

ESTTA Tracking number: **ESTTA1124406**

Filing date: **04/01/2021**

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	YYGM, SA		
Entity	Corporation	Citizenship	Switzerland
Address	VIA MOTTA 44 LUGANO, CH-6900 SWITZERLAND		

Attorney information	KEITH WESLEY BROWNE GEORGE ROSS O'BRIEN ANNAGUEY & ELLIS, LLP 2121 AVENUE OF THE STARS, SUITE 2800 LOS ANGELES, CA 90067 UNITED STATES Primary Email: kwesley@bgrfirm.com Secondary Email(s): elauritsen@bgrfirm.com (310) 274-7100		
Docket Number			

Registration Subject to Cancellation

Registration No.	6056987	Registration date	05/19/2020
Registrant	Capovani, John 144 PUTNAM ROAD ROTTERDAM, NY 12306 UNITED STATES		

Goods/Services Subject to Cancellation

Class 025. First Use: 2017/10/17 First Use In Commerce: 2018/10/05 All goods and services in the class are subject to cancellation, namely: Graphic T-shirts

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Marks Cited by Petitioner as Basis for Cancellation

U.S. Application No.	88540339	Application Date	07/26/2019
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Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	YELLOW RAT BASTARD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2019/06/15 First Use In Commerce: 2019/06/15 Clothing, namely, t-shirts, tank tops, and sweatshirts		

U.S. Application No.	88768401	Application Date	01/21/2020
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NYC YELLOW RAT BASTARD		
Design Mark			
Description of Mark	The mark consists of an emaciated looking yellow rat with oversized black eyes underneath the text "NYC", written in yellow and above the text "YELLOW RAT BASTARD", also written in yellow. The mark is on a black background.		
Goods/Services	Class 025. First use: First Use: 2019/06/15 First Use In Commerce: 2019/06/15 Clothing, namely, t-shirts, tank tops, and sweatshirts		

Attachments	Ratbastard Supply Co. - Petition to Cancel.pdf(691293 bytes)
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Signature	/kpw/
Name	Keith J. Wesley
Date	04/01/2021

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

In the Matter of Trademark Registration No. 6,056,987
For the Mark **RATBASTARD SUPPLY CO.**

Y.Y.G.M. SA,

Petitioner,

Cancellation No. _____

vs.

JOHN CAPOVANI,

Respondent

_____ /

PETITION TO CANCEL

Y.Y.G.M. SA (“Petitioner”), a Swiss entity with an address at Via Motta 44, Lugano, Switzerland 6900, believes that it will be damaged by the continued registration of the mark that is the subject of registration number 6,056,987 in class 25 for use on “Graphic T-shirts” (the “Registration”). The Registration is in the name of John Capovani, 144 Putnam Road, Rotterdam, New York 12306 (“Respondent”). By this petition, Petitioner requests the cancellation of the Registration.

The grounds for this petition are as follows:

1. Petitioner has submitted U.S. Trademark Application Serial No. 88,540,339 for the word mark “YELLOW RAT BASTARD” and U.S. Trademark Application Serial No. 88,768,401 for the word mark “NYC YELLOW RAT BASTARD” and associated design (“Petitioner’s Marks”), each for use on “clothing, namely t-shirts, tank tops, and sweatshirts” in Class 25 (“Petitioner’s Applications”). True and correct copies of the data from Petitioner’s Applications are appended hereto as Exhibit A.

2. On June 25, 2019, Respondent applied to register the word mark “RATBASTARD SUPPLY CO.” (“Respondent’s Mark”) for use on “Graphic T-shirts” in Class 25 (“Respondent’s Application”). A true and correct copy of the data from Respondent’s Application is appended hereto as Exhibit B.

3. Respondent’s Application did not designate a filing basis or a date of first use of Respondent’s Mark in commerce. In a response to an Office action submitted on January 9, 2020, however, Respondent designated October 5, 2018 as the date of its first use of Respondent’s Mark in commerce.

4. Petitioner submitted the first of Petitioner’s Applications on July 26, 2019 and the second of Petitioner’s Applications on January 21, 2020, and claimed use of Petitioner’s Marks in commerce as early as June 15, 2019 in each instance.

5. On information and belief, the Registration issued on May 19, 2020. A true and correct copy of the registration certificate associated with the Registration is appended hereto as Exhibit C.

6. Petitioner has received Nonfinal Office Actions related to each of Petitioner’s Applications on the basis of a perceived likelihood of confusion between Petitioner’s Marks and Respondent’s Mark.

7. On information and belief, Respondent’s goods are available for purchase exclusively via its website, which is available at the URL <https://ratbastardsupplyco.com/> (the “Website”).

8. On information and belief, the Website did not exist prior to April 9, 2019. A printout from the website <https://whois.com> containing data for the Website listing this as the “Registered On” date is appended hereto as Exhibit D. This fact in itself casts significant doubt

on Respondent's allegation that it began using Respondent's Mark in commerce some six months prior.

9. Moreover, on information and belief, the Website was under construction for the first several months after it was registered. Indeed, there was insufficient activity in connection with the Website to attract the Wayback Machine to index it until August 2020, as shown in Exhibit E appended hereto.

10. On information and belief, in reality, Respondent did not begin using Respondent's Mark in commerce until some time after June 15, 2019, when Petitioner began using Petitioner's Marks in commerce. On information and belief, Respondent's representation to the contrary—*i.e.* that its use of Respondent's Mark began on October 5, 2018—constituted a fraud on the Office intended to subvert Petitioner's superior rights.

11. Petitioner will be damaged should the Registration remain active on the Principal Register since it will be unable to secure federal registration of Petitioner's Marks as a result thereof, even though Petitioner is the true senior user.

WHEREFORE, Petitioner respectfully requests that this petition be sustained, and that U.S. Trademark Registration No. 6,056,987 for "RATBASTARD SUPPLY CO." be cancelled in its entirety.

Respectfully submitted,

Dated: April 1, 2021

/Keith J. Wesley/
Keith J. Wesley, Esq.
Browne George Ross
O'Brien Annaguey & Ellis, LLP
2121 Ave. of the Stars, Suite 2800
Los Angeles, CA 9006
(310) 274-7100
kwesley@bgrfirm.com

Attorneys for Petitioner Y.Y.G.M. SA

Exhibit A

Trademark/Service Mark Application, Principal Register

Serial Number: 88540339

Filing Date: 07/26/2019

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	88540339
MARK INFORMATION	
*MARK	YELLOW RAT BASTARD
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	YELLOW RAT BASTARD
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	YYGM SA
*STREET	Via Motta 44
*CITY	Lugano
*COUNTRY	Switzerland
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	CH-6900
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Switzerland
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	025
*IDENTIFICATION	Clothing, namely, t-shirts, tank tops, and sweatshirts
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/15/2019
FIRST USE IN COMMERCE DATE	At least as early as 06/15/2019
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT17\885\403\88540339\xml1\RFA0003.JPG
SPECIMEN DESCRIPTION	Photograph of t-shirt with applied-for mark appearing on back
ATTORNEY INFORMATION	
NAME	Keith J. Wesley
FIRM NAME	Browne George Ross LLP

STREET	2121 Avenue of the Stars, Suite 2800
CITY	Los Angeles
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	90067
PHONE	310-274-7100
EMAIL ADDRESS	kwesley@bgrfirm.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
NAME	Keith J. Wesley
FIRM NAME	Browne George Ross LLP
STREET	2121 Avenue of the Stars, Suite 2800
CITY	Los Angeles
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	90067
PHONE	310-274-7100
*EMAIL ADDRESS	kwesley@bgrfirm.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS RF
NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	275
*TOTAL FEE DUE	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
SIGNATURE	/kjh/
SIGNATORY'S NAME	Keith J. Wesley
SIGNATORY'S POSITION	Attorney of Record, California Bar Member
SIGNATORY'S PHONE NUMBER	310-274-7100
DATE SIGNED	07/26/2019

Trademark/Service Mark Application, Principal Register

Serial Number: 88540339

Filing Date: 07/26/2019

To the Commissioner for Trademarks:

MARK: YELLOW RAT BASTARD (Standard Characters, see [mark](#))

The literal element of the mark consists of YELLOW RAT BASTARD.

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

The applicant, YYGM SA, a corporation of Switzerland, having an address of

Via Motta 44
Lugano CH-6900
Switzerland

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 025: Clothing, namely, t-shirts, tank tops, and sweatshirts

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 06/15/2019, and first used in commerce at least as early as 06/15/2019, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) Photograph of t-shirt with applied-for mark appearing on back.

[Specimen File1](#)

The applicant's current Attorney Information:

Keith J. Wesley of Browne George Ross LLP 2121 Avenue of the Stars, Suite 2800
Los Angeles, California 90067
United States
310-274-7100(phone)
kwesley@bgrfirm.com (authorized)

The applicant's current Correspondence Information:

Keith J. Wesley
Browne George Ross LLP
2121 Avenue of the Stars, Suite 2800
Los Angeles, California 90067
310-274-7100(phone)
kwesley@bgrfirm.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: /kjl/ Date: 07/26/2019

Signatory's Name: Keith J. Wesley

Signatory's Position: Attorney of Record, California Bar Member

Payment Sale Number: 88540339

Payment Accounting Date: 07/26/2019

Serial Number: 88540339

Internet Transmission Date: Fri Jul 26 14:28:00 EDT 2019

TEAS Stamp: USPTO/BAS-XXX.XXX.XXX.XX-201907261428005

80714-88540339-6209bd7a598d5a58733267199

fdb7e261c4a36151a8bcc3e7b2cac343a5218e7-

CC-13675-20190726141950095526

Trademark/Service Mark Application, Principal Register

Serial Number: 88768401

Filing Date: 01/21/2020

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	88768401
MARK INFORMATION	
*MARK	\\TICRS\EXPORT17\IMAGEOUT17\887\684\88768401\xml1\RFA0002.JPG
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	NYC Yellow Rat Bastard
COLOR MARK	YES
COLOR(S) CLAIMED (If applicable)	The color(s) black and yellow is/are claimed as a feature of the mark.
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of an emaciated looking rat with oversize eyes underneath the text "NYC" and above the text "YELLOW RAT BASTARD".
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	598 x 460
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	YYGM SA
*STREET	Via Motta 44
*CITY	Lugano
*COUNTRY	Switzerland
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	CH-6900
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Switzerland
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	025
*IDENTIFICATION	Clothing, namely, t-shirts, tank tops, and sweatshirts
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/15/2019
FIRST USE IN COMMERCE DATE	At least as early as 06/15/2019

SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\887\684\88768401\xml1\RFA0003.JPG
SPECIMEN DESCRIPTION	photo depicting t-shirt with mark appearing in left breast portion
ATTORNEY INFORMATION	
NAME	Keith J. Wesley
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Browne George Ross LLP
STREET	2121 Avenue of the Stars, Suite 2800
CITY	Los Angeles
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	90067
PHONE	310-274-7100
EMAIL ADDRESS	kwesley@bgrfirm.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
NAME	Keith J. Wesley
FIRM NAME	Browne George Ross LLP
STREET	2121 Avenue of the Stars, Suite 2800
CITY	Los Angeles
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	90067
PHONE	310-274-7100
*EMAIL ADDRESS	kwesley@bgrfirm.com; elauritsen@bgrfirm.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS RF
NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	275
*TOTAL FEE DUE	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
SIGNATURE	/kjlw/
SIGNATORY'S NAME	Keith J. Wesley

SIGNATORY'S POSITION	Attorney of Record, California Bar Member
SIGNATORY'S PHONE NUMBER	310-274-7100
DATE SIGNED	01/21/2020

Trademark/Service Mark Application, Principal Register

Serial Number: 88768401

Filing Date: 01/21/2020

To the Commissioner for Trademarks:

MARK: NYC Yellow Rat Bastard (stylized and/or with design, see [mark](#))

The literal element of the mark consists of NYC Yellow Rat Bastard. The color(s) black and yellow is/are claimed as a feature of the mark. The mark consists of an emaciated looking rat with oversize eyes underneath the text "NYC" and above the text "YELLOW RAT BASTARD".

The applicant, YYGM SA, a corporation of Switzerland, having an address of

Via Motta 44
Lugano CH-6900
Switzerland

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 025: Clothing, namely, t-shirts, tank tops, and sweatshirts

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 06/15/2019, and first used in commerce at least as early as 06/15/2019, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) photo depicting t-shirt with mark appearing in left breast portion.

[Specimen File1](#)

The applicant hereby appoints Keith J. Wesley. Keith J. Wesley of Browne George Ross LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

2121 Avenue of the Stars, Suite 2800
Los Angeles, California 90067
United States
310-274-7100(phone)
kwesley@bgrfirm.com (authorized).

Keith J. Wesley 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 applicant's current Correspondence Information:

Keith J. Wesley
Browne George Ross LLP
2121 Avenue of the Stars, Suite 2800
Los Angeles, California 90067
310-274-7100(phone)
kwesley@bgrfirm.com; elauritsen@bgrfirm.com (authorized).

Email Authorization: I authorize the USPTO to send email correspondence concerning the application to the applicant, the applicant's attorney, or the applicant's domestic representative at the email address provided in this application. I understand that a valid email 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: /kjl/ Date: 01/21/2020

Signatory's Name: Keith J. Wesley

Signatory's Position: Attorney of Record, California Bar Member

Payment Sale Number: 88768401

Payment Accounting Date: 01/21/2020

Serial Number: 88768401

Internet Transmission Date: Tue Jan 21 22:27:36 EST 2020

TEAS Stamp: USPTO/BAS-XXX.XXX.XX.XXX-202001212227367

57477-88768401-700b234ff5ac69e6a33ae89a2

7dd1ea8a666dd428b718c0ed5cf25c4e08211ad-

CC-27358185-20200121221509374602

Exhibit B

Trademark/Service Mark Application, Principal Register

Serial Number: 88488647

Filing Date: 06/25/2019

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	88488647
MARK INFORMATION	
*MARK	Ratbastard Supply Co.
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	Ratbastard Supply Co.
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Capovani, John
INTERNAL ADDRESS	144 Putnam Road
*STREET	144 Putnam Road
*CITY	Rotterdam
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	12306
PHONE	518-424-2247
EMAIL ADDRESS	XXXX
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
LEGAL ENTITY INFORMATION	
TYPE	individual
COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	025
*IDENTIFICATION	Graphic T-shirts
NO FILING BASIS SPECIFIED	BASIS REQUIRED
CORRESPONDENCE INFORMATION	
NAME	Capovani, John

INTERNAL ADDRESS	144 Putnam Road
STREET	144 Putnam Road
CITY	Rotterdam
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	12306
PHONE	518-424-2247
*EMAIL ADDRESS	jjcred518@gmail.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS RF
NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	275
*TOTAL FEE DUE	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
SIGNATURE	/John Capovani/
SIGNATORY'S NAME	John Capovani
SIGNATORY'S POSITION	Owner
SIGNATORY'S PHONE NUMBER	518-424-2247
DATE SIGNED	06/25/2019

Trademark/Service Mark Application, Principal Register

Serial Number: 88488647

Filing Date: 06/25/2019

To the Commissioner for Trademarks:

MARK: Ratbastard Supply Co. (Standard Characters, see [mark](#))

The literal element of the mark consists of Ratbastard Supply Co..

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

The applicant, John Capovani, a citizen of United States, having an address of

144 Putnam Road
144 Putnam Road
Rotterdam, New York 12306
United States
518-424-2247(phone)
XXXX

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:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Graphic T-shirts

The applicant has not specified a filing basis.

The applicant's current Correspondence Information:

Capovani, John
144 Putnam Road
144 Putnam Road
Rotterdam, New York 12306
518-424-2247(phone)
jjcred518@gmail.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: /John Capovani/ Date: 06/25/2019

Signatory's Name: John Capovani

Signatory's Position: Owner

Payment Sale Number: 88488647

Payment Accounting Date: 06/26/2019

Serial Number: 88488647

Internet Transmission Date: Tue Jun 25 18:12:00 EDT 2019

TEAS Stamp: USPTO/BAS-XX.XX.XXX.X-201906251812008154

09-88488647-620212087144b6f39263efc4665c

c79c4c81680ac9a10af5e4c9789219cb7c7-CC-5

593-20190625175527525599

Exhibit C

United States of America

United States Patent and Trademark Office

Ratbastard Supply Co.

Reg. No. 6,056,987

Registered May 19, 2020

Int. Cl.: 25

Trademark

Principal Register

Capovani, John (UNITED STATES INDIVIDUAL)
144 Putnam Road
Rotterdam, NEW YORK 12306

CLASS 25: Graphic T-shirts

FIRST USE 10-17-2017; IN COMMERCE 10-5-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown:
"SUPPLY CO."

SER. NO. 88-488,647, FILED 06-25-2019



Andrei Iancu

Director of the United States
Patent and Trademark Office



Exhibit D



WHOIS

[DOMAINS](#) [WEBSITE](#) [CLOUD](#) [HOSTING](#) [SERVERS](#) [EMAIL](#) [SECURITY](#) [WHOIS](#) [SUPPORT](#) [LOGIN](#) 0

ratbastardsupplyco.com

Updated 2 days ago

Interested in similar domains?

Domain Information

Domain:	ratbastardsupplyco.com
Registrar:	GoDaddy.com, LLC
Registered On:	2019-04-09
Expires On:	2021-04-08
Updated On:	2020-04-09
Status:	clientDeleteProhibited clientRenewProhibited clientTransferProhibited clientUpdateProhibited
Name Servers:	ns29.domaincontrol.com ns30.domaincontrol.com

[ratbastardsuppliesco.com](#) Buy Now

[ratbastardsupplycompany.com](#) Buy Now

[ratbastardsupplycollc.com](#) Buy Now

[ratbastardssupplyco.com](#) Buy Now

[ratbastardsupplyco.net](#) Buy Now

[ratbastardsuppliesco.net](#) Buy Now

Registrant Contact

State:	New York
Country:	US
Email:	Select Contact Domain Holder link at https://www.godaddy.com/whois/results.aspx?domain=ratbastardsupplyco.com

Administrative Contact

Email:	Select Contact Domain Holder link at https://www.godaddy.com/whois/results.aspx?domain=ratbastardsupplyco.com
--------	---

Technical Contact

Email:	Select Contact Domain Holder link at https://www.godaddy.com/whois/results.aspx?domain=ratbastardsupplyco.com
--------	---

Raw Whois Data

```

Domain Name: ratbastardsupplyco.com
Registry Domain ID: 2378205064_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Updated Date: 2020-04-09T06:21:36Z
Creation Date: 2019-04-08T20:30:45Z
Registrar Registration Expiration Date: 2021-04-08T20:30:45Z
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146

```

.space

~~\$24.99~~ **\$1.48**

BUY NOW

*Offer ends 30th April 2021

On Sale!

.FUN @ \$1.48 ~~\$23.88~~

Registrar Abuse Contact Email: abuse@godaddy.com
 Registrar Abuse Contact Phone: +1.4806242505
 Domain Status: clientTransferProhibited <http://www.icann.org/epp#clientTransferProhibited>
 Domain Status: clientUpdateProhibited <http://www.icann.org/epp#clientUpdateProhibited>
 Domain Status: clientRenewProhibited <http://www.icann.org/epp#clientRenewProhibited>
 Domain Status: clientDeleteProhibited <http://www.icann.org/epp#clientDeleteProhibited>
 Registrant Organization:
 Registrant State/Province: New York
 Registrant Country: US
 Registrant Email: Select Contact Domain Holder link at <https://www.godaddy.com/w>
 Tech Email: Select Contact Domain Holder link at <https://www.godaddy.com/whois/r>
 Admin Email: Select Contact Domain Holder link at <https://www.godaddy.com/whois/r>
 Name Server: NS29.DOMAINCONTROL.COM
 Name Server: NS30.DOMAINCONTROL.COM
 DNSSEC: unsigned
 URL of the ICANN WHOIS Data Problem Reporting System: <http://wdprs.internic.net/>
 >>> Last update of WHOIS database: 2021-03-30T18:37:52Z <<<

For more information on Whois status codes, please visit <https://www.icann.org/r>

TERMS OF USE: The data contained in this registrar's Whois database, while believed to be reliable, is provided "as is" with no guarantee or warranties re accuracy. This information is provided for the sole purpose of assisting you in information about domain name registration records. Any use of this data for any is expressly forbidden without the prior written permission of this registrar. By an inquiry, you agree to these terms and limitations of warranty. In particular, to use this data to allow, enable, or otherwise support the dissemination or collection of data, in part or in its entirety, for any purpose, such as transmission by e-mail, postal mail, facsimile or other means of mass unsolicited, commercial advertisement of any kind, including spam. You further agree not to use this data to enable his or her robotic electronic processes designed to collect or compile this data for any mining this data for your own personal or commercial purposes. Failure to comply may result in termination of access to the Whois database. These terms may be subject to change at any time without notice.

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Free with Every Domain

Domain Offers

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WordPress Hosting

Linux Reseller Hosting

Windows Reseller Hosting

Dedicated Servers

Cloud Hosting

Website Builder

Business Email

Enterprise Email

Google Workspace

SSL Certificates

Sitelock

Infrastructure

Datacenter Details

Hosting Security

24 x 7 Servers Monitoring

Backup and Recovery

Support

View Knowledge Base

Contact Support

Report Abuse

About Whois

Exhibit E

DONATE



ratbastardsupplyco.com



Results: 50 [100](#) [500](#)

Calendar

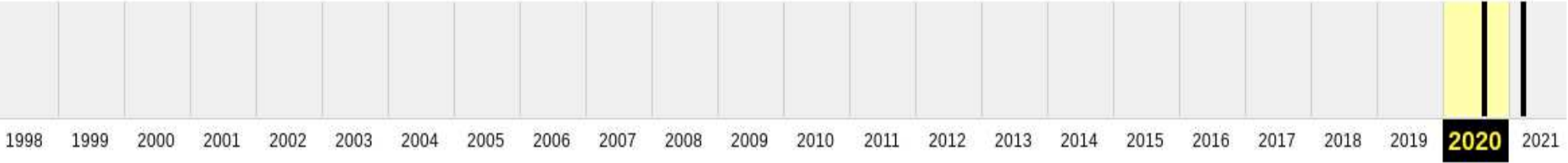
[Collections](#)

[Changes](#)

[Summary](#)

[Site Map](#)

Saved **2 times** between [August 8, 2020](#) and [March 28, 2021](#).



1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 **2020** 2021

JAN							FEB							MAR							APR								
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