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

Proceeding	92059412
Party	Plaintiff Weber-Stephen Products LLC
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Signature	/Kyle D. Wallenberg/
Date	11/18/2016
Attachments	Petitioners Rebuttal Notice of Reliance FINAL 111816.pdf(372754 bytes ) F1-4.pdf(973434 bytes ) F5-9.pdf(735826 bytes ) F10-13.pdf(990257 bytes )



- Exhibit F-1 – F-4: Copy of a printout of Weber’s website, published online at <http://product.weber.com/igrill/>, accessed November 18, 2016. Exhibit F-1 – F-4 is relevant generally to the strength and fame of Petitioner’s iGrill mark, specifically to show the use and promotion of Petitioner’s mark. This evidence is also relevant generally to the similarity of Petitioner’s and Registrant’s marks, the similarity of Petitioner’s and Registrant’s goods, and the similarity of the trade channels for Petitioner’s and Registrant’s goods. Further, this evidence is relevant to rebut Registrant’s suggestion in its Notice of Reliance that Petitioner’s and Registrant’s marks create a different commercial impression and are used on different goods.
- Exhibit F-5 – F-9: Copy of an iDevices article, published online on February 10, 2016, available at <http://idevicesinc.com/news/115/> and entitled “iDevices’ iGrill, the World’s #1 App-Enabled Grilling Thermometer, is Acquired by Weber.” Exhibit F-5 – F-9 is relevant generally to the strength and fame of Petitioner’s iGrill mark, specifically to show the use and promotion of Petitioner’s mark. This evidence is also relevant generally to the similarity of Petitioner’s and Registrant’s marks and the similarity of Petitioner’s and Registrant’s goods. Further, this evidence is relevant to rebut Registrant’s suggestion in its Notice of Reliance that Petitioner’s and Registrant’s marks create a different commercial impression and are used on different goods.
- Exhibit F-10 – F-13: Copy of a Weber article, published online at <http://www.weber.com/weber-nation/blog/weber-grills-adding-high-tech-component-to-grilling-experience>, accessed November 18, 2016 and entitled “Weber Grills Adding High Tech Component to Grilling Experience.” Exhibit F-10 – F-13 is relevant generally to the strength and fame of Petitioner’s iGrill mark, specifically to

show the use and promotion of Petitioner's mark. This evidence is also relevant generally to the similarity of Petitioner's and Registrant's marks and the similarity of Petitioner's and Registrant's goods. Further, this evidence is relevant to rebut Registrant's suggestion in its Notice of Reliance that Petitioner's and Registrant's marks create a different commercial impression and are used on different goods.

Respectfully submitted,

Dated: November 18, 2016

/s/ Kyle D. Wallenberg  
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*Attorneys for Petitioner,*  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing PETITIONER'S REBUTTAL NOTICE OF RELIANCE has been served via email by agreement of the parties, on November 18, 2016, upon the following counsel for Registrant:

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*/s/ Kyle D. Wallenberg* \_\_\_\_\_  
*Attorney for Petitioner,*  
NIRO McANDREWS, LLC



# THE WORLD'S MOST ADVANCED GRILL THERMOMETER

Whether you're an award winning pit-master or a novice backyard griller, the Weber® iGrill® will make grilling easier, more convenient and a whole lot smarter.

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## GRILLING PERFECTION IS SIMPLE



### Get Your Grill On

Knowing exactly when to take your meat off the grill has never been easier. Just insert the iGrill probe into the meat you'd like to track, let the free app know what



### Monitor Your Progress

Now you can get back to your guests, go inside and watch the game or work on



### Savor Perfection

Your friends and family will be left wondering how you fired up such a delicious meal without getting stuck by the grill. You'll never want to cook any

you're tracking and leave your Weber® iGrill® by the side of the grill (or smoker).

other dishes. Keep a close watch on the temperature progression of your meat right from your smart device and receive an alert once your food is ready to enjoy.

other way and with the Weber® iGrill®, you won't have to.

## UNLOCK YOUR INNER PIT MASTER



### Welcome to Connected Grilling

The Weber® iGrill® app is your central dashboard for all your Weber® iGrill® connected products and even comes loaded with some handy digital grilling tools.

Download the Weber® iGrill® app



### Whatever You're Grilling

Choose from one of the many preset alarms ranging from medium rare steak to lamb. Create and save custom alarms for those dishes that only you know the right temperature for. Need to make sure your ambient temperature stays within a certain range? Use the range setting and customize your min / max temperature alarms.

### Obsess All You Want

It's up to you how deep you dive into your temperature tracking. Stay high-level when tracking multiple probes and view them on your dashboard. Get an in-depth view of a single probe to see its exact temperature progression using the graph.

### Connect Multiple Weber® iGrill® devices

The Weber® iGrill® app allows you to monitor multiple Weber® iGrill® devices simultaneously. Track different meats on your grill or smoker with multiple Weber® iGrill® Mini™ units or hook one up with your grill and another with your smoker. Create your own iGrill arsenal!

### Get Social with the Weber® iGrill®

We all love making people jealous of the meat we grill up. Take a picture of your iGrill masterpiece on the grill or smoker and share to Facebook and Twitter with your Weber® iGrill® app. Your picture will be shown to the iGrill community on the iGrill Globe!

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The only ultra compact grilling thermometer using Bluetooth® Smart technology.

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- Temperature LED Indicator
- iOS and Android™ Compatible

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\$39.99



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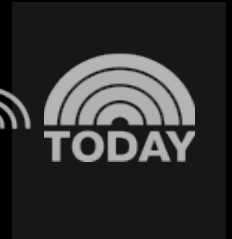
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# IDEVICES' IGRILL, THE WORLD'S #1 APP-ENABLED GRILLING THERMOMETER, IS ACQUIRED BY WEBER



02-10-2016  
iDevices

Avon, Conn. – February 10<sup>th</sup>, 2016 – iDevices<sup>®</sup>, the preeminent brand in the connected home industry, announced today that it has entered into a definitive agreement to sell the world's #1 app-enabled grilling and cooking thermometer brands, namely iGrill<sup>®</sup> and Kitchen Thermometer, to Weber-Stephens Products, LLC. Weber<sup>®</sup>, the world's largest manufacturer of outdoor grills and grilling accessories will continue to offer and grow the line of connected cooking products. The line today includes four app-enabled Bluetooth<sup>®</sup> Smart thermometers, including iGrill<sup>2</sup>, iGrill<sub>mini</sub>, Kitchen Thermometer and Kitchen Thermometer<sub>mini</sub> as well as several accessory probes. The terms of the agreement are private.

iDevices will partner with Weber to release the next generation of the iGrill app which is expected to be available in Spring 2016. Until then, iGrill and Kitchen Thermometer users will be able to continue their product through the iDevices Connected app.

"We are extremely excited to welcome the iGrill and Kitchen Thermometer product lines into the Weber family," said Tom Koos, Chief Executive Office for Weber-Stephen Products LLC. "Weber is a lifestyle brand, and we believe that by increasing the interactive nature of our products, we enhance the already amazing experience by grilling on a Weber. This is just our newest chapter in innovation, advancing us further into the way people integrate technology into their lives."

### **It Began with an Idea**

iDevices was founded six years ago with the launch of iGrill as one of the first app-enabled products to ever hit the market. iGrill would bring cooking to a whole new level and soon earned an engaged and passionate fan base including worldwide influencers such as Facebook Founder, Mark Zuckerberg.

CEO and Founder of iDevices, Chris Allen said, "I would like to take this opportunity to thank our customers for their support through the years. It's because of them and the tremendous team here at iDevices that we have gotten to this point. As we go forward, I can think of no better home for iGrill than with the Weber family of products. This is just the first natural step in what we know will be a long and productive partnership."

### **The iDevices Evolution**

The iGrill acquisition will allow iDevices to focus even more heavily on becoming a leader in the home automation market. iDevices' growing line of Wi-Fi<sup>®</sup> and HomeKit-enabled products, available in Lowe's<sup>®</sup>, The Home Depot<sup>®</sup>, Apple Store<sup>®</sup> and on Amazon<sup>®</sup>, now includes the [iDevices Switch](#), [Outdoor Switch](#) and [Thermostat](#). Four new products were recently **announced**: Socket, Wall Switch, Dimmer Switch and Wall Outlet.

"This sale represents the ability of iDevices to set itself apart in the Internet of Things industry," said Matt McCooe, CEO of Connecticut Innovations. "The connected home market is experiencing undeniable growth and we look forward to the continued success of this

innovative company.”

iDevices is fueled by a growing team of 70+ employees between Avon, CT and Cupertino, CA with deep expertise spanning Electrical/Software Engineering, App Development, UX/UI and Cloud Architecture. All employees will remain with iDevices following the product line acquisition.

“Today’s news is a testament to the hard work of our talented team and will give us the ability to focus 100% on creating best-in-class experiences for our home automation products. We can’t wait to show everyone what we’re working on next,” said Chris Allen. To experience the iDevices evolution, visit [iDevicesinc.com/Evolution](http://iDevicesinc.com/Evolution).

For media inquiries, photos and interview requests, please contact [Marketing@iDevicesinc.com](mailto:Marketing@iDevicesinc.com)

##

### ***About iDevices, LLC***

iDevices, the preeminent brand in the connected home industry, has a growing line of home automation products available at the largest retailers worldwide. Through the “Designed with iDevices” co-development program and its custom-built IoT Cloud Infrastructure, iDevices works with highly recognized consumer brands to bring the power of connectivity to their customers. By designing and developing its technology in-house, the Company seamlessly connects people to their worlds with responsive products that enhance everyday life. For more information, visit [iDevicesinc.com](http://iDevicesinc.com)

### ***About Weber-Stephen Products LLC:***

Weber-Stephen Products LLC, headquartered in Palatine, Ill., is the world’s premier manufacturer of charcoal, gas and electric grills, grilling accessories and award-winning cookbooks and mobile applications. In 1952, founder George Stephen sparked a backyard revolution with his invention of the Weber® kettle. More than 60 years later, the privately held company’s products are sold worldwide at select national home centers, specialty hardware stores, patio stores

iDevices' iGrill, The World's #1 App-Enabled Grilling Thermometer, Is Acquired By Weber

and other retail outlets. Visit [www.weber.com](http://www.weber.com) for more information.

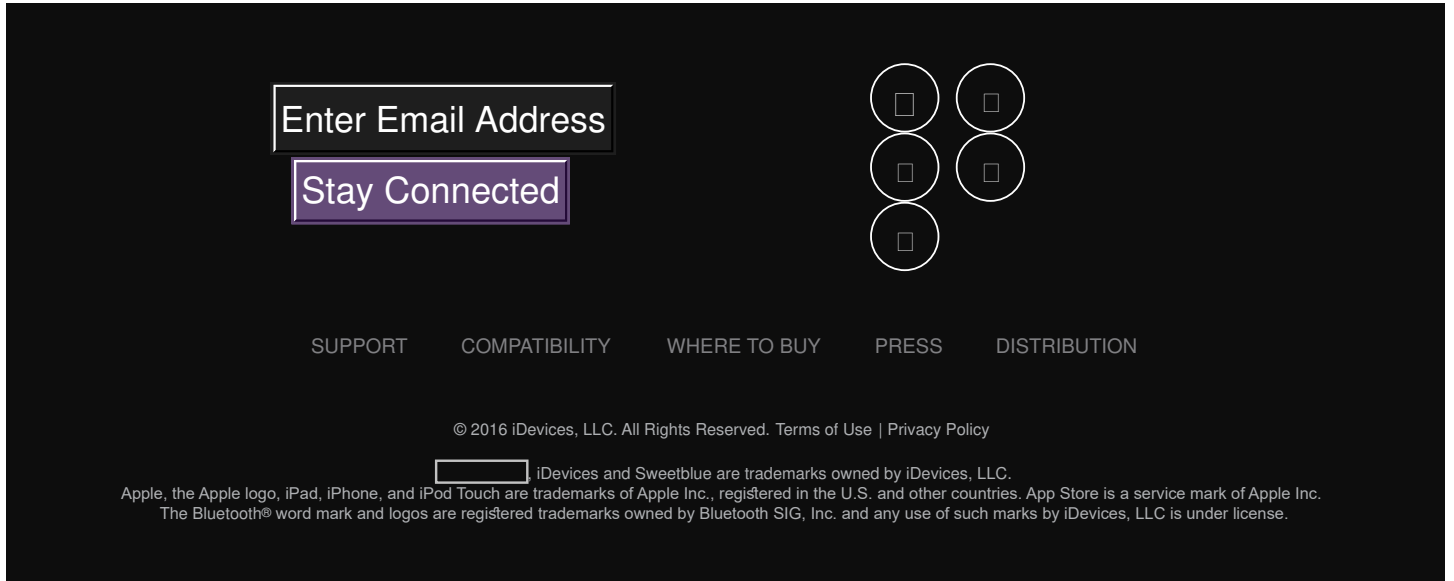
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# WEBER GRILLS ADDING HIGH TECH COMPONENT TO GRILLING EXPERIENCE

Save



Weber-Stephen Products LLC, the world's largest manufacturer of outdoor grills and grilling accessories, announced today the acquisition of the popular iGrill® high-tech grilling thermometer from iDevices LLC, a leading brand in the connected home space. The products involved in the transition include the [iGrill Mini](#), [iGrill2](#), [Kitchen Thermometer Mini](#) and

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Kitchen Thermometer. The terms of the agreement are private.



Founded in 2009 in Avon, Conn, iDevices LLC designs and develops connected home products that enhance every day life. The company grew and gained popularity with the success of the iGrill product line. Today, the company makes connected products for the entire home and has evolved into one of the leading brands in home automation and IoT.

"We are extremely excited to welcome the iGrill and Kitchen Thermometer product lines into the Weber family," said Tom Koos, Chief Executive Officer for Weber-Stephen Products LLC.

"Weber® is a lifestyle brand, and we believe that by increasing the interactive nature of our products, we enhance the already amazing experience of grilling on a Weber barbecue. This is just our newest chapter in innovation, advancing us further into the way people integrate technology into their lives."

A new Weber iGrill App supporting these products will be available spring 2016 for iOS and Android® devices. The new app will continue to support users with convenient preset alarms for a wide variety of foods, custom alarms options, and the ability to track and monitor temperatures through both the dashboard screen and the more detailed individual probe graph view.

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HOLIDAY PORK  
RECIPE RIBS  
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JOIN THE  
COMMUNITY



Share and connect with fellow grillers.



Share all of your grill moments.

This free app also connects seamlessly to social media sites including Facebook, Twitter and Pinterest so users can share their grilling and indoor cooking experiences with friends and family. More details on an enhanced user experience will be shared closer to release. Current owners of the iGrill and Kitchen Thermometer products will be supported with the existing app until the transition in the spring.

All of the products will continue to be sold through current retail partners around the globe and will be available for sale on Weber.com beginning in April.

“When I started iDevices six years ago, the iGrill app was one of the first app-enabled products ever to hit the market. It took cooking to a whole new level and earned an engaged and passionate fan base,” said Chris Allen, Chief Executive Officer and Founder of iDevices, LLC.

“I can think of no better home for the iGrill product line than with the Weber family of products. Our aim with this acquisition is to create the absolute best customer experience by pairing the advanced technology of the iGrill product line with the world’s most prominent grilling brand. This is just the first natural step in what we know will be a long and productive partnership.”

“We plan to continue investing in this type of connected grilling, leveraging the latest in technology to make grilling hassle free for our consumers. We believe by combining Weber’s premium quality grill with the iGrill thermometer’s advanced time and temperature monitoring we will take the guesswork out of the grilling process, making it more convenient and enjoyable. Weber is about delivering the very best grilling experience so families can come together around great food to make life-long memories. We believe this partnership enhances that brand promise,” explained Tom Koos.



BY [HEATHER HERRIGES](#)

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