

ESTTA Tracking number: **ESTTA937671**

Filing date: **11/28/2018**

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 party has filed a petition to cancel the registration indicated below.

**Petitioner Information**

Name	JAKKS Pacific, Inc.		
Entity	Corporation	Citizenship	DE
Address	2951 28th Street Santa Monica, CA 90405 UNITED STATES		

Attorney information	Larry Miller Feder Kaszovitz LLP 845 Third Ave, 11th Floor New York, NY 10022 UNITED STATES lmiller@fedkas.com, klyons@fedkas.com 212-888-8200
----------------------	--

**Registration Subject to Cancellation**

Registration No.	5517334	Registration date	07/17/2018
Registrant	Shenzhen FlyColor Electronic Co., Ltd. 5F, C2 Building, Jia'an Industrial Bao'an, 72 District Shenzhen, Guangdong, 518000 CHINA Email: xiqinhhh16@163.com		

**Goods/Services Subject to Cancellation**


Class 028. First Use: 2017/08/07 First Use In Commerce: 2017/08/07 All goods and services in the class are subject to cancellation, namely: Ball pitching machines; Electronic toy vehicles; Fishing tackle; Golf divot repair tools; Golf accessories, namely, carriers and dispensers for golf balls; Infant toys; Roller skates; Scale model vehicles; Talking toys; Targets; Toy models; Toy scooters; Amusement machines, automatic and coin-operated; Controllers for game consoles; Electronically operated toy motor vehicles; Manually-operated exercise equipment for physical fitness purposes; Remote control toys, namely, Å cars, race cars, airplanes, boats; Toy drones; Vibrating apparatus used in fitness and exercise programs to stimulate muscles and increase strength and physical performance
---

**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
--------------------------------------	---------------------------------------

Related Proceedings	87538243
---------------------	----------

## Marks Cited by Petitioner as Basis for Cancellation

U.S. Application No.	87538243	Application Date	07/21/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FLYING COLORS		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 028. First use: First Use: 0 First Use In Commerce: 0 toys, games and playthings, namely, children's play cosmetics in the nature of toy imitation cosmetics, toy jewelry; toy bakeware and accessories therefor, toy-cookware and accessories therefor; children's activity kits comprised of toy stamps, stickers, beads for making jewelry, toy jewelry, coloring books and stencils</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0 Mixes for bakery goods for use by children; Mixes for candy making for use by children</p>		

U.S. Registration No.	2083189	Application Date	01/18/1996
Registration Date	07/29/1997	Foreign Priority Date	NONE
Word Mark	FLYING COLORS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1995/11/01 First Use In Commerce: 1995/11/01 children's activity kits comprised of stamps, stickers, beads, jewelry, clay, coloring books and stencils		

Attachments	87538243#TMSN.png( bytes ) flycolorcanwexhbits.pdf(228914 bytes )
-------------	--

Signature	/Larry Miller/
Name	Larry Miller
Date	11/28/2018

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

IN THE MATTER OF  
U.S. Trademark Registration No.  
5517334

JAKKS PACIFIC, INC.,

Petitioner,

v.

Cancellation No.  
(Not yet assigned)


Shenzhen FlyColor Electronic Co., Ltd.,

Respondent.

---

**PETITION TO CANCEL**

---

JAKKS PACIFIC, INC., hereby petitions to cancel U.S. Trademark Registration No. 5517334 for the mark  (stylized and/or with design mark), hereinafter the FLYCOLOR Mark, on the following grounds:

1. JAKKS PACIFIC, INC, hereinafter Petitioner, is a Delaware corporation of having offices at 2951 28th St., Santa Monica, CA 90405, United States.

2. Shenzhen FlyColor Electronic Co., Ltd., hereinafter Respondent, according to the records of the United States Patent and Trademark Office is the current owner of U.S. Trademark Registration No. 5517334, for the FLYCOLOR Mark, for use in connection with “Ball pitching

machines; Electronic toy vehicles; Fishing tackle; Golf divot repair tools; Golf accessories, namely, carriers and dispensers for golf balls; Infant toys; Roller skates; Scale model vehicles; Talking toys; Targets; Toy models; Toy scooters; Amusement machines, automatic and coin-operated; Controllers for game consoles; Electronically operated toy motor vehicles; Manually-operated exercise equipment for physical fitness purposes; Remote control toys, namely, cars, race cars, airplanes, boats; Toy drones; Vibrating apparatus used in fitness and exercise programs to stimulate muscles and increase strength and physical performance” the service of providing physical fitness and exercise services, namely, indoor cycling instruction” in International Class 28, hereinafter the FLYCOLOR Registration.

3. The FLYCOLOR Registration has a filing date of September 4, 2017 and claims a date of first use anywhere and a date of first use in commerce of August 7, 2017.

4. According to the records of the United States Patent and Trademark Office, the Respondent has an address of 4C, 4/F, Jiuzhou Dianqi Bldg., No. 7 Kejinan 12th Rd., Nanshan Dist., Shenzhen, Guangdong, China, 518000.

5. Petitioner is the owner and applicant for a United States Trademark Application No. 87538243 to register the mark FLYING COLORS, hereinafter the FLYING COLORS Mark, for use in connection with (as amended), in relevant part: "toys, games and playthings, namely, children's play cosmetics in the nature of toy imitation cosmetics, toy jewelry; toy bakeware and accessories therefor, toy cookware and accessories therefor; children's activity kits comprised of toy stamps, stickers, beads for making jewelry, toy jewelry, clay in the

nature of specify nature of toy dough, coloring books and stencils" in International Class 28.

The Application is hereinafter referred to as the FLYING COLORS Application.

6. The FLYING COLORS Application was filed on July 21, 2017. A copy of the official abstract showing the details of the FLYING COLORS Application is attached as Exhibit A.

7. The examiner has issued a final refusal to register the FLYING COLORS Mark set forth in the FLYING COLORS Application on the grounds it is likely to cause confusion, under section 2(d), with the FLYCOLOR Mark in the FLYCOLOR Registration.

8. Petitioner and its predecessors had been using the FLYING COLORS Mark in commerce on "children's activity kits comprised of stamps, stickers, beads, jewelry, clay, coloring books and stencils" since as early as November 1, 1995, as set forth in the attached expired Registration No. 2083189, Exhibit B.

9. Petitioner's and its predecessor's use of FLYING COLORS Mark since November, 1995 is symbolic of extensive goodwill established by Petitioner, has acquired a high degree of recognition through use and expenditures of time, effort and money in advertising and promotion, and serves as a unique identifier of the goods offered by Petitioner.

**COUNT I**  
**LIKELIHOOD OF CONFUSION**

10. Petitioner hereby incorporates by reference and realleges each and every allegation set forth in paragraphs 1 through 9.

11. If, as the trademark examining attorney contends, Petitioner's mark so resembles Respondent's mark as to be likely, when applied to the goods and/or services of the Petitioner, to cause confusion in accordance with section 2(d), then Respondent's registration should be cancelled because Petitioner has priority of use.

WHEREFORE, Petitioner prays that the Trademark Trial and Appeal Board grant its petition and cancel U.S. Trademark Registration No. 5517334.

This Petition for Cancellation is being filed electronically, along with the filing fee required by 37 C.F.R. § 2.6(a)(16).

DATED: November 27, 2018

Respectfully submitted,

**FEDER KASZOVITZ LLP**

Attorneys for Applicant  
JAKKS PACIFIC, Inc.

By: /s/ Larry Miller

Larry Miller

845 Third Avenue, 11<sup>th</sup> Floor  
New York, NY 10022-6601  
(212) 888-8200  
(212) 888-7776  
[lmiller@fedkas.com](mailto:lmiller@fedkas.com)

# EXHIBIT A

Generated on: This page was generated by TSDR on 2018-11-27 17:25:20 EST

Mark: FLYING COLORS

FLYING COLORS

US Serial Number: 87538243

Application Filing Date: Jul. 21, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

Status: An appeal of a final refusal to register the mark is pending before the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Oct. 19, 2018

## Mark Information

Mark Literal Elements: FLYING COLORS

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 2083189

## Goods and Services

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

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

For: Mixes for bakery goods for use by children; Mixes for candy making for use by children

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: toys, games and playthings, namely, children's play cosmetics in the nature of toy imitation cosmetics, toy jewelry; toy bakeware and accessories therefor, toy cookware and accessories therefor; children's activity kits comprised of toy stamps, stickers, beads for making jewelry, toy jewelry, coloring books and stencils

International Class(es): 028 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

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:** JAKKS Pacific, Inc.

**Owner Address:** 2951 28th Street  
Santa Monica, CALIFORNIA 90405  
UNITED STATES

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Larry Miller

**Docket Number:** 11018flycol2

**Attorney Primary Email Address:** [lmiller@fedkas.com](mailto:lmiller@fedkas.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** LARRY MILLER  
FEDER KASZOVITZ LLP  
845 THIRD AVE, 11TH FLOOR  
NEW YORK, NEW YORK 10022  
UNITED STATES

**Phone:** 212-888-8200 x5410

**Fax:** 212-888-7776

**Correspondent e-mail:** [lmiller@fedkas.com](mailto:lmiller@fedkas.com) [CMashel@fedkas.com](mailto:CMashel@fedkas.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 15, 2018	NOTIFICATION OF ACTION DENYING REQ FOR RECON E-MAILED	
Oct. 15, 2018	ACTION DENYING REQ FOR RECON E-MAILED	
Oct. 15, 2018	ACTION CONTINUING FINAL - COMPLETED	92994
Oct. 13, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	70138
Oct. 13, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	70138
Oct. 05, 2018	ASSIGNED TO LIE	70138
Sep. 24, 2018	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Sep. 24, 2018	JURISDICTION RESTORED TO EXAMINING ATTORNEY	538243
Sep. 24, 2018	EX PARTE APPEAL-INSTITUTED	538243
Sep. 24, 2018	JURISDICTION RESTORED TO EXAMINING ATTORNEY	538243
Sep. 24, 2018	EXPARTE APPEAL RECEIVED AT TTAB	
Mar. 22, 2018	NOTIFICATION OF FINAL REFUSAL EMAILED	
Mar. 22, 2018	FINAL REFUSAL E-MAILED	
Mar. 22, 2018	FINAL REFUSAL WRITTEN	92994
Feb. 28, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 27, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 27, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 29, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 29, 2017	NON-FINAL ACTION E-MAILED	6325
Aug. 29, 2017	NON-FINAL ACTION WRITTEN	92994
Aug. 22, 2017	ASSIGNED TO EXAMINER	92994
Jul. 28, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 25, 2017	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

**TM Attorney:** LIU, PHILIP HUAI-EN

**Law Office:** LAW OFFICE 109

Assigned:

**File Location**

**Current Location:** TMEG LAW OFFICE 109 - EXAMINING  
ATTORNEY ASSIGNED

**Date in Location:** Oct. 15, 2018

## Proceedings

### Summary

**Number of Proceedings:** 1

#### Type of Proceeding: Exparte Appeal

**Proceeding Number:** [87538243](#)

**Filing Date:** Sep 24, 2018

**Status:** Pending

**Status Date:** Sep 24, 2018

**Interlocutory Attorney:**

### Plaintiff(s)

**Name:** JAKKS Pacific, Inc.

**Correspondent Address:** LARRY MILLER  
FEDER KASZOVITZ LLP  
845 THIRD AVE, 11TH FLOOR  
NEW YORK NY , 10022  
UNITED STATES

**Correspondent e-mail:** [miller@fedkas.com](mailto:miller@fedkas.com) , [klyons@fedkas.com](mailto:klyons@fedkas.com) , [CMashel@fedkas.com](mailto:CMashel@fedkas.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
FLYING COLORS	Ex Parte Appeal Pending	<a href="#">87538243</a>	

### Prosecution History

Entry Number	History Text	Date	Due Date
1	APPEAL TO BOARD	Sep 24, 2018	
2	APPEAL ACKNOWLEDGED; CASE REMANDED	Sep 24, 2018	
3	INSTITUTED	Sep 24, 2018	
4	REQ FOR RECON	Sep 24, 2018	
5	RECON DENIED	Oct 15, 2018	
6	PROCEEDINGS RESUMED	Oct 19, 2018	

## Trademark/Service Mark Application, Principal Register

**Serial Number: 87538243**

**Filing Date: 07/21/2017**

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	87538243
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">FLYING COLORS</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	FLYING COLORS
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	JAKKS Pacific, Inc.
<b>*STREET</b>	2951 28th Street
<b>*CITY</b>	Santa Monica
<b>*STATE (Required for U.S. applicants)</b>	California
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)</b>	90405
<b>WEBSITE ADDRESS</b>	www.jakks.com
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	corporation
<b>STATE/COUNTRY OF INCORPORATION</b>	Delaware
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	028
<b>*IDENTIFICATION</b>	<b>TOYS, GAMES AND PLAYTHINGS</b>
<b>FILING BASIS</b>	SECTION 1(b)
<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>ACTIVE PRIOR REGISTRATION(S)</b>	The applicant claims ownership of active prior U.S. Registration Number(s) 2083189.
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	Larry Miller

<b>ATTORNEY DOCKET NUMBER</b>	11018flycol2
<b>FIRM NAME</b>	Feder Kaszovitz LLP
<b>STREET</b>	845 Third Ave, 11th Floor
<b>CITY</b>	New York
<b>STATE</b>	New York
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	10022
<b>PHONE</b>	212-888-8200 x5410
<b>FAX</b>	212-888-7776
<b>EMAIL ADDRESS</b>	lmiller@fedkas.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>OTHER APPOINTED ATTORNEY</b>	Geoffrey A Bass
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Larry Miller
<b>FIRM NAME</b>	Feder Kaszovitz LLP
<b>STREET</b>	845 Third Ave, 11th Floor
<b>CITY</b>	New York
<b>STATE</b>	New York
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	10022
<b>PHONE</b>	212-888-8200 x5410
<b>FAX</b>	212-888-7776
<b>*EMAIL ADDRESS</b>	lmiller@fedkas.com; CMashel@fedkas.com
<b>*AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>APPLICATION FILING OPTION</b>	TEAS RF
<b>NUMBER OF CLASSES</b>	1
<b>APPLICATION FOR REGISTRATION PER CLASS</b>	275
<b>*TOTAL FEE DUE</b>	275
<b>*TOTAL FEE PAID</b>	275
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Larry Miller/
<b>SIGNATORY'S NAME</b>	Larry Miller
<b>SIGNATORY'S POSITION</b>	Attorney of Record Member NY State Bar
<b>SIGNATORY'S PHONE NUMBER</b>	212-888-8200 x5410
<b>DATE SIGNED</b>	07/21/2017



## Trademark/Service Mark Application, Principal Register

**Serial Number: 87538243**

**Filing Date: 07/21/2017**

### To the Commissioner for Trademarks:

**MARK:** FLYING COLORS (Standard Characters, see [mark](#))

The literal element of the mark consists of FLYING COLORS.

The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, JAKKS Pacific, Inc., a corporation of Delaware, having an address of  
2951 28th Street  
Santa Monica, California 90405  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 028: TOYS, GAMES AND PLAYTHINGS

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

### Claim of Active Prior Registration(s)

The applicant claims ownership of active prior U.S. Registration Number(s) 2083189.

For informational purposes only, applicant's website address is: [www.jakks.com](http://www.jakks.com)

### The applicant's current Attorney Information:

Larry Miller and Geoffrey A Bass of Feder Kaszovitz LLP 845 Third Ave, 11th Floor  
New York, New York 10022  
United States  
212-888-8200 x5410(phone)  
212-888-7776(fax)  
[lmiller@fedkas.com](mailto:lmiller@fedkas.com) (authorized)

The attorney docket/reference number is 11018flycol2.

### The applicant's current Correspondence Information:

Larry Miller  
Feder Kaszovitz LLP  
845 Third Ave, 11th Floor  
New York, New York 10022  
212-888-8200 x5410(phone)  
212-888-7776(fax)  
[lmiller@fedkas.com](mailto:lmiller@fedkas.com); [CMashel@fedkas.com](mailto:CMashel@fedkas.com) (authorized)

**E-mail Authorization:** I authorize the USPTO to send e-mail correspondence concerning the application to the applicant, the applicant's attorney, or the applicant's domestic representative at the e-mail address provided in this application. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Reduced Fee status and a requirement to submit an additional processing fee of \$125 per international class of goods/services.

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

**Declaration**

**Basis:**

**If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):**

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

**And/Or**

**If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):**

- The signatory believes that the applicant is entitled to use the mark in commerce;
- The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.

To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

**Declaration Signature**

Signature: /Larry Miller/ Date: 07/21/2017

Signatory's Name: Larry Miller

Signatory's Position: Attorney of Record Member NY State Bar

Payment Sale Number: 87538243

Payment Accounting Date: 07/24/2017

Serial Number: 87538243

Internet Transmission Date: Fri Jul 21 17:16:44 EDT 2017

TEAS Stamp: USPTO/BAS-XX.XX.XXX.XXX-2017072117164491

6341-87538243-51080d55ae2c572e31a79ca612

6ebcc8a2bb63a08191c5da6f9ad7433a280278-D

A-3742-20170721170603147505

# FLYING COLORS



# EXHIBIT B

**Generated on:** This page was generated by TSDR on 2018-11-27 17:24:09 EST

**Mark:** FLYING COLORS

**US Serial Number:** 75045318

**Application Filing Date:** Jan. 18, 1996

**US Registration Number:** 2083189

**Registration Date:** Jul. 29, 1997

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

**Status Date:** Sep. 04, 2007

**Publication Date:** May 06, 1997

---

## Mark Information

---

**Mark Literal Elements:** FLYING COLORS

**Standard Character Claim:** No

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

---

## Goods and Services

---

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

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

**For:** children's activity kits comprised of stamps, stickers, beads, jewelry, clay, coloring books and stencils

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 01, 1995

**Use in Commerce:** Nov. 01, 1995

---

## Basis Information (Case Level)

---

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

---

## Current Owner(s) Information

---

**Owner Name:** JAKKS PACIFIC, INC.

**Owner Address:** 22619 PACIFIC COAST HIGHWAY  
2951 28th St.  
Santa Monica, CALIFORNIA UNITED STATES 90405

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

---

## Attorney/Correspondence Information

---

### Attorney of Record

**Attorney Name:** LARRY MILLER

**Docket Number:** JAKKS-11018-

### Correspondent

**Correspondent Name/Address:** Larry Miller  
Feder Kaszovitz LLP  
845 Third Avenue  
11th Floor  
New York, NEW YORK UNITED STATES 10022

**Phone:** (212) 888-8200

**Fax:** (212) 888-7776

**Correspondent e-mail:** [lmiller@fedkas.com](mailto:lmiller@fedkas.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

---

## Prosecution History

---

Date	Description	Proceeding Number
Jul. 29, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
May 27, 2016	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 27, 2016	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 27, 2016	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 27, 2016	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 25, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 04, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	65765
Sep. 04, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 13, 2007	ASSIGNED TO PARALEGAL	65765
Jul. 23, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 23, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 07, 2007	CASE FILE IN TICRS	
Jun. 28, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 20, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 10, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 29, 1997	REGISTERED-PRINCIPAL REGISTER	
May 06, 1997	PUBLISHED FOR OPPOSITION	
Apr. 04, 1997	NOTICE OF PUBLICATION	
Mar. 04, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 28, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 02, 1996	NON-FINAL ACTION MAILED	
Jul. 16, 1996	ASSIGNED TO EXAMINER	73350

---

## Maintenance Filings or Post Registration Information

---

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

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

**Renewal Date:** Jul. 29, 2007

---

# TM Staff and Location Information

## TM Staff Information - None

### File Location

Current Location: POST REGISTRATION

Date in Location: Sep. 04, 2007

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 6

Registrant: Colorbok Paper Products, Inc.

### Assignment 1 of 6

Conveyance: CHANGE OF NAME

Reel/Frame: [2432/0169](#)

Pages: 5

Date Recorded: Jan. 17, 2002

Supporting Documents: [assignment-tm-2432-0169.pdf](#)

### Assignor

Name: [COLORBOK PAPER PRODUCTS, INC.](#)

Execution Date: Sep. 29, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

### Assignee

Name: [FLYING COLORS TOYS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MICHIGAN

Address: 22619 PACIFIC COAST HIGHWAY  
MALIBU, CALIFORNIA 90265

### Correspondent

Correspondent Name: FEDER, KASZOVITZ, ISAACSON ET AL

Correspondent Address: LINDSEY S. LEIBOWITZ  
750 LEXINGTON AVENUE  
NEW YORK, NY 10022

### Domestic Representative - Not Found

### Assignment 2 of 6

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2386/0535](#)

Pages: 114

Date Recorded: Nov. 05, 2001

Supporting Documents: [assignment-tm-2386-0535.pdf](#)

### Assignor

Name: [JAKKS PACIFIC, INC.](#)

Execution Date: Oct. 12, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [FLYING COLORS TOYS, INC.](#)

Execution Date: Oct. 12, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: MICHIGAN

Name: [ROAD CHAMPS, INC.](#)

Execution Date: Oct. 12, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [PENTECH INTERNATIONAL, INC.](#)

Execution Date: Oct. 12, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Assignee

Name: [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)

**Legal Entity Type:** NATIONAL BANKING ASSOCIATION

**State or Country Where Organized:** No Place Where Organized Found

**Address:** ATTN: JAKKS PACIFIC ACCOUNT OFFICER, MAIL CODE: WA1-501-37-20  
800 FIFTH AVENUE, 37TH FLOOR  
WASHINGTON 89104

**Correspondent**

**Correspondent Name:** SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

**Correspondent Address:** ATTN: J. CRAVITZ  
333 S. HOPE STREET, 48TH FLOOR  
LOS ANGELES, CALIFORNIA 90071

**Domestic Representative - Not Found**

**Assignment 3 of 6**

**Conveyance:** RELEASE OF SECURITY INTEREST

**Reel/Frame:** [3165/0011](#)

**Pages:** 25

**Date Recorded:** Sep. 26, 2005

**Supporting Documents:** [assignment-tm-3165-0011.pdf](#)

**Assignor**

**Name:** [BANK OF AMERICA, N.A.](#)

**Execution Date:** Aug. 30, 2005

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [JAKKS PACIFIC, INC.](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Address:** 22619 PACIFIC COAST HIGHWAY  
SUITE 250  
MALIBU, CALIFORNIA 90265

**Correspondent**

**Correspondent Name:** GENERAL COUNSEL

**Correspondent Address:** 22619 PACIFIC COAST HIGHWAY  
SUITE 250  
MALIBU, CA 90265

**Domestic Representative - Not Found**

**Assignment 4 of 6**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [3335/0945](#)

**Pages:** 5

**Date Recorded:** Jun. 22, 2006

**Supporting Documents:** [assignment-tm-3335-0945.pdf](#)

**Assignor**

**Name:** [FLYING COLORS TOYS, INC.](#)

**Execution Date:** Apr. 01, 2006

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** MICHIGAN

**Assignee**

**Name:** [JAKKS PACIFIC, INC.](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Address:** 22619 PACIFIC COAST HIGHWAY  
MALIBU, CALIFORNIA 90265

**Correspondent**

**Correspondent Name:** GENERAL COUNSEL

**Correspondent Address:** 22619 PACIFIC COAST HIGHWAY  
MALIBU, CA 90265

**Domestic Representative - Not Found**

---

**Assignment 5 of 6**

---

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [5246/0539](#)

**Pages:** 30

**Date Recorded:** Mar. 28, 2014

**Supporting Documents:** [assignment-tm-5246-0539.pdf](#)

**Assignor**

**Name:** [JAKKS PACIFIC, INC.](#)

**Execution Date:** Mar. 27, 2014

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [GENERAL ELECTRIC CAPITAL CORPORATION](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Address:** 500 WEST MONROE STREET, SUITE 13-120  
CHICAGO, ILLINOIS 60661

**Correspondent**

**Correspondent Name:** ADAM SPIEGEL, ESQ.

**Correspondent Address:** 2049 CENTURY PARK EAST, SUITE 3800  
MCDERMOTT WILL & EMERY LLP  
LOS ANGELES, CA 90067

**Domestic Representative - Not Found**

---

**Assignment 6 of 6**

---

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [6374/0148](#)

**Pages:** 16

**Date Recorded:** Jul. 03, 2018

**Supporting Documents:** [assignment-tm-6374-0148.pdf](#)

**Assignor**

**Name:** [JAKKS PACIFIC, INC.](#)

**Execution Date:** Jun. 14, 2018

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [GACP FINANCE CO., LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 11100 SANTA MONICA BLVD.,  
SUITE 800  
LOS ANGELES, CALIFORNIA 90025

**Correspondent**

**Correspondent Name:** DANIEL L. SCALES

**Correspondent Address:** TWO INTERNATIONAL PLACE  
BOSTON, MA 02110

**Domestic Representative - Not Found**

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

Reg. No. 2,083,189

**United States Patent and Trademark Office**

Registered July 29, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**FLYING COLORS**

COLORBOK PAPER PRODUCTS, INC. (MICHIGAN CORPORATION)  
2716 BAKER ROAD  
DEXTER, MI 48130

ELRY, CLAY, COLORING BOOKS AND STENCILS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).  
FIRST USE 11-1-1995; IN COMMERCE 11-1-1995.

FOR: CHILDREN'S ACTIVITY KITS COMPRISED OF STAMPS, STICKERS, BEADS, JEW-

SER. NO. 75-045,318, FILED 1-18-1996.

SOPHIA F. KIM, EXAMINING ATTORNEY