                     |  |
| <b>International Class(es):</b>   | 021 - Primary Class | <b>U.S Class(es):</b> 002, 013, 023, 029, 030, 033, 040, 050 |
| <b>Class Status:</b> ACTIVE   |                     |  |
| <b>Basis:</b> 1(a)  |                     |  |
| <b>First Use:</b> Jul. 1998   |                     | <b>Use in Commerce:</b> Jul. 1998                            |
| <hr/>   |                     |  |
| <b>For:</b> [ MEN'S WOMEN'S AND CHILDREN'S CLOTHING; NAMELY, HATS, SOCKS, SHOES, SHIRTS, SHORTS, PANTS, JACKETS, JERSEYS, T-SHIRTS ] * MEN'S CLOTHING, NAMELY, HATS, SHIRTS, JERSEYS; WOMEN'S CLOTHING, NAMELY, SHORTS, SHIRTS, PANTS; CHILDREN'S CLOTHING, NAMELY, SOCKS, SHIRTS, PANTS, JACKETS * |                     |  |
| <b>International Class(es):</b>   | 025 - Primary Class | <b>U.S Class(es):</b> 022, 039                               |
| <b>Class Status:</b> ACTIVE   |                     |  |
| <b>Basis:</b> 1(a)  |                     |  |
| <b>First Use:</b> Aug. 1998   |                     | <b>Use in Commerce:</b> Aug. 1998                            |
| <hr/>   |                     |  |
| <b>For:</b> TOY STUFFED ANIMALS, [YO-YO'S, SPRING TOYS, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES, ] CHRISTMAS TREE ORNAMENTS  |                     |  |
| <b>International Class(es):</b>   | 028 - Primary Class | <b>U.S Class(es):</b> 022, 023, 038, 050                     |
| <b>Class Status:</b> ACTIVE   |                     |  |
| <b>Basis:</b> 1(a)  |                     |  |
| <b>First Use:</b> Nov. 1999   |                     | <b>Use in Commerce:</b> Nov. 1999                            |
| <hr/>   |                     |  |
| <b>For:</b> EDUCATIONAL SERVICES, NAMELY, UNIVERSITY UNDERGRADUATE, GRADUATE, EXTENSION, AND COMMUNITY EDUCATION, PUBLIC LECTURES, AND WORKSHOPS, SEMINARS, AND CONFERENCES CONDUCTED IN CONNECTION WITH THE FOREGOING  |                     |  |
| <b>International Class(es):</b>   | 041 - Primary Class | <b>U.S Class(es):</b> 100, 101, 107                          |
| <b>Class Status:</b> ACTIVE   |                     |  |
| <b>Basis:</b> 1(a)  |                     |  |
| <b>First Use:</b> Aug. 1998   |                     | <b>Use in Commerce:</b> Aug. 1998                            |

## Basis Information (Case Level)

|                           |                               |                        |
|---------------------------|-------------------------------|------------------------|
| <b>Filed Use:</b> Yes     | <b>Currently Use:</b> Yes     | <b>Amended Use:</b> No |
| <b>Filed ITU:</b> No      | <b>Currently ITU:</b> No      | <b>Amended ITU:</b> No |
| <b>Filed 44D:</b> No      | <b>Currently 44D:</b> No      | <b>Amended 44D:</b> No |
| <b>Filed 44E:</b> No      | <b>Currently 44E:</b> No      | <b>Amended 44E:</b> No |
| <b>Filed 66A:</b> No      | <b>Currently 66A:</b> No      |                        |
| <b>Filed No Basis:</b> No | <b>Currently No Basis:</b> No |                        |

## Current Owner(s) Information

|  |  |
|--|--|
| <b>Owner Name:</b> The Board of Trustees of the Universityof Alabama   |  |
| <b>Owner Address:</b> P.O. Box BT<br>401 Queen City Avenue<br>Tuscaloosa, ALABAMA 354011551<br>UNITED STATES |  |
| <b>Legal Entity Type:</b> CORPORATION  | <b>State or Country Where Organized:</b> ALABAMA |

## Attorney/Correspondence Information

| Attorney of Record  |                                  |
|---|----------------------------------|
| <b>Attorney Name:</b> David J Kera  | <b>Docket Number:</b> 199199US33 |
| Correspondent   |                                  |
| <b>Correspondent Name/Address:</b> JEFFREY H KAUFMAN<br>OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT<br>1940 DUKE ST<br>ALEXANDRIA, VIRGINIA 22314-3454 |                                  |

## Prosecution History

| Date          | Description  | Proceeding Number |
|---------------|--|-------------------|
| Aug. 17, 2009 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | 59807             |
| Aug. 06, 2009 | ASSIGNED TO PARALEGAL                              | 59807             |
| Aug. 04, 2009 | SEC 7 REQUEST FILED                                |                   |
| Aug. 04, 2009 | FAX RECEIVED                                       |                   |
| Jul. 23, 2009 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED         |                   |
| Jul. 23, 2009 | PAPER RECEIVED                                     |                   |
| Mar. 13, 2008 | CASE FILE IN TICRS                                 |                   |
| Nov. 06, 2003 | CERTIFICATE OF CORRECTION ISSUED                   |                   |
| Sep. 11, 2003 | SEC 7 REQUEST FILED                                |                   |
| Sep. 11, 2003 | PAPER RECEIVED                                     |                   |
| Aug. 05, 2003 | REGISTERED-PRINCIPAL REGISTER                      |                   |
| Jan. 10, 2003 | EXTENSION OF TIME TO OPPOSE RECEIVED               |                   |
| Nov. 29, 2002 | PAPER RECEIVED                                     |                   |
| Dec. 03, 2002 | PUBLISHED FOR OPPOSITION                           |                   |
| Nov. 13, 2002 | NOTICE OF PUBLICATION                              |                   |
| Oct. 29, 2002 | PAPER RECEIVED                                     |                   |
| Sep. 24, 2002 | APPROVED FOR PUB - PRINCIPAL REGISTER              |                   |
| Sep. 05, 2002 | CORRESPONDENCE RECEIVED IN LAW OFFICE              |                   |
| Sep. 05, 2002 | PAPER RECEIVED                                     |                   |
| Mar. 05, 2002 | FINAL REFUSAL MAILED                               |                   |
| Nov. 05, 2001 | CORRESPONDENCE RECEIVED IN LAW OFFICE              |                   |
| May 03, 2001  | NON-FINAL ACTION MAILED                            |                   |
| May 02, 2001  | ASSIGNED TO EXAMINER                               | 73362             |

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Change in Registration:** Yes

**Amendment to a Registration/Renewal Certificate:** In the statement, column 1, line 8, "METAL PADLOCKS" is deleted. Line 12-13, "RINGS BEING JEWELRY" is deleted. Line 14, "MEDALLIONS" is deleted. Line 17-20, "LETTERHEAD STATIONERY, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER, BOWS, PLAYING CARDS, ADDRESS BOOKS" is deleted. Line 21-25, "MEDIA GUIDES, PROGRAMS, BROCHURES ABOUT UPCOMING EVENTS AND EDUCATIONAL AND ENTERTAINMENT PROGRAMS AT THE UNIVERSITY OF ALABAMA" is deleted. Column 2, line 2-4, "BAR STOOLS, BUNK BEDS, CHAIRS, BENCHES, BABY CRIBS, WOODEN PICTURE FRAMES" is deleted. Line 4-5, "PLASTIC NOVELTY LICENSE PLATES" is deleted. Line 8, "SHOT GLASSES" is deleted. Lines 10-11, "WATER BOTTLES SOLD EMPTY, MUGS, BOTTLE OPENERS" is deleted. Lines 14-17 is deleted, and, "MEN'S CLOTHING, NAMELY, HATS, SHIRTS, JERSEYS; WOMEN'S CLOTHING, NAMELY, SHORTS, SHIRTS, PANTS; CHILDREN'S CLOTHING, NAMELY, SOCKS, SHIRTS, PANTS, JACKETS" is inserted. Line 19-22, "YO-YO'S, SPRING TOYS, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES" is deleted. deleted. In the statement, column 1, line 8, "METAL PADLOCKS" is deleted. Line 12-13, "RINGS BEING JEWELRY" is deleted. Line 14, "MEDALLIONS" is deleted. Line 17-20, "LETTERHEAD STATIONERY, POSTCARDS, BLANK NOTE CARDS, WRAPPING PAPER, BOWS, PLAYING CARDS, ADDRESS BOOKS" is deleted. Line 21-25, "MEDIA GUIDES, PROGRAMS, BROCHURES ABOUT UPCOMING EVENTS AND EDUCATIONAL AND ENTERTAINMENT PROGRAMS AT THE UNIVERSITY OF ALABAMA" is deleted. Column 2, line 2-4, "BAR STOOLS, BUNK BEDS, CHAIRS, BENCHES, BABY CRIBS, WOODEN PICTURE FRAMES" is deleted. Line 4-5, "PLASTIC NOVELTY LICENSE PLATES" is deleted. Lines 13-16 is deleted, and, "MEN'S CLOTHING, NAMELY, HATS, SHIRTS, JERSEYS; WOMEN'S CLOTHING, NAMELY, SHORTS, SHIRTS, PANTS; CHILDREN'S CLOTHING, NAMELY, SOCKS, SHIRTS, PANTS, JACKETS" is inserted. Line 18-21, "YO-YO'S, SPRING TOYS, BASKETBALLS, GOLF BALLS, FOOTBALLS, TOY MODEL CARS AND PLANES, BOARD GAMES" is deleted. PLANES, BOARD GAMES" is deleted.

**Correction made to Registration:** In the statement, Column 1, line 6, " UNIVERSITY" , should be deleted, and, " TUSCALOOSA" should be inserted.

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Sep. 10, 2009

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: 91210183

Filing Date: Apr 10, 2013

Status: Pending

Status Date: Apr 10, 2013

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Michael H. Cox

Correspondent Address: MICHAEL H COX  
3133 WOODBRIDGE DR  
BIRMINGHAM AL , 35242-3337  
UNITED STATES

Correspondent e-mail: coxmi@charter.net

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|---------------|---------------------|
|      | Opposition Pending | 85652902      |                     |

Plaintiff(s)

Name: Board of Trustees of The University of Alabama

Correspondent Address: HARRIS W HENDERSON  
KILPATRICK TOWNSEND STOCKTON  
1100 PEACHTREE ST STE 2800  
ATLANTA GA , 20309-4530  
UNITED STATES

Correspondent e-mail: tmadmin@kilpatricktownsend.com , aljones@ktslaw.com , hhenderson@ktslaw.com , rchou@ktslaw.com , brook@ktslaw.com , kteilha  
ber@ktslaw.com

Associated marks

| Mark                 | Application Status                           | Serial Number | Registration Number |
|----------------------|--|---------------|---------------------|
| ROLL TIDE            | Renewed                                      | 73399073      | 1335032             |
| A                    | Renewed                                      | 76212792      | 2706104             |
| ALABAMA CRIMSON TIDE | Registered                                   | 76212790      | 3730292             |
| BAMA                 | Registered                                   | 76212456      | 3730291             |
| A CRIMSON TIDE       | Renewed                                      | 73399005      | 1322955             |
| A                    | Renewed                                      | 73399068      | 1351302             |
| A                    | Section 8 and 15 - Accepted and Acknowledged | 76212791      | 2745882             |

Prosecution History

| Entry Number | History Text                             | Date         | Due Date     |
|--------------|--|--------------|--------------|
| 1            | FILED AND FEE                            | Apr 10, 2013 |              |
| 2            | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 10, 2013 | May 20, 2013 |
| 3            | PENDING, INSTITUTED                      | Apr 10, 2013 |              |
| 4            | ANSWER                                   | Apr 30, 2013 |              |
| 5            | BD SERVES # 4 ON P                       | May 03, 2013 |              |
| 6            | D CERT OF SERVICE FOR # 4                | May 06, 2013 |              |

Type of Proceeding: Opposition

Proceeding Number: 91194718

Filing Date: May 03, 2010

Status: Terminated

Status Date: Aug 13, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: The Tuscs, LLC

Correspondent Address: AKBAR BUTT



The Tuscs, LLC  
1325 10TH AVENUE APT 12  
TUSCALOOSA AL , 35401  
UNITED STATES

Correspondent e-mail: [thetuscs@gmail.com](mailto:thetuscs@gmail.com)

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

Abandoned - After Inter-Partes Decision [77741702](#)

**Plaintiff(s)**

**Name:** Board of Trustees of The University of Alabama, Paul W. Bryant

**Correspondent Address:** ALICIA GRAHN JONES  
KILPATRICK STOCKTON LLP  
1100 PEACHTREE STREET SUITE 2800  
ATLANTA GA , 30309  
UNITED STATES

**Correspondent e-mail:** [tmadmin@kilpatrickstockton.com](mailto:tmadmin@kilpatrickstockton.com) , [aljones@kilpatrickstockton.com](mailto:aljones@kilpatrickstockton.com) , [hhenderson@kilpatrickstockton.com](mailto:hhenderson@kilpatrickstockton.com) ,  
[brook@kilpatrickstockton.com](mailto:brook@kilpatrickstockton.com)

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

|                      |  |                          |                         |
|----------------------|--|--------------------------|-------------------------|
| A                    | Renewed                                      | <a href="#">76212792</a> | <a href="#">2706104</a> |
| ALABAMA CRIMSON TIDE | Registered                                   | <a href="#">76212790</a> | <a href="#">3730292</a> |
| BAMA                 | Registered                                   | <a href="#">76212456</a> | <a href="#">3730291</a> |
| A CRIMSON TIDE       | Renewed                                      | <a href="#">73399005</a> | <a href="#">1322955</a> |
| A                    | Renewed                                      | <a href="#">73399068</a> | <a href="#">1351302</a> |
| A                    | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |

**Prosecution History**

| Entry Number | History Text                             | Date         | Due Date     |
|--------------|--|--------------|--------------|
| 1            | FILED AND FEE                            | May 03, 2010 |              |
| 2            | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | May 03, 2010 | Jun 12, 2010 |
| 3            | PENDING, INSTITUTED                      | May 03, 2010 |              |
| 4            | NOTICE OF DEFAULT                        | Jun 29, 2010 |              |
| 5            | BOARD'S DECISION: SUSTAINED              | Aug 13, 2010 |              |
| 6            | TERMINATED                               | Aug 13, 2010 |              |

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [76212791](#)

**Filing Date:** Jan 29, 2003

**Status:** Terminated

**Status Date:** Jan 29, 2003

**Interlocutory Attorney:**

**Defendant**

**Name:** The Board of Trustees of the University

**Correspondent Address:** DAVID J KERA  
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT  
1940 DUKE ST  
ALEXANDRIA VA , 22314-3454

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

|   |  |                          |                         |
|---|--|--------------------------|-------------------------|
| A | Section 8 and 15 - Accepted and Acknowledged | <a href="#">76212791</a> | <a href="#">2745882</a> |
|---|--|--------------------------|-------------------------|

**Potential Opposer(s)**

**Name:** ATHLETICS INVESTMENT GROUP

**Correspondent Address:** MARY L. KEVLIN  
COWAN, LIEBOWITZ & LATMAN, P.C.  
1133 AVENUE OF THE AMERICAS  
NEW YORK NY , 10036

**Prosecution History**

| Entry Number | History Text | Date | Due Date |
|--------------|--------------|------|----------|
|--------------|--------------|------|----------|

---

|   |                                     |              |
|---|-------------------------------------|--------------|
| 1 | INCOMING - EXT TIME TO OPPOSE FILED | Jan 02, 2003 |
| 2 | EXTENSION OF TIME GRANTED           | Jan 29, 2003 |
| 3 | INCOMING - EXT TIME TO OPPOSE FILED | Jan 30, 2003 |
| 4 | EXTENSION OF TIME GRANTED           | Feb 12, 2003 |

## **Exhibit G**

[Home](#)[Government Records](#)[Trademarks](#)[Search](#)[Details](#)

## Trademark Details

| University of Alabama Board of Trustees |   |
|---|---|
| Trademark Number                        | 105 - 419   |
| Status                                  | Active  |
| Address                                 | 401 Queen City Avenue<br>Tuscaloosa, AL 35487                       |
| County                                  | TUSCALOOSA  |
| Class Number / Description              | 016 / Printed Materials   |
| Applicant Type                          | Corporation   |
| Mark Type                               | Trademark   |
| Mark Description                        | words "Paul W. Bryant Museum" and "Circle of Champions"<br>w/design |
| Goods Description                       | brochures, posters, calendars, books, advertising materials         |
| Manner Description                      | goods, labels, containers of goods                                  |
| Disclaimer Statement                    |   |
| Consent Statement                       |   |
| First used in Alabama                   | 4-11-1992   |
| Original Date                           | 7-16-1992   |
| Issue Date                              | 7-16-2003   |
| Expiration Date                         | 7-16-2013   |
|   |   |

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## Full Text Record(s)

PAUL W. BRYANT MUSEUM CIRCLE OF CHAMPIONS

State ST-1:Q4

**Image**



**Citation** PAUL W. BRYANT MUSEUM CIRCLE OF CHAMPIONS

**Source** State

**State** ALABAMA

**Registration Number** 105419

**Registration Date** 16-JUL-1992

**Chronology** **Registered:** 16-JUL-1992  
**Renewed:** 05-AUG-2003

**Status** Renewed (Registered) (AL)

**Renewed To** UNIVERSITY OF ALABAMA BOARD OF TRUSTEES  
ALABAMA CORPORATION  
401 QUEEN CITY AVENUE  
TUSCALOOSA ALABAMA 35487  
**Renewed:** 05-AUG-2003

**Registrant** UNIVERSITY OF ALABAMA BOARD OF TRUSTEES  
ALABAMA  
401 QUEEN CITY AVENUE  
TUSCALOOSA ALABAMA 35487

**International Class(es)** 16 (Paper goods and printed matter)

**Goods and Services** Printed materials

**First Use in State** 11-APR-1992

**First Use Anywhere** 11-APR-1992

**Design Type** WORD AND DESIGN

**Mark Type** TRADEMARK



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## Trademark Details

| University of Alabama Board of Trustees |   |
|---|---|
| Trademark Number                        | 105 - 420   |
| Status                                  | Active  |
| Address                                 | 401 Queen City Avenue<br>Tuscaloosa, AL 35487                   |
| County                                  | TUSCALOOSA  |
| Class Number / Description              | 041 / Education and Entertainment                               |
| Applicant Type                          | Corporation   |
| Mark Type                               | Service Mark  |
| Mark Description                        | words "Paul W. Bryant Museum" w/design                          |
| Goods Description                       | seminars, tours, receptions, video tapes, lectures, audio tapes |
| Manner Description                      | imprinted on advertising material                               |
| Disclaimer Statement                    |   |
| Consent Statement                       |   |
| First used in Alabama                   | 1-0-1992  |
| Original Date                           | 7-16-1992   |
| Issue Date                              | 7-16-2003   |
| Expiration Date                         | 7-16-2013   |
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## Image



**Citation** PAUL W. BRYANT MUSEUM

**Source** State

**State** ALABAMA

**Registration Number** 105420

**Registration Date** 16-JUL-1992

**Chronology** **Registered:** 16-JUL-1992  
**Renewed:** 05-AUG-2003

**Status** Renewed (Registered) (AL)

**Renewed To** UNIVERSITY OF ALABAMA BOARD OF TRUSTEES  
ALABAMA CORPORATION  
401 QUEEN CITY AVENUE  
TUSCALOOSA ALABAMA 35487  
**Renewed:** 05-AUG-2003

**Registrant** UNIVERSITY OF ALABAMA BOARD OF TRUSTEES  
ALABAMA  
401 QUEEN CITY AVENUE  
TUSCALOOSA ALABAMA 35487

**International Class(es)** 41 (Education and entertainment services)

**Goods and Services** Education and entertainment

**State Class(es):** 41

**First Use in State** 31-JAN-1992

**First Use Anywhere** 31-JAN-1992

**Design Type** WORD AND DESIGN

**Mark Type** TRADEMARK



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## Trademark Details

| University of Alabama Board of Trustees |  |
|---|--|
| Trademark Number                        | 105 - 421  |
| Status                                  | Active   |
| Address                                 | 401 Queen City Avenue<br>Tuscaloosa, AL 35487                  |
| County                                  | TUSCALOOSA   |
| Class Number / Description              | 041 / Education and Entertainment                              |
| Applicant Type                          | Corporation  |
| Mark Type                               | Service Mark   |
| Mark Description                        | words "Paul W. Bryant" and "Circle of Champions" w/design      |
| Goods Description                       | seminars, tours receptions, video tapes, lectures, audio tapes |
| Manner Description                      | imprinted on advertising material                              |
| Disclaimer Statement                    |  |
| Consent Statement                       |  |
| First used in Alabama                   | 4-11-1992  |
| Original Date                           | 7-16-1992  |
| Issue Date                              | 7-16-2003  |
| Expiration Date                         | 7-16-2013  |
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**Image**

**Citation** PAUL W. BRYANT MUSEUM CIRCLE OF CHAMPIONS

**Source** State

**State** ALABAMA

**Registration Number** 105421

**Registration Date** 16-JUL-1992

**Chronology** **Registered:** 16-JUL-1992  
**Renewed:** 05-AUG-2003

**Status** Renewed (Registered) (AL)

**Renewed To** UNIVERSITY OF ALABAMA BOARD OF TRUSTEES  
ALABAMA CORPORATION  
401 QUEEN CITY AVENUE  
TUSCALOOSA ALABAMA 35487  
**Renewed:** 05-AUG-2003

**Registrant** UNIVERSITY OF ALABAMA BOARD OF TRUSTEE  
ALABAMA  
401 QUEEN CITY AVENUE  
TUSCALOOSA ALABAMA 35487

**International Class(es)** 41 (Education and entertainment services)

**Goods and Services** Education and entertainment

**State Class(es):** 41

**First Use in State** 11-APR-1992

**First Use Anywhere** 11-APR-1992

**Design Type** WORD AND DESIGN

**Mark Type** TRADEMARK



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### Trademark Details

| University of Alabama Board of Trustees |   |
|---|---|
| Trademark Number                        | 105 - 422   |
| Status                                  | Active  |
| Address                                 | 401 Queen City Avenue<br>Tuscaloosa, AL 35487                       |
| County                                  | TUSCALOOSA  |
| Class Number / Description              | 025 / Clothing  |
| Applicant Type                          | Corporation   |
| Mark Type                               | Trademark   |
| Mark Description                        | words "Paul W. Bryant Museum" and "Circle of Champions"<br>w/design |
| Goods Description                       | jackets, shirts, ties, bibs, shoes, sweaters, caps, socks, etc.     |
| Manner Description                      | goods, labels, containers of goods                                  |
| Disclaimer Statement                    |   |
| Consent Statement                       |   |
| First used in Alabama                   | 4-11-1992   |
| Original Date                           | 7-16-1992   |
| Issue Date                              | 7-16-2003   |
| Expiration Date                         | 7-16-2013   |
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**Image**

**Citation** PAUL W. BRYANT MUSEUM CIRCLE OF CHAMPIONS

**Source** State

**State** ALABAMA

**Registration Number** 105422

**Registration Date** 16-JUL-1992

**Chronology** **Registered:** 16-JUL-1992  
**Renewed:** 05-AUG-2003

**Status** Renewed (Registered) (AL)

**Renewed To** UNIVERSITY OF ALABAMA BOARD OF TRUSTEE  
ALABAMA CORPORATION  
401 QUEEN CITY AVENUE  
TUSCALOOSA ALABAMA 35487  
**Renewed:** 05-AUG-2003

**Registrant** UNIVERSITY OF ALABAMA BOARD OF TRUSTEE  
ALABAMA  
401 QUEEN CITY AVENUE  
TUSCALOOSA ALABAMA 35487

**International Class(es)** 25 (Clothing)

**Goods and Services** Clothing

**First Use in State** 11-APR-1992

**First Use Anywhere** 11-APR-1992

**Design Type** WORD AND DESIGN

**Mark Type** TRADEMARK

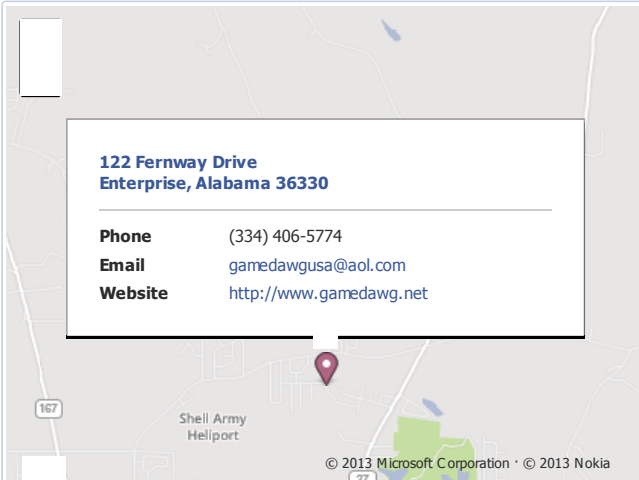
## **Exhibit H**



GameDawg Collegiate About

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## Basic Info

**Founded** 2007**Products** Collegiate products in all sizes such as: Shirts, Collared Shirts, Jerseys, Sweatshirts, Hoodies, Caps, Visors, Earrings, Necklaces, Rings, Magnets, Decals, Car Flags, House Flags, and More

## History by Year

2007 Founded in 2007

## About

Trademarked Houndstooth Elephant Collegiate Clothing including T-shirts, sweatshirts, polos, jackets, hoodies, magnets and decals.

### Description

After graduating from the Medical College of Georgia in 1982, I joined the United States Army where I was an ER nurse. Once I retired from the Army, I opened up two large day care centers that were very successful. However, that is not where my true passion was. Instead it was in college sports, mainly being football.

I decided to go into the collegiate product business where I sell all products ranging from shirts and hats to jerseys and magnets. I have a contract with the University of Alabama, where I sell at every home game. When there is an away game or the season is over, I sell all over the Southeast at various shows and festivals.

As with this, I am coming up with my own line of product. The first product that I have created is a Houndstooth Elephant representing Alabama fans everywhere. I currently have it trademarked through the United States Patent and Trademark Office. With this design, I am putting it on all types of apparel. This is the first of many to come. Hopefully, I will one day be able to stop the shows and festivals and have my design in stores all throughout Bama Nation. It represents what a Bama fan stands for; Tradition and Excellence

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## **Exhibit I**



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Justin Case

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Abbie Vokins

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Brooke Hummel Shull

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GameDawg Collegiate

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Richard Hall

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Justin Case

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Abbie Vokins

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Howard-Myrna Rose Martin

4 mutual friends

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**Justin Case**  
[Confirm Friend](#)
- 

**Marilyn Annice Clouatre**  
26 mutual friends  
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- 

**Noelle Chabert Gabehart**  
20 mutual friends  
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