

ESTTA Tracking number: **ESTTA1027044**

Filing date: **01/06/2020**

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	Creative Compliance Software Solutions LLC		
Entity	Limited Liability Company	Citizenship	Delaware
Address	1201 North Orange Street Suite 710 Wilmington, DE 19801 UNITED STATES		

Attorney information	Peter A. Chiabotti Akerman LLP 777 South Flagler Drive Suite 1100 West Tower West Palm Beach, FL 33401 UNITED STATES peter.chiabotti@akerman.com, angela.martin@akerman.com, ip@akerman.com 5616713608		
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**Registration Subject to Cancellation**

Registration No.	4877162	Registration date	12/29/2015
Registrant	CM SYSTEMS LLC 1000 HURRICANE SHOALS ROAD SUITE D-200 LAWRENCEVILLE, GA 30043 UNITED STATES		

**Goods/Services Subject to Cancellation**

<p>Class 009. First Use: 2015/04/01 First Use In Commerce: 2015/04/01 All goods and services in the class are subject to cancellation, namely: Automation software, namely, software to remotely monitor, control, optimize, track problems in and generate production reports for time/temperature monitoring, industrial systems, and for industrial automation contractors; computer application software for mobile phones and/or handheld computers, namely, software for use in database management and electronic storage of data; Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Computer software for wireless content delivery; Computer software for collecting, analyzing, and displaying real-time temperature or cooler/heating monitoring, Hazard Analysis Critical Control Points (HACCP) compliance, warming/cooling logs, product recall monitoring, real time reporting/list completion; Electronic devices and computer software that allow users to remotely interact with environmental monitoring, control, and automation systems; Electronic devices and computer software that allow the sharing and transmission of data and information between devices for the purposes of facilitating environmental monitoring, control, and automation</p>
<p>Class 042. First Use: 2015/04/01 First Use In Commerce: 2015/04/01</p>

All goods and services in the class are subject to cancellation, namely: Preparation, updating, installation and maintenance of computer software; Design and development of software and hardware for monitoring equipment, providing alert signals, and taking corrective actions in the restaurant and food service industry, health and managed care industry, and institutions; Design and development of software and hardware for compliance of day to day operations, incoming products, incident reporting, outgoing shipments, time usage studies of work completion, and vendor management in the restaurant and food service industry, health and managed care industry, and institutions; Computer services, namely, software as a service (SAAS) used for analyzing, collecting, and reporting time/temperature monitoring, industrial system, industrial automation contractors data; Customizing computer software; Data automation and collection service using proprietary software to evaluate, analyze and collect service data; Providing temporary use of a web-based software application for use in database management and electronic storage of data; Remote diagnostic services in the field of time/temperature monitoring, industrial system monitoring, and industrial automation contractors; computer diagnostic services; Software as a service (SAAS) services featuring software for process management, product development, data management, and regulatory and compliance management; Software as a service (SAAS) services featuring software for successful design and production of safe and compliant products; Rental of space in a computer co-location facility for containerized data centers of others; Temporary electronic storage of information and data; Remote online backup of computer data; Off-site data backup; Electronic storage services for archiving electronic data; Electronic data storage; Data warehousing; Computer services, namely, providing an internet web site featuring technology for use in environmental monitoring, control, and automation systems; computer services, namely, providing an internet web site featuring technology that allows users to remotely interact with environmental monitoring, control, and automation systems; platform as a service (PAAS) featuring computer software platforms for use with environmental monitoring, control, and automation systems; software as a service (SAAS) services featuring computer software for use with environmental monitoring, control, and automation systems

## Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
Other	Nonuse of Registrant's Mark Under 15 U.S.C. &sect; 1051(a); Partial Cancellation Under 15 U.S.C. &sect; 1068

Attachments	COMPLIANCEMATE Cancellation.pdf(670779 bytes )
Signature	/Peter A. Chiabotti/
Name	Peter A. Chiabotti
Date	01/06/2020

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

Creative Compliance Software Solutions  
LLC,

Petitioner,

v.

CM Systems LLC,

Registrant.

Cancellation No.

**Petition to Cancel**

Creative Compliance Software Solutions LLC (“Creative Compliance”) will be damaged by the continued registration of U.S. Registration No. 4877162 and hereby petitions to cancel alleging the following, upon actual knowledge with respect to itself and its own acts, and upon information and belief as to other matters:

**Creative Compliance’s Services and Applications**

1. Creative Compliance is a limited liability company of Delaware with an address of 1201 North Orange Street, Suite 710, Wilmington, DE 19801.
2. Creative Compliance provides a cloud-based software-as-a-service for individuals and businesses to manage their insurance agency and brokerage information under the under COMPLIANCEMATE mark. A copy of Creative Compliance’s website [www.creativecompliance.com/compliancemate](http://www.creativecompliance.com/compliancemate) is at Ex. A.
3. Creative Compliance filed and owns Application No. 88445329 for COMPLIANCEMATE for “software as a service (SAAS) services featuring software for the management of insurance agency and brokerage information” in International Class 42 (the

“COMPLIANCEMATE Application”). A copy of the TSDR printout for the COMPLIANCEMATE Application is attached hereto as Composite Ex. B.

4. The Trademark Office rejected the COMPLIANCEMATE Application based on an asserted likelihood of confusion with the mark in U.S. Registration No. 4877162 under Section 2(d) of the Lanham Act. The Examiner justified the rejection by stating “the registration uses broad wording to describe their information management software as a service, which presumably encompasses all services of the type described, including applicant’s more narrow software for the management of *insurance agency and brokerage information.*”

**Registrant and Its Registration**

5. Registrant CM Systems LLC (“CM”) is a limited liability company of Arizona with an address of 1000 Hurricane Shoals Road, Suite D-200, Lawrenceville, GA 30043.

6. Registrant is the record owner of U.S. Registration No. 4877162 for the mark COMPLIANCEMATE as set forth below (“CM Registration”):

Reg. No. / Mark	Goods/Services
4877162  COMPLIANCEMATE	IC 9: Automation software, namely, software to remotely monitor, control, optimize, track problems in and generate production reports for time/temperature monitoring, industrial systems, and for industrial automation contractors; computer application software for mobile phones and/or handheld computers, namely, software for use in database management and electronic storage of data; Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Computer software for wireless content delivery; Computer software for collecting, analyzing, and displaying real-time temperature or cooler/heating monitoring, Hazard Analysis Critical Control Points (HACCP) compliance, warming/cooling logs, product recall monitoring, real time reporting/list completion; Electronic devices and computer software that allow users to remotely interact with environmental monitoring, control, and automation systems; Electronic devices and computer software that allow the sharing and transmission

Reg. No. / Mark	Goods/Services
	<p>of data and information between devices for the purposes of facilitating environmental monitoring, control, and automation.</p> <p>IC 42: Preparation, updating, installation and maintenance of computer software; Design and development of software and hardware for monitoring equipment, providing alert signals, and taking corrective actions in the restaurant and food service industry, health and managed care industry, and institutions; Design and development of software and hardware for compliance of day to day operations, incoming products, incident reporting, outgoing shipments, time usage studies of work completion, and vendor management in the restaurant and food service industry, health and managed care industry, and institutions; Computer services, namely, software as a service (SAAS) used for analyzing, collecting, and reporting time/temperature monitoring, industrial system, industrial automation contractors data; Customizing computer software; Data automation and collection service using proprietary software to evaluate, analyze and collect service data; Providing temporary use of a web-based software application for use in database management and electronic storage of data; Remote diagnostic services in the field of time/temperature monitoring, industrial system monitoring, and industrial automation contractors; computer diagnostic services; Software as a service (SAAS) services featuring software for process management, product development, data management, and regulatory and compliance management; Software as a service (SAAS) services featuring software for successful design and production of safe and compliant products; Rental of space in a computer co-location facility for containerized data centers of others; Temporary electronic storage of information and data; Remote online backup of computer data; Off-site data backup; Electronic storage services for archiving electronic data; Electronic data storage; Data warehousing; Computer services, namely, providing an internet web site featuring technology for use in environmental monitoring, control, and automation systems; computer services, namely, providing an internet web site featuring technology that allows users to remotely interact with environmental monitoring, control, and automation systems; platform as a service (PAAS) featuring computer software platforms for use with environmental monitoring, control, and automation systems; software as a service (SAAS) services featuring computer software for use with environmental monitoring, control, and automation systems</p>

A copy of the TSDR printout for the CM Registration is attached hereto as Ex. C.

7. The CM Registration was filed as Application No. 86609888 on April 25, 2015 as a use-based application under Section 1(a).

**Count I**  
**Nonuse of Registrant's Mark Under 15 U.S.C. § 1051(a)**

8. Creative Compliance repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 7.

9. On information and belief, Registrant CM had not used the COMPLIANCEMATE mark in U.S. commerce for all of the goods and services listed in Application No. 86609888, which resulted in Registration No. 4877162, prior to filing of the application on April 25, 2015.

10. Registrant CM is not entitled to registration under Trademark Act Section 1(a).

**Count II**  
**Abandonment Under 15 U.S.C. § 1127**

11. Creative Compliance repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 7.

12. Registrant CM discontinued use of the mark of the CM Registration in conjunction with all of the registered goods and services without an intent to resume use.

13. As a result of discontinuing use, Registrant CM abandoned the mark of the CM Registration with at least the non-used goods and services and the registration should be cancelled.

**Count III**  
**Partial Cancellation Under 15 U.S.C. § 1068**

14. Creative Compliance repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 7.

15. In the alternative, the CM Registration should be partially cancelled by narrowing the goods and services pursuant to Section 18 of the Lanham Act, as Registrant CM does not provide the goods or render the services of the CM Registration, broadly, but instead provides narrower goods and renders narrower services.

16. The CM Registration was cited against Creative Compliance's COMPLIANCEMATE Application because the services of the CM Registration contains an overly broad description of goods and services. The CM Registration improperly stands as a bar to Creative Compliance's COMPLIANCEMATE Application because the cited goods and services in the CM are overly broad and likely to cause confusion.

17. In view of the overly broad description of the goods and services, the description of the goods and cited services for the CM Registration should be partially cancelled and limited as set forth below (with deletions shown in red cross through and additions shown in blue underline).

IC 9: Automation software, namely, software to remotely monitor, control, optimize, track problems in and generate production reports for time/temperature monitoring for the restaurant and food service industry, ~~industrial systems, and for industrial automation contractors~~; computer application software for mobile phones and/or handheld computers, namely, software for use in database management for temperature monitoring and Hazard Analysis Critical Control Points (HACCP) compliance of monitored equipment in the restaurant and food service industry and electronic storage of data for temperature monitoring and Hazard Analysis Critical Control Points (HACCP) compliance of monitored equipment in the restaurant and food service industry; Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information for temperature monitoring and Hazard Analysis Critical Control Points (HACCP) compliance of monitored equipment in the restaurant and food service industry; Computer software for wireless content delivery for temperature monitoring and Hazard Analysis Critical Control Points (HACCP) compliance of monitored equipment in the restaurant and food service industry; Computer software for collecting, analyzing, and displaying real-time temperature or cooler/heating monitoring, Hazard Analysis Critical Control Points (HACCP) compliance, warming/cooling logs, product recall monitoring, real time reporting/list completion in the restaurant and food service industry; Electronic

devices and computer software that allow users to remotely interact with environmental monitoring, control, and automation systems [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Electronic devices and computer software that allow the sharing and transmission of data and information between devices for the purposes of facilitating environmental monitoring, control, and automation [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#).

IC 42: Preparation, updating, installation and maintenance of computer software [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Design and development of software and hardware for monitoring equipment, providing alert signals, and taking corrective actions in the restaurant and food service industry, ~~health and managed care industry, and institutions~~; Design and development of software and hardware for compliance of day to day operations, incoming products, incident reporting, outgoing shipments, time usage studies of work completion, and vendor management, [in each case](#), in the restaurant and food service industry, ~~health and managed care industry, and institutions~~; Computer services, namely, software as a service (SAAS) used for analyzing, collecting, and reporting [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#) ~~time/temperature monitoring, industrial system, industrial automation contractors data~~; Customizing computer software [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Data automation and collection service using proprietary software to evaluate, analyze and collect service data [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Providing temporary use of a web-based software application for use in database management and electronic storage of data [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Remote diagnostic services in the field of [temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#) ~~time/temperature monitoring, industrial system monitoring, and industrial automation contractors; computer diagnostic services~~; Software as a service (SAAS) services featuring software for [temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#) process management, product development, data management, and regulatory and compliance management [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Software as a service (SAAS) services featuring software for successful design and production of safe and compliant products [for temperature monitoring and Hazard Analysis Critical Control Points](#)



[\(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Rental of space in a computer co-location facility for containerized data centers of others [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Temporary electronic storage of information and data [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Remote online backup of computer data [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Off-site data backup [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Electronic storage services for archiving electronic data [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Electronic data storage [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Data warehousing [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); Computer services, namely, providing an internet web site featuring technology for use in [temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#) ~~environmental monitoring, control, and automation systems~~; computer services, namely, providing an internet web site featuring technology that allows users to remotely interact with ~~environmental monitoring, control, and automation~~ systems [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); platform as a service (PAAS) featuring computer software platforms for use with environmental monitoring, control, and automation systems [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#); software as a service (SAAS) services featuring computer software for use with environmental monitoring, control, and automation systems [for temperature monitoring and Hazard Analysis Critical Control Points \(HACCP\) compliance of monitored equipment in the restaurant and food service industry](#).

18. The proposed amendment to the above services will obviate any likelihood of confusion and will allow Creative Compliance's COMPLIANCEMATE Application to co-exist with the CM Registration on the Federal Register, given the differences in the goods and services.

WHEREFORE, Creative Compliance respectfully requests that the instant Petition to Cancel be granted and that U.S. Registration No. 4877162 be cancelled in due course.

Authorization is given to charge the filing fee for this Cancellation to Deposit Account No. 50-0951. Authorization is also given to charge any deficiencies, or credit any overpayments, to Deposit Account No. 50-0951 throughout the pendency of this Cancellation.

Respectfully submitted,

**AKERMAN LLP**

Date: January 6, 2020

/Peter A. Chiabotti/

Peter A. Chiabotti  
777 South Flagler Drive  
Suite 1100 West Tower  
West Palm Beach, FL 33401  
Telephone: (561) 653-5000  
Telefax: (561) 653-5333

*Attorney for Petitioner Creative Compliance  
Software Solutions LLC*

# Exhibit A



Talk To Us



# ComplianceMate

## Software that works.

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## ComplianceMate

ComplianceMate is a Cloud-Based Software Platform born out of necessity and nurtured with experience and knowledge. ComplianceMate is a robust, yet easy-to-use platform that has been proven to save time, simplify workflows, avoid hassles, reduce risk and lower costs. ComplianceMate began as an idea that an insurance licensing compliance software should make things easier, not harder. Creative Compliance, in its role as a leader in insurance license compliance managed services, needed a software platform that could meet the needs of an Enterprise user managing 10,000's of licenses across all lines in all 50 states. Creative Compliance used or evaluated all of the major licensing compliance platforms on the market, and found that they all had deficiencies of one kind or another. What could we do but develop a software platform of our own? Creative Compliance enlisted the help of one of the top software designers in New York, and in conjunction with its abundance of knowledge surrounding licensing compliance, Creative Compliance was able to develop the most powerful, intuitive, and easy-to-use software platform on the market today.



### Individual Licensing

Manage, Store & View all information and documents required to maintain individual licenses.



### Entity Licensing

Manage, Store & View all information and documents required to maintain entity licenses.



### National Producer Database (PDB) Integration

Download up-to-date license information directly from the PDB.



### National Insurance Producer Registry (NIPR) Licensing Integration

Obtain initial or renew existing individual and



### Digital Individual & Entity Onboarding

Onboard new and existing individual & entity information quickly and



### Continuing Education (CE) Tracking

View and track all information pertaining to CE in one location.

entity licenses with the click of a button via ComplianceMate's native integration with the [NIPR](#).

easily through the ComplianceMate Profile Interview Manager.



### DBA Registrations

Manage, Store & View all information and documents pertaining to Insurance Department, & State/County DBA registrations.



### Secretary of State Registrations (SOS)

Manage, Store & View all information and documents required to keep SOS registrations in good standing.



### Surplus Lines Tax Filings

Manage, Store & View all information required to file Surplus Lines Tax periodic reports.

[Schedule a Demo!](#)



## Intuitive Licensing Dashboard

View and Access all of your most important licensing and registration information quickly and easily through the ComplianceMate Dashboard

## Customized Reports

Access your data your way. If it has a field in ComplianceMate you can run a report on it. Through our *Report Builder* Module all your data is at your fingertips.



## Continuing Education (CE) Tracking

Manage, View and Track all information

BULK ACTIONS							
STATE	HRS REQD	HRS CMPL	HRS REMAIN	DATE DUE	FULFILLED	STATUS	ACTIONS
NY - New York	15	5	10	05/21/2020	NO	ACTIVE	<a href="#">+</a> <a href="#">-</a> <a href="#">x</a>

CE Active: 1 | Inactive: 0 | Due in 60 Days: 0 | Due in 90 Days: 0

pertaining to continuing education in one location, including hours required, hours completed, and courses completed for an individual producer. View a copy of the individual's latest CE transcript and/or CE completion certificates.

[Schedule a Demo!](#)



*"This software is 18 times better than any other software we have evaluated"*



**INSURANCE JOURNAL TOP 10 P/C COMPANY EXECUTIVE**



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**CONTACT US**

518.584.1704 [info@creativecompliance.com](mailto:info@creativecompliance.com)  
 6 Clement Avenue  
 Saratoga Springs, NY 12866



# Exhibit B

**Generated on:** This page was generated by TSDR on 2020-01-03 11:53:37 EST

**Mark:** COMPLIANCEMATE

COMPLIANCEMATE

**US Serial Number:** 88445329

**Application Filing Date:** May 24, 2019

**Filed as TEAS Plus:** Yes

**Currently TEAS Plus:** Yes

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

**Status:** A final Office action refusing registration has been sent (issued) because the applicant neither satisfied nor overcame all requirements and/or refusals previously raised. The applicant may respond by filing (1) a request for reconsideration; and/or (2) an appeal to the Trademark Trial and Appeal Board. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

**Status Date:** Dec. 30, 2019

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## Mark Information

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**Mark Literal Elements:** COMPLIANCEMATE

**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

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## Goods and Services

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**Note:**

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

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

**For:** Software as a service (SAAS) services featuring software for the management of insurance agency and brokerage information

**International Class(es):** 042 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Apr. 01, 2019

**Use in Commerce:** Apr. 01, 2019

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## Basis Information (Case Level)

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**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

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## Current Owner(s) Information

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**Owner Name:** Creative Compliance Software Solutions LLC

**Owner Address:** Suite 710  
1201 North Orange Street  
Wilmington, DELAWARE UNITED STATES 19801

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Peter A. Chiabotti

**Attorney Primary Email Address:** [ip@akerman.com](mailto:ip@akerman.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Peter A. Chiabotti  
Akerman LLP  
777 South Flagler Drive  
Suite 1100 - West Tower  
West Palm Beach, FLORIDA UNITED STATES 33401

**Phone:** 561-653-5000

**Fax:** 561-659-6313

**Correspondent e-mail:** [ip@akerman.com](mailto:ip@akerman.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Dec. 30, 2019	NOTIFICATION OF FINAL REFUSAL EMAILED	
Dec. 30, 2019	FINAL REFUSAL E-MAILED	
Dec. 30, 2019	FINAL REFUSAL WRITTEN	89010
Dec. 07, 2019	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 07, 2019	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 07, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 23, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 23, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 14, 2019	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 14, 2019	NON-FINAL ACTION E-MAILED	6325
Aug. 14, 2019	NON-FINAL ACTION WRITTEN	89010
Aug. 14, 2019	ASSIGNED TO EXAMINER	89010
Jun. 10, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 28, 2019	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

**TM Attorney:** WATTS-FITZGERALD, CAIT

**Law Office Assigned:** LAW OFFICE 111

### File Location

**Current Location:** TMO LAW OFFICE 111 - EXAMINING ATTORNEY ASSIGNED

**Date in Location:** Dec. 30, 2019

# Exhibit C

**Generated on:** This page was generated by TSDR on 2020-01-03 11:55:51 EST

**Mark:** COMPLIANCEMATE

COMPLIANCEMATE

**US Serial Number:** 86609888

**Application Filing Date:** Apr. 25, 2015

**US Registration Number:** 4877162

**Registration Date:** Dec. 29, 2015

**Filed as TEAS RF:** Yes

**Currently TEAS RF:** Yes

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

**Status Date:** Dec. 29, 2015

**Publication Date:** Oct. 13, 2015

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## Mark Information

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**Mark Literal Elements:** COMPLIANCEMATE

**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

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## 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:** Automation software, namely, software to remotely monitor, control, optimize, track problems in and generate production reports for time/temperature monitoring, industrial systems, and for industrial automation contractors; computer application software for mobile phones and/or handheld computers, namely, software for use in database management and electronic storage of data; Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Computer software for wireless content delivery; Computer software for collecting, analyzing, and displaying real-time temperature or cooler/heating monitoring, Hazard Analysis Critical Control Points (HACCP) compliance, warming/cooling logs, product recall monitoring, real time reporting/list completion; Electronic devices and computer software that allow users to remotely interact with environmental monitoring, control, and automation systems; Electronic devices and computer software that allow the sharing and transmission of data and information between devices for the purposes of facilitating environmental monitoring, control, and automation

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Apr. 01, 2015

**Use in Commerce:** Apr. 01, 2015

**For:** Preparation, updating, installation and maintenance of computer software; Design and development of software and hardware for monitoring equipment, providing alert signals, and taking corrective actions in the restaurant and food service industry, health and managed care industry, and institutions; Design and development of software and hardware for compliance of day to day operations, incoming products, incident reporting, outgoing shipments, time usage studies of work completion, and vendor management in the restaurant and food service industry, health and managed care industry, and institutions; Computer services, namely, software as a service (SAAS) used for analyzing, collecting, and reporting time/temperature monitoring, industrial system, industrial automation contractors data; Customizing computer software; Data automation and collection service using proprietary software to evaluate, analyze and collect service data; Providing temporary use of a web-based software application for use in database management and electronic storage of data; Remote diagnostic services in the field of time/temperature monitoring, industrial system monitoring, and

industrial automation contractors; computer diagnostic services; Software as a service (SAAS) services featuring software for process management, product development, data management, and regulatory and compliance management; Software as a service (SAAS) services featuring software for successful design and production of safe and compliant products; Rental of space in a computer co-location facility for containerized data centers of others; Temporary electronic storage of information and data; Remote online backup of computer data; Off-site data backup; Electronic storage services for archiving electronic data; Electronic data storage; Data warehousing; Computer services, namely, providing an internet web site featuring technology for use in environmental monitoring, control, and automation systems; computer services, namely, providing an internet web site featuring technology that allows users to remotely interact with environmental monitoring, control, and automation systems; platform as a service (PAAS) featuring computer software platforms for use with environmental monitoring, control, and automation systems; software as a service (SAAS) services featuring computer software for use with environmental monitoring, control, and automation systems

**International Class(es):** 042 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Apr. 01, 2015

**Use in Commerce:** Apr. 01, 2015

## 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:** CM SYSTEMS LLC

**Owner Address:** 1000 HURRICANE SHOALS ROAD  
SUITE D-200  
LAWRENCEVILLE, GEORGIA UNITED STATES 30043

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** ARIZONA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Raj Abhyanker

**Attorney Primary Email Address:** [trademarks@legalforce.com](mailto:trademarks@legalforce.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Raj Abhyanker  
LegalForce RAPC Worldwide, P.C.  
446 E Southern Ave  
Tempe, ARIZONA UNITED STATES 85282

**Phone:** 650-965-8731

**Fax:** 650 989-2131

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

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 13, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 13, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 24, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 24, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jan. 13, 2016	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 29, 2015	REGISTERED-PRINCIPAL REGISTER	
Oct. 13, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	

Oct. 13, 2015	PUBLISHED FOR OPPOSITION	
Sep. 23, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 08, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Sep. 08, 2015	ASSIGNED TO LIE	68171
Aug. 17, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 13, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 13, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 13, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 13, 2015	EXAMINERS AMENDMENT -WRITTEN	67512
Aug. 05, 2015	ASSIGNED TO EXAMINER	67512
May 07, 2015	NOTICE OF PSEUDO MARK E-MAILED	
May 06, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 29, 2015	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Dec. 29, 2015

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 1

**Registrant:** Orderite, Inc

### Assignment 1 of 1

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [5694/0755](#)

**Pages:** 3

**Date Recorded:** Dec. 22, 2015

**Supporting Documents:** [assignment-tm-5694-0755.pdf](#)

#### Assignor

**Name:** [ORDERITE, INC](#)

**Execution Date:** Dec. 08, 2015

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** GEORGIA

#### Assignee

**Name:** [CM SYSTEMS LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** ARIZONA

**Address:** 1000 HURRICANE SHOALS ROAD  
SUITE D-200  
LAWRENCEVILLE, GEORGIA 30043

#### Correspondent

**Correspondent Name:** SHAUNA MALONEY

**Correspondent Address:** 451 N SHORELINE BLVD  
MOUNTAIN VIEW, CA 94043

**Domestic Representative - Not Found**