

ESTTA Tracking number: **ESTTA1152763**

Filing date: **08/12/2021**

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

Proceeding	92076233
Party	Defendant Imagination Holdings Pty Ltd.
Correspondence Address	JACQUELINE M LESSER BAKER & HOSTETLER LLP 2929 ARCH STREET CIRA CENTRE 12TH FL PHILADELPHIA, PA 19104-2891 UNITED STATES Primary Email: jlesser@bakerlaw.com Secondary Email(s): llabella@bakerlaw.com , bhipdocket@bakerlaw.com , jdale@bakerlaw.com 215-568-3100
Submission	Other Motions/Submissions
Filer's Name	Jacqueline M. Lesser
Filer's email	jlesser@bakerlaw.com , llabella@bakerlaw.com , bhipdocket@bakerlaw.com
Signature	/Jacqueline M. Lesser/
Date	08/12/2021
Attachments	2021-08-12-IMAGINATION HOLDINGS-Supplemental Petition to Amend Registration -with Ex. A.pdf(748061 bytes)

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

IMAGINATION GAMES, INC.

Petitioner,

v.

IMAGINATION HOLDINGS PTY LTD.

Registrant.

Reg. No.: 4001241
Reg. Date: 07/26/2011
Mark: IMAGINATION

Cancellation No.: 92/076,233

SUPPLEMENTAL PETITION TO AMEND REGISTRATION

Pursuant to the Board's Order Suspending the Proceeding (TTABVUE 13) for the Pending Motions, including the Motion and Revised Motion of Imagination Holdings Pty Ltd. ("Registrant"), to Amend the identification of goods and services in the registration that is subject to this proceeding, Registrant advises the Board that it has filed its Section 8 and 9 in this proceeding, submitting the updated goods and services. See **Exhibit A**. Because the online form would not permit Registrant to modify the Class 9 goods to include class 41 services, all of the so specified goods and services are currently submitted under Class 9.

Dated: August 12, 2021

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ Jacqueline M. Lesser

Jacqueline M. Lesser

jlesser@bakerlaw.com

2929 Arch Street

Cira Centre, 12th Floor

Philadelphia, PA 19104-2891

Telephone: (215) 568-3100

Facsimile: (215) 568-3439

*Attorneys for Registrant Imagination Holdings Pty
Ltd.*

CERTIFICATE OF FILING AND OF SERVICE

I, Jacqueline M. Lesser, hereby certify that on August 12, 2021 a true and correct copy of the foregoing SUPPLEMENTAL PETITION TO AMEND REGISTRATION has been served by e-mail upon Counsel for Petitioner, Brian S. Tamsut at btamsut@socalip.com; Jonathan Pearce at pearce@socalip.com.

*/Jacqueline M. Lesser/*_____

Jacqueline M. Lesser

SUPPLEMENTAL PETITION TO AMEND REGISTRATION

CANCELLATION NO. 92076233

EXHIBIT A

Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	4001241
REGISTRATION DATE	07/26/2011
SERIAL NUMBER	85088171
MARK SECTION	
MARK	IMAGINATION (see, mark)
ATTORNEY INFORMATION (current)	
NAME	JACQUELINE M LESSER
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	BAKER & HOSTETLER LLP
INTERNAL ADDRESS	CIRA CENTRE 12TH FL
STREET	2929 ARCH STREET
CITY	PHILADELPHIA
STATE	Pennsylvania
POSTAL CODE	19104-2891
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
EMAIL	jlesser@bakerlaw.com
DOCKET/REFERENCE NUMBER	92076233
ATTORNEY INFORMATION (proposed)	
NAME	Jacqueline M. Lesser
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	BAKER & HOSTETLER LLP
INTERNAL ADDRESS	Cira Centre, 12th Floor
STREET	2929 ARCH STREET
CITY	PHILADELPHIA
STATE	Pennsylvania

POSTAL CODE	19104-2891
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
PHONE	215-568-3100
FAX	215-568-3439
EMAIL	bhipdocket@bakerlaw.com
DOCKET/REFERENCE NUMBER	121084.00002
OTHER APPOINTED ATTORNEY	Nancy Rubner Frandsen, Kevin M. Bovard, Lesley M. Grossberg, Lisa Bollinger Gehman, Candice Reder, Mark H. Tidman, Robert B.G. Horowitz, John M. Mueller, Deborah A. Wilcox, Kevin Wallace, Gabriel L. Mitchell
CORRESPONDENCE INFORMATION (current)	
NAME	JACQUELINE M LESSER
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	jlesser@bakerlaw.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	llabella@bakerlaw.com; bhipdocket@bakerlaw.com
DOCKET/REFERENCE NUMBER	92076233
CORRESPONDENCE INFORMATION (proposed)	
NAME	Jacqueline M. Lesser
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	bhipdocket@bakerlaw.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	jlesser@bakerlaw.com; jdale@bakerlaw.com
DOCKET/REFERENCE NUMBER	121084.00002
DOMESTIC REPRESENTATIVE INFORMATION (new)	
NAME	Jacqueline M. Lesser
FIRM NAME	Baker & Hostetler LLP
INTERNAL ADDRESS	Cira Centre, 12th Floor
STREET	2929 Arch Street
CITY	Philadelphia
STATE	Pennsylvania
POSTAL CODE	19104-2891
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
PHONE	215-568-3100
FAX	215-568-3439
EMAIL	bhipdocket@bakerlaw.com
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	009
GOODS OR SERVICES TO BE DELETED	Pre-recorded DVDs featuring computer game programs
GOODS OR SERVICES IN USE IN COMMERCE OR	Downloadable apps for games and interactive games available for

FOR WHICH OWNER CLAIMS EXCUSABLE NONUSE	streaming, composed of a non-downloadable apps accessories, used with or without a physical board game or card accessories, as updated technology from DVDs
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT18\IMAGEOUT 18\850\881\85088171\xml2 \S890002.JPG
	\\TICRS\EXPORT18\IMAGEOUT 18\850\881\85088171\xml2 \S890003.JPG
	\\TICRS\EXPORT18\IMAGEOUT 18\850\881\85088171\xml2 \S890004.JPG
SPECIMEN DESCRIPTION	online downloadable app
WEBPAGE URL	None Provided
WEBPAGE DATE OF ACCESS	None Provided
OWNER SECTION (current)	
NAME	Imagination Holdings Pty Ltd
MAILING ADDRESS	PO Box 2596
CITY	Kent Town DC, SA
ZIP/POSTAL CODE	5071
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Australia
PHONE	+61 (0) 419826406
EMAIL	XXXX
OWNER SECTION (proposed)	
NAME	Imagination Holdings Pty Ltd
MAILING ADDRESS	PO Box 2596
CITY	Kent Town DC, SA
ZIP/POSTAL CODE	5071
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Australia
PHONE	+61 (0) 419826406
EMAIL	XXXX
LEGAL ENTITY SECTION (current)	
TYPE	limited liability company
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY WHERE LEGALLY ORGANIZED	Australia
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
COMBINED §§ 8 & 9 DECLARATION/APPLICATION FILING FEE	525
TOTAL FEE PAID	525
SIGNATURE SECTION	
SIGNATURE	/Jacqueline M. Lesser/

SIGNATORY'S NAME	Jacqueline M. Lesser
SIGNATORY'S POSITION	Attorney of Record, Pennsylvania bar member
DATE SIGNED	07/20/2021
SIGNATORY'S PHONE NUMBER	215-564-2155
SIGNATURE METHOD	Sent to third party for signature
PAYMENT METHOD	DA
FILING INFORMATION	
SUBMIT DATE	Tue Jul 20 15:36:05 ET 2021
TEAS STAMP	USPTO/S08N09-XX.XX.XXX.XX X-20210720153605838718-40 01241-7805d31a1be394deed3 683583d14043c7a4182ceeb21 18854c99c4f98c89356d6-DA- 36032252-2021072014403832 0944

Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9

To the Commissioner for Trademarks:

REGISTRATION NUMBER: 4001241

REGISTRATION DATE: 07/26/2011

MARK: IMAGINATION

Current: The owner, Imagination Holdings Pty Ltd, a limited liability company legally organized under the laws of Australia, having an address of

PO Box 2596
Kent Town DC, SA, 5071
Australia
XXXX
+61 (0) 419826406

Proposed: The owner, Imagination Holdings Pty Ltd, a limited liability company legally organized under the laws of Australia, having an address of

PO Box 2596
Kent Town DC, SA, 5071
Australia
+61 (0) 419826406
XXXX

is filing a Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9.

For International Class 009, this filing does **NOT** cover the following goods or services for this specific class listed in the registration, and these goods or services are to be permanently **deleted** from the registration: Pre-recorded DVDs featuring computer game programs

The mark is in use in commerce on or in connection with the following goods or services listed in the existing registration for this specific class; or, the owner is making the listed excusable nonuse claim: Downloadable apps for games and interactive games available for streaming, composed of a non-downloadable apps accessories, used with or without a physical board game or card accessories, as updated technology from DVDs

The owner is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) online downloadable app.

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

Webpage URL: None Provided

Webpage Date of Access: None Provided

The owner's/holder's current attorney information: JACQUELINE M LESSER. JACQUELINE M LESSER of BAKER & HOSTETLER LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

CIRA CENTRE 12TH FL
2929 ARCH STREET
PHILADELPHIA, Pennsylvania 19104-2891
United States

The docket/reference number is 92076233.

The email address is jlesser@bakerlaw.com

The owner's/holder's proposed attorney information: Jacqueline M. Lesser. Other appointed attorneys are Nancy Rubner Frandsen, Kevin M. Bovard, Lesley M. Grossberg, Lisa Bollinger Gehman, Candice Reder, Mark H. Tidman, Robert B.G. Horowitz, John M. Mueller, Deborah A.

Wilcox, Kevin Wallace, Gabriel L. Mitchell, Jacqueline M. Lesser of BAKER & HOSTETTLER LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at

Cira Centre, 12th Floor
2929 ARCH STREET
PHILADELPHIA, Pennsylvania 19104-2891
United States

The docket/reference number is 121084.00002.

The phone number is 215-568-3100.

The fax number is 215-568-3439.

The email address is bhipdocket@bakerlaw.com

Jacqueline M. Lesser submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The proposed domestic representative's information: Jacqueline M. Lesser. Jacqueline M. Lesser of Baker & Hostetler LLP, is appointed as owner's/holder's representative upon whom notice or process in the proceedings affecting the mark may be served. Jacqueline M. Lesser is located at

Cira Centre, 12th Floor
2929 Arch Street
Philadelphia, Pennsylvania 19104-2891
United States

The phone number is 215-568-3100.

The fax number is 215-568-3439.

The email address is bhipdocket@bakerlaw.com

Correspondence Information (current):

JACQUELINE M LESSER
PRIMARY EMAIL FOR CORRESPONDENCE: jlesser@bakerlaw.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): llabella@bakerlaw.com; bhipdocket@bakerlaw.com

The docket/reference number is 92076233.

Correspondence Information (proposed):

Jacqueline M. Lesser
PRIMARY EMAIL FOR CORRESPONDENCE: bhipdocket@bakerlaw.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): jlesser@bakerlaw.com; jdale@bakerlaw.com

The docket/reference number is 121084.00002.

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$525 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

Declaration

- Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).
- Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.

- The registrant requests that the registration be renewed for the goods/services/collective organization identified above.
- 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 this submission and the registration, 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.

Signature: /Jacqueline M. Lesser/ Date: 07/20/2021

Signatory's Name: Jacqueline M. Lesser

Signatory's Position: Attorney of Record, Pennsylvania bar member

Signatory's Phone: 215-564-2155

Signature method: Sent to third party for signature

Mailing Address (current):

BAKER & HOSTETLER LLP

2929 ARCH STREET

PHILADELPHIA, Pennsylvania 19104-2891

Mailing Address (proposed):

BAKER & HOSTETLER LLP

2929 ARCH STREET

PHILADELPHIA, Pennsylvania 19104-2891

Serial Number: 85088171

Internet Transmission Date: Tue Jul 20 15:36:05 ET 2021

TEAS Stamp: USPTO/S08N09-XX.XX.XXX.XXX-2021072015360

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6-DA-36032252-20210720144038320944

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Done



BUZZER
PLAY ALONG
WITH THE FUN FAMILY
BOARD GAME!

*Imagination
gaming*

Fremontle

Gamestar.
App&Play

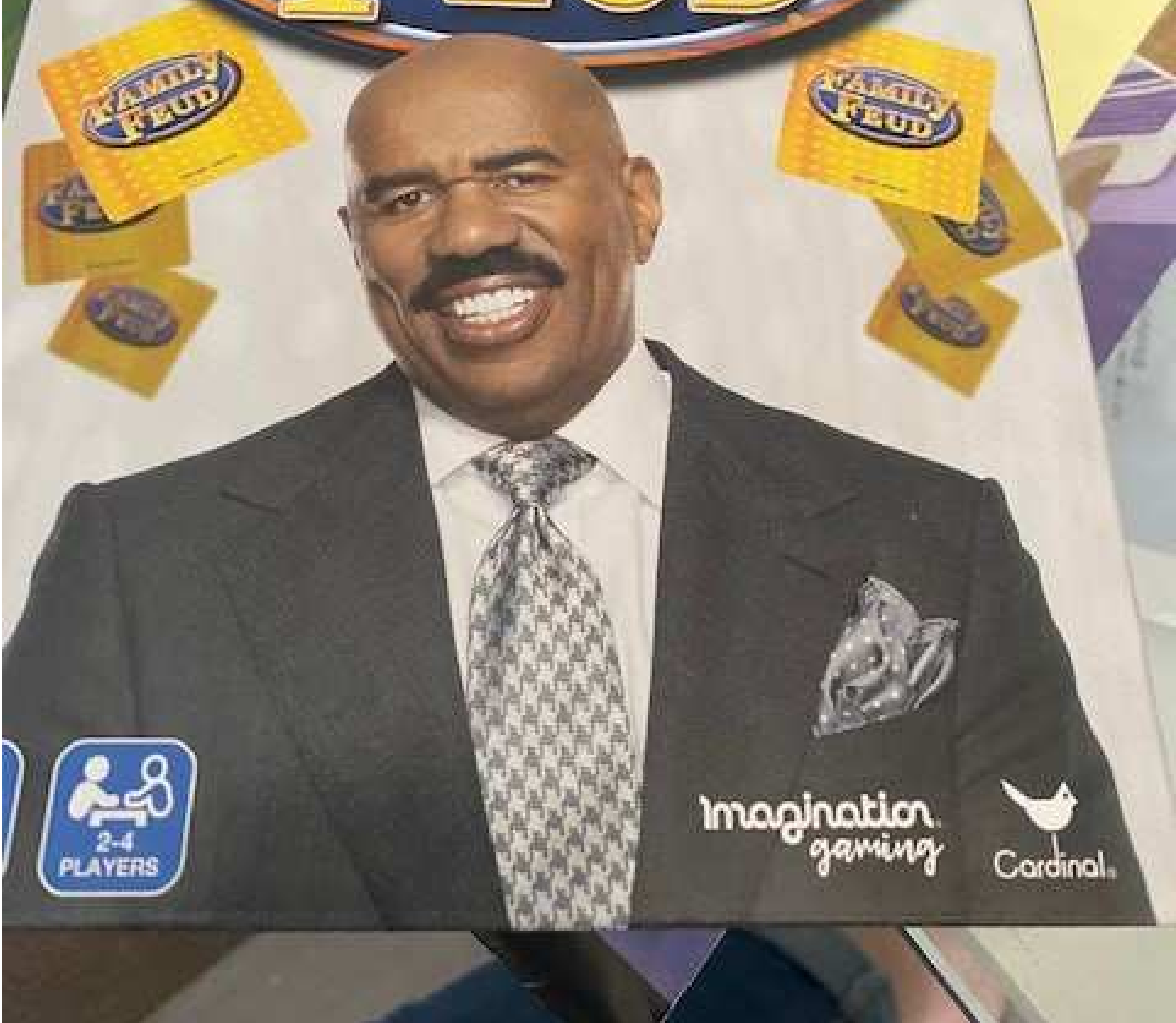
PLATINUM EDITION

FAMILY FEUD

Ready to POLL
FAST-PAKED GAMES

PLATINUM EDITION

FAMILY FEUD



2-4 PLAYERS

Imagination gaming

Cardinal

FAMILY FEUD

PLAY ALONG WITH
THE FREE FAMILY FEUD
BUZZER APPS



Download on the
App Store



Get it on
Google play



ROUTING SHEET TO POST REGISTRATION (PRU)

Registration Number: 4001241



Serial Number: 85088171



RAM Sale Number: 4001241

RAM Accounting Date: 20210720

Total Fees: \$525

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20210720	\$225	1	1	\$225
Application for Renewal (§9)	7201	20210720	\$300	1	1	\$300

Physical Location: - UNKNOWN

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

Transaction Date: 20210720



2:25



Done



BUZZER
PLAY ALONG
WITH THE FUN FAMILY
BOARD GAME!

*Imagination
gaming*

Fremontle

Gamestar.
App&Play

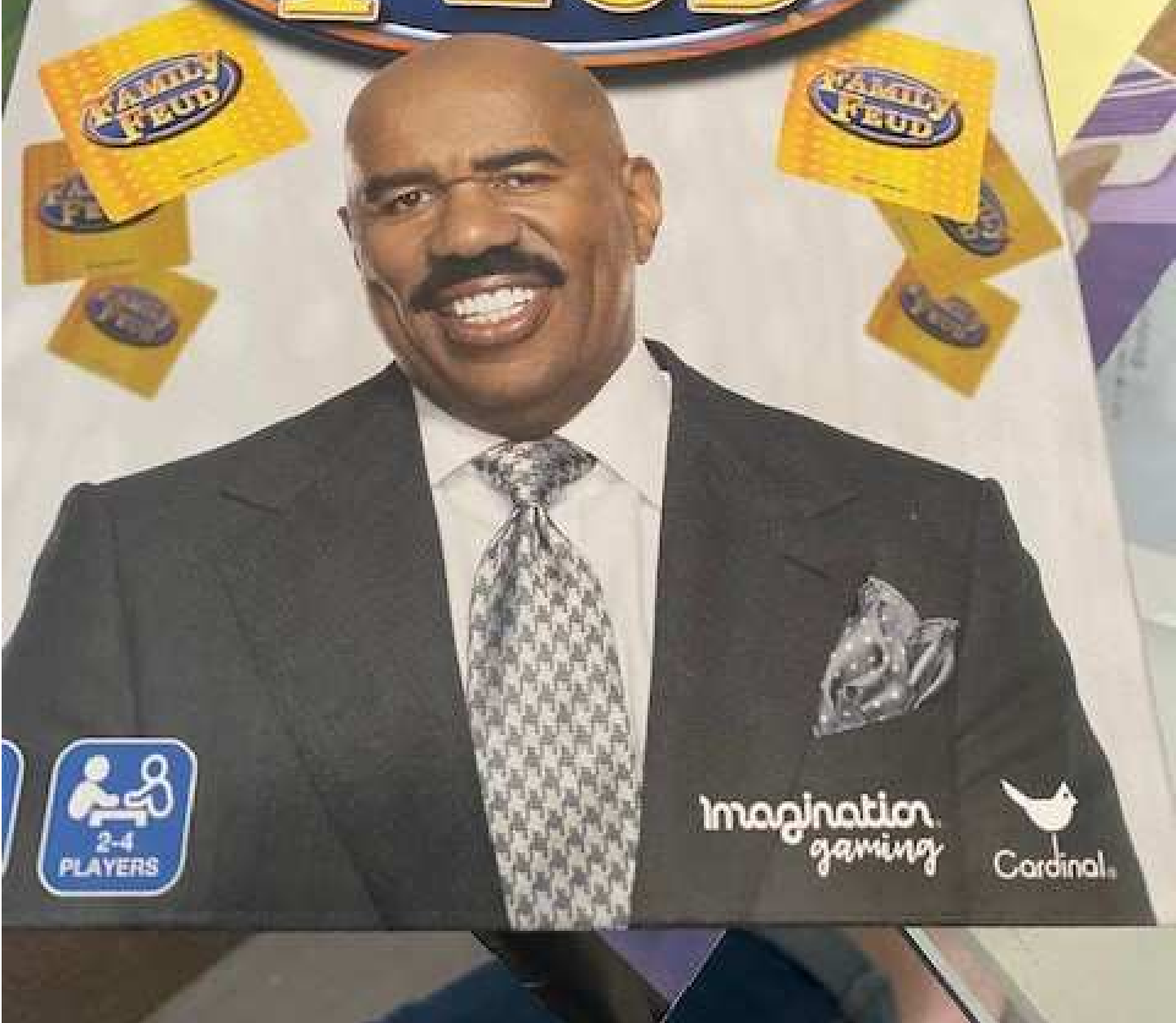
PLATINUM EDITION

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