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ESTTA Tracking number: **ESTTA1287632**

Filing date: **05/25/2023**

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

Petitioner information

Name	NPG Records, LLC		
Entity	Corporation	Citizenship	Delaware
Address	7801 AUDUBON ROAD CHANHASSEN, MN 55317 UNITED STATES		

Name	Paisley Park Enterprises, LLC		
Entity	Corporation	Citizenship	Delaware
Address	7801 AUDUBON ROAD CHANHASSEN, MN 55317 UNITED STATES		

Attorney information	RICHARD B. BIAGI NEAL & MCDEVITT, LLC 1776 ASH STREET NORTHFIELD, IL 60093 UNITED STATES Primary email: rbiagi@nealmcdevitt.com Secondary email(s): pto@nealmcdevit.com, litigation@nealmcdevitt.com, jnorberg@nealmcdevitt.com, rclaerbaut@nealmcdevitt.com 8478812455
Docket no.	594001295

Registration subject to cancellation

Registration no.	5501129	Registration date	06/26/2018
Register	Principal		
Registrant	Dr. Purple Rain Lab, Inc. 620 N. WILCOX AVENUE, APT. C MONTEBELLO, CA 90640 UNITED STATES		

Goods/services subject to cancellation

Class 003. First Use: Aug 1, 2017 First Use In Commerce: Aug 1, 2017 All goods and services in the class are subject to cancellation, namely: Non-medicated mouth wash and rinse; Tooth paste; Tooth powder
Class 010. First Use: Aug 1, 2017 First Use In Commerce: Aug 1, 2017 All goods and services in the class are subject to cancellation, namely: Tongue scrapers
Class 021. First Use: Aug 1, 2017 First Use In Commerce: Aug 1, 2017 All goods and services in the class are subject to cancellation, namely: Dental floss; Tooth brushes

Grounds for cancellation

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
Abandonment	Trademark Act Section 14(3)
Dilution by blurring	Trademark Act Sections 14(1) and 43(c)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols	Trademark Act Sections 14(3) and 2(a)

Marks cited by petitioner as basis for cancellation

U.S. registration no.	6615587	Application date	06/07/2017
Register	Principal		
Registration date	01/11/2022	Foreign priority date	NONE
Word mark	PURPLE RAIN		
Design mark			
Description of mark	NONE		
Goods/services	Class 009. First use: First Use: Jun 25, 1984 First Use In Commerce: Jun 25, 1984 Musical sound recordings; musical video recordings; audio and video recordings featuring music performances; downloadable digital audio and video files featuring musical performances; motion picture films featuring music and musical entertainment; downloadable ring tones for mobile phones		

U.S. registration no.	5551259	Application date	08/26/2014
Register	Principal		
Registration date	08/28/2018	Foreign priority date	NONE
Word mark	PURPLE RAIN		
Design mark			
Description of mark	NONE		
Goods/services	Class 009. First use: First Use: Jun 25, 1984 First Use In Commerce: Jun 25, 1984 Sound recordings featuring vocal and musical performances on phonograph records, pre-recorded audio tapes, pre-recorded CD's, and downloadable digital audio files; video recordings featuring vocal and musical performances on pre-recorded video cassettes, pre-recorded DVD's and downloadable digital video files		

U.S. application no.	88884836	Application date	04/23/2020
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	PURPLE RAIN		

Design mark	
Description of mark	NONE
Goods/services	Class 016. First use: First Use: None First Use In Commerce: None Printed programs for live stage and musical performances; souvenir programs concerning vocal and musical performances; printed programs for live Broadway musical shows; printed theater and stage passes; books in the field of musical and theatrical performances, and about musical artists and music; posters; photographs; stickers; book marks; notepads, pens, pencils

U.S. application no.	88664380	Application date	10/22/2019
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	PURPLE RAIN		
Design mark			
Description of mark	NONE		
Goods/services	Class 041. First use: First Use: Nov 4, 1984 First Use In Commerce: Nov 4, 1984 Entertainment services, namely, live stage performances in the nature of musicals and theatrical and musical performances; entertainment services in the nature of live musical performances; entertainment services in the nature of live visual and audio performances by musical artists, musical bands, rock groups and dancers; provision of information relating to live musical and theatrical performances, live stage events, theatrical performances, live stage performances in the nature of music concerts; live music shows; live and televised appearances by professional entertainers featuring musical, dance, and dramatic presentations; live music shows incorporating the presentation of pre-recorded music performances before a live audience; music publishing services; audio production; record and music production services; providing an internet website portal featuring links to musical artists' websites featuring musical performances, musical videos, film clips, photographs and other multimedia materials; fan club services		

U.S. registration no.	6615588	Application date	06/07/2017
Register	Principal		
Registration date	01/11/2022	Foreign priority date	NONE
Word mark	PURPLE RAIN		
Design mark			
Description of mark	NONE		
Goods/services	Class 041. First use: First Use: Sep 30, 1999 First Use In Commerce: Sep 30, 1999 providing non-downloadable pre-recorded music, audio recordings featuring music and audiovisual recordings featuring music videos, information in the field of music, and commentary and articles about music on-line via a global computer network; recording studio services; providing recreational activities facilities for others; preparing audiovisual displays and exhibitions in the field of music; operating a museum and providing guided tours of the museum; providing theme		

	park services; providing information to fans and fan sites of the late entertainer Prince Rogers Nelson by means of a global network; providing information and commentary online in the field of music

U.S. registration no.	6609270	Application date	10/22/2019
Register	Principal		
Registration date	01/04/2022	Foreign priority date	NONE
Word mark	PURPLE RAIN		
Design mark			
Description of mark	NONE		
Goods/services	Class 041. First use: First Use: Sep 30, 1999 First Use In Commerce: Sep 30, 1999 Providing a website for entertainment purposes featuring non-downloadable photos from musical performances and information about musical performances, music artists, musical bands; providing non-downloadable pre-recorded music, audio recordings featuring music and audiovisual recordings featuring music videos, information in the field of music, and commentary and articles about music on-line via a global computer network; recording studio services; audio recording; providing recreational activities facilities for others; entertainment, namely, preparing exhibitions featuring audiovisual displays in the field of music; operating a museum and providing guided tours of the museum; providing theme park services; providing information to fans and fan sites of the late entertainer Prince Rogers Nelson by means of a global network; providing information and commentary online in the field of music		

U.S. application no.	97513150	Application date	07/21/2022
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	PURPLE RAIN		
Design mark			
Description of mark	NONE		
Goods/services	Class 020. First use: First Use: Nov 27, 2020 First Use In Commerce: Nov 27, 2020 Pillows Class 024. First use: First Use: Mar 3, 2022 First Use In Commerce: Mar 3, 2022 Fleece blankets; textile blankets for outdoor use; textile lap blankets; bed blankets; blanket throws; lap blankets; duvets; duvet covers; sheet sets		

U.S. application no.	97519859	Application date	07/26/2022
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	PURPLE RAIN		
Design mark			

Description of mark	NONE
Goods/services	Class 025. First use: First Use: Jun 1984 First Use In Commerce: Jun 1984 (Based on use in commerce) Clothing, namely, shirts, t-shirts, and infant and toddler one-piece clothing; (Based on intent to use) Clothing; headwear; footwear

U.S. application no.	90771914	Application date	06/14/2021
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	PURPLE RAIN		
Design mark			
Description of mark	NONE		
Goods/services	Class 009. First use: First Use: None First Use In Commerce: None downloadable podcasts in the field of music; downloadable electronic publications in the nature of books, magazines, newsletters, pamphlets, booklets and brochures in the field of music and entertainment; mobile phone accessories, namely, face plates and cell phone cases and covers; eyewear; sunglasses; decorative magnets; computer mouse pads; hand grips, stands, and mounts adapted for handheld electronic devices, namely, smart phones, tablet computers, cameras, and portable sound and video players; turntable slipmats		

Attachments	EXHIBIT B DR PURPLE RAIN.pdf(131778 bytes) Exhibit A PURPLE RAIN.pdf(270347 bytes) PfC DR. PURPLE RAIN.pdf(209425 bytes)

Signature	/Richard B. Biagi/
Name	Richard B. Biagi
Date	05/25/2023

Delaware.gov Governor | General Assembly | Courts | Elected Officials | State Agencies

Logout

Department of State: Division of Corporations

Allowable Characters

HOME

View Search Results

Entity Details

File Number:	**6498596**	Incorporation Date / Formation Date: (mm/dd/yyyy)	**8/1/2017**
Entity Name:	**DR. PURPLE RAIN LAB INC**		
Entity Kind:	**Corporation**	Entity Type:	**General**
Residency:	**Domestic**	State:	**State:**
Status:	**Void, AR's or Tax Delinquent**	Status Date:	**3/1/2021**

TAX INFORMATION

Last Annual Report Filed:	**2018**	Tax Due:	**$ 884.15**
Annual Tax Assessment:	**$ 175**	Total Authorized Shares:	**5000**

REGISTERED AGENT INFORMATION

Name:	**LEGALINC CORPORATE SERVICES INC.**		
Address:	**651 N BROAD ST SUITE 201**		
City:	**MIDDLETOWN**	County:	**New Castle**
State:	**DE**	Postal Code:	**19709**
Phone:	**302-894-8922**		

FILING HISTORY (Last 5 Filings)

Seq	Description	No. of pages	Filing Date (mm/dd/yyyy)	Filing Time	Effective Date (mm/dd/yyyy)
1	Amendment Stock	1	10/3/2019	12:46 PM	10/3/2019
2	Blnkt Address - Corp	1	9/23/2019	12:45 PM	10/1/2019
3	Stock Corporation	1	8/1/2017	3:55 PM	8/1/2017

Back to Entity Search Email Status

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EXHIBIT A

United States of America
United States Patent and Trademark Office

PURPLE RAIN

Reg. No. 5,551,259

Registered Aug. 28, 2018

Int. Cl.: 9

Trademark

Principal Register

NPG Records, Inc. (MINNESOTA CORPORATION)
7801 Audubon Road
Chanhassen, MINNESOTA 55317

CLASS 9: Sound recordings featuring vocal and musical performances on phonograph records, pre-recorded audio tapes, pre-recorded CD's, and downloadable digital audio files; video recordings featuring vocal and musical performances on pre-recorded video cassettes, pre-recorded DVD's and downloadable digital video files

FIRST USE 6-25-1984; IN COMMERCE 6-25-1984

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

SER. NO. 86-983,979, FILED 08-26-2014

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*
What and When to File:

- ***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

- ***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

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United States of America
United States Patent and Trademark Office

PURPLE RAIN

Reg. No. 6,615,587

Registered Jan. 11, 2022

Int. Cl.: 9

Trademark

Principal Register

NPG Records, Inc. (MINNESOTA CORPORATION)
7801 Audubon Road
Chanhassen, MINNESOTA 55317

CLASS 9: Musical sound recordings; musical video recordings; audio and video recordings featuring music performances; downloadable digital audio and video files featuring musical performances; motion picture films featuring music and musical entertainment; downloadable ring tones for mobile phones

FIRST USE 6-25-1984; IN COMMERCE 6-25-1984

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

SER. NO. 87-479,695, FILED 06-07-2017

Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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- ***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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United States of America
United States Patent and Trademark Office

PURPLE RAIN

Reg. No. 6,615,588

Registered Jan. 11, 2022

Int. Cl.: 41

Service Mark

Principal Register

NPG Records, Inc. (MINNESOTA CORPORATION)
7801 Audubon Road
Chanhassen, MINNESOTA 55317

CLASS 41: providing non-downloadable pre-recorded music, audio recordings featuring music and audiovisual recordings featuring music videos, information in the field of music, and commentary and articles about music on-line via a global computer network; recording studio services; providing recreational activities facilities for others; preparing audiovisual displays and exhibitions in the field of music; operating a museum and providing guided tours of the museum; providing theme park services; providing information to fans and fan sites of the late entertainer Prince Rogers Nelson by means of a global network; providing information and commentary online in the field of music

FIRST USE 9-30-1999; IN COMMERCE 9-30-1999

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

SER. NO. 87-479,698, FILED 06-07-2017

Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

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- ***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

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United States of America
United States Patent and Trademark Office

PURPLE RAIN

Reg. No. 6,609,270

Registered Jan. 04, 2022

Int. Cl.: 41

Service Mark

Principal Register

NPG Records, Inc. (MINNESOTA CORPORATION)
7801 Audubon Road
Chanhassen, MINNESOTA 55317

CLASS 41: Providing a website for entertainment purposes featuring non-downloadable photos from musical performances and information about musical performances, music artists, musical bands; providing non-downloadable pre-recorded music, audio recordings featuring music and audiovisual recordings featuring music videos, information in the field of music, and commentary and articles about music on-line via a global computer network; recording studio services; audio recording; providing recreational activities facilities for others; entertainment, namely, preparing exhibitions featuring audiovisual displays in the field of music; operating a museum and providing guided tours of the museum; providing theme park services; providing information to fans and fan sites of the late entertainer Prince Rogers Nelson by means of a global network; providing information and commentary online in the field of music

FIRST USE 9-30-1999; IN COMMERCE 9-30-1999

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

OWNER OF U.S. REG. NO. 5551259

SER. NO. 88-983,366, FILED 10-22-2019

Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

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Requirements in Successive Ten-Year Periods*
What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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Mark: PURPLE RAIN

PURPLE RAIN

US Serial Number: 88884836

Application Filing Date: Apr. 23, 2020

Register: Principal

Mark Type: Trademark

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 fifth request for extension of time to file a Statement of Use has been granted.

Status Date: Apr. 26, 2023

Publication Date: Aug. 25, 2020 **Notice of Allowance Date:** Oct. 20, 2020

Mark Information

Mark Literal Elements: PURPLE RAIN

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: 5551259

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: Printed programs for live stage and musical performances; souvenir programs concerning vocal and musical performances; printed programs for live Broadway musical shows; printed theater and stage passes; books in the field of musical and theatrical performances, and about musical artists and music; posters; photographs; stickers; book marks; notepads, pens, pencils

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: Yes

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:	NPG RECORDS, LLC		
Owner Address:	7801 AUDUBON ROAD CHANHASSEN, MINNESOTA UNITED STATES 55317		
Legal Entity Type:	LIMITED LIABILITY COMPANY	**State or Country Where Organized:**	DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name:	Richard B. Biagi		
Attorney Primary Email Address:	pto@nealmcdevitt.com	**Attorney Email Authorized:**	Yes

Correspondent

Correspondent Name/Address:	Richard B. Biagi Neal & McDevitt, LLC 1776 Ash Street Northfield, ILLINOIS UNITED STATES 60093		
Phone:	847-441-9100	**Fax:**	847-441-0911
Correspondent e-mail:	pto@nealmcdevitt.com rbiagi@nealmcdevitt.com rclaerbaut@nealmcdevitt.com apierce@nealmcdevitt.com akemp@nealmcdevitt.com	**Correspondent e-mail Authorized:**	Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 27, 2023	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 26, 2023	SOU EXTENSION 5 GRANTED	66530
Apr. 20, 2023	SOU EXTENSION 5 FILED	66530
Apr. 26, 2023	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Apr. 20, 2023	TEAS EXTENSION RECEIVED	
Oct. 22, 2022	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 20, 2022	SOU EXTENSION 4 GRANTED	98765
Oct. 20, 2022	SOU EXTENSION 4 FILED	98765
Oct. 20, 2022	TEAS EXTENSION RECEIVED	
Sep. 22, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 22, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 22, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 22, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 22, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 04, 2022	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 26, 2022	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 24, 2022	SOU EXTENSION 3 GRANTED	98765
Feb. 24, 2022	SOU EXTENSION 3 FILED	98765
Feb. 24, 2022	TEAS EXTENSION RECEIVED	
Jan. 18, 2022	ASSIGNED TO EXAMINER	70436
Sep. 23, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 21, 2021	SOU EXTENSION 2 GRANTED	98765
Sep. 21, 2021	SOU EXTENSION 2 FILED	98765
Sep. 21, 2021	TEAS EXTENSION RECEIVED	
Mar. 23, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 19, 2021	SOU EXTENSION 1 GRANTED	98765

Mar. 19, 2021	SOU EXTENSION 1 FILED	98765
Mar. 19, 2021	TEAS EXTENSION RECEIVED	
Jan. 26, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 26, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jan. 26, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 20, 2020	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 25, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 25, 2020	PUBLISHED FOR OPPOSITION	
Aug. 05, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 21, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 20, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 20, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 20, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 20, 2020	EXAMINERS AMENDMENT -WRITTEN	67512
Jul. 16, 2020	ASSIGNED TO EXAMINER	67512
May 04, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Apr. 27, 2020	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney: DUBOIS, SUSAN L

Law Office Assigned: LAW OFFICE 111

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Apr. 26, 2023

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Applicant: NPG Records, Inc.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: 7700/0243

Pages: 18

Date Recorded: Apr. 22, 2022

Supporting Documents: No Supporting Documents Available

Assignor

Name: NPG RECORDS, INC.

Execution Date: Mar. 31, 2022

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Assignee

Name: NPG RECORDS, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 7801 AUDUBON ROAD
CHANHASSEN, MINNESOTA 55317

Correspondent

Correspondent Name: PATRICIA LARSON, SR. TRADEMARK PARALEGAL

Correspondent Address: FREDRIKSON & BYRON, P.A.
200 S. SIXTH STREET, SUITE 4000
MINNEAPOLIS, MN 55402

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2023-05-25 15:31:21 EDT

Mark: PURPLE RAIN

PURPLE RAIN

US Serial Number: 88664380

Application Filing Date: Oct. 22, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: 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 Statement of Use has been forwarded to the examining attorney for examination.

Status Date: May 25, 2023

Publication Date: Mar. 17, 2020 **Notice of Allowance Date:** May 12, 2020

Mark Information

Mark Literal Elements: PURPLE RAIN

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: 5551259

Parent Of: 88983366

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: Entertainment services, namely, live stage performances in the nature of musicals and theatrical and musical performances; entertainment services in the nature of live musical performances; entertainment services in the nature of live visual and audio performances by musical artists, musical bands, rock groups and dancers; provision of information relating to live musical and theatrical performances, live stage events, theatrical performances, live stage performances in the nature of music concerts; live music shows; live and televised appearances by professional entertainers featuring musical, dance, and dramatic presentations; live music shows incorporating the presentation of pre-recorded music performances before a live audience; music publishing services; audio production; record and music production services; providing an internet website portal featuring links to musical artists' websites featuring musical performances, musical videos, film clips, photographs and other multimedia materials; fan club services

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(b)

First Use: Nov. 04, 1984

Use in Commerce: Nov. 04, 1984

Basis Information (Case Level)

Filed Use:	No	**Currently Use:**	No
Filed ITU:	Yes	**Currently ITU:**	Yes
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: NPG RECORDS, LLC

Owner Address: 7801 AUDUBON ROAD
CHANHASSEN, MINNESOTA UNITED STATES 55317

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Richard B. Biagi

Attorney Primary Email Address: pto@nealmcdevitt.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Richard B. Biagi
Neal & McDevitt, LLC
1776 Ash Street
Northfield, ILLINOIS UNITED STATES 60093

Phone: 847-441-9100

Fax: 847-441-0911

Correspondent e-mail: pto@nealmcdevitt.com rbiagi@nealmcdevitt.com rclaerbaut@nealmcdevitt.com apierce@nealmcdevitt.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 25, 2023	STATEMENT OF USE PROCESSING COMPLETE	70565
May 12, 2023	USE AMENDMENT FILED	70565
May 12, 2023	TEAS STATEMENT OF USE RECEIVED	
Nov. 15, 2022	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 14, 2022	SOU EXTENSION 5 GRANTED	70565
Nov. 11, 2022	SOU EXTENSION 5 FILED	70565
Nov. 11, 2022	TEAS EXTENSION RECEIVED	
Sep. 22, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 22, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 22, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 22, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 22, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 04, 2022	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 26, 2022	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 24, 2022	SOU EXTENSION 4 GRANTED	98765
Mar. 24, 2022	SOU EXTENSION 4 FILED	98765
Mar. 24, 2022	TEAS EXTENSION RECEIVED	
Nov. 18, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 18, 2021	CORRECTED NOA E-MAILED	

Nov. 17, 2021	DIVISIONAL PROCESSING COMPLETE	
Nov. 09, 2021	DIVISIONAL REQUEST RECEIVED	
Nov. 17, 2021	SOU EXTENSION 3 GRANTED	70565
Nov. 09, 2021	SOU EXTENSION 3 FILED	70565
Nov. 09, 2021	TEAS REQUEST TO DIVIDE RECEIVED	
Nov. 12, 2021	TEAS EXTENSION RECEIVED	
May 05, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 03, 2021	SOU EXTENSION 2 GRANTED	98765
May 03, 2021	SOU EXTENSION 2 FILED	98765
May 03, 2021	TEAS EXTENSION RECEIVED	
Feb. 03, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 03, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Feb. 03, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 31, 2020	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 30, 2020	SOU EXTENSION 1 GRANTED	70565
Oct. 20, 2020	SOU EXTENSION 1 FILED	70565
Oct. 30, 2020	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Oct. 20, 2020	TEAS EXTENSION RECEIVED	
May 12, 2020	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 17, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 17, 2020	PUBLISHED FOR OPPOSITION	
Feb. 26, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 07, 2020	ASSIGNED TO LIE	70138
Jan. 29, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 29, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 29, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 29, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 29, 2020	EXAMINERS AMENDMENT -WRITTEN	74676
Jan. 28, 2020	ASSIGNED TO EXAMINER	74676
Oct. 29, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Oct. 25, 2019	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney: FROMM, MARTHA L

Law Office Assigned: LAW OFFICE 106

File Location

Current Location: TMEG LAW OFFICE 106

Date in Location: May 25, 2023

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Applicant: NPG Records, Inc.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: 7700/0243

Pages: 18

Date Recorded: Apr. 22, 2022

Supporting Documents: No Supporting Documents Available

Assignor

Name: NPG RECORDS, INC.

Execution Date: Mar. 31, 2022

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Assignee

Name:	NPG RECORDS, LLC
Legal Entity Type:	LIMITED LIABILITY COMPANY
State or Country Where Organized:	DELAWARE
Address:	7801 AUDUBON ROAD CHANHASSEN, MINNESOTA 55317

Correspondent

Correspondent Name:	PATRICIA LARSON, SR. TRADEMARK PARALEGAL
Correspondent Address:	FREDRIKSON & BYRON, P.A. 200 S. SIXTH STREET, SUITE 4000 MINNEAPOLIS, MN 55402

Domestic Representative - Not Found

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Mark: PURPLE RAIN

PURPLE RAIN

US Serial Number: 97513150

Application Filing Date: Jul. 21, 2022

Register: Principal

Mark Type: Trademark

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: Review prior to publication completed.

Status Date: May 18, 2023

Publication Date: Jun. 20, 2023

Mark Information

Mark Literal Elements: PURPLE RAIN

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

International Registration Number: 1714241

International Application(s) /Registration(s) Based on this Property: A0131654/1714241

Claimed Ownership of US Registrations: 5551259, 6615587, 6615588 and others

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: Pillows

International Class(es): 020 - Primary Class

U.S Class(es): 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 27, 2020

Use in Commerce: Nov. 27, 2020

For:	Fleece blankets; textile blankets for outdoor use; textile lap blankets; bed blankets; blanket throws; lap blankets; duvets; duvet covers; sheet sets
International Class(es):	024 - Primary Class
U.S Class(es):	042, 050
Class Status:	ACTIVE
Basis:	1(a)
First Use:	Mar. 03, 2022
Use in Commerce:	Mar. 03, 2022

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:	NPG Records, LLC
Owner Address:	7801 AUDUBON ROAD CHANHASSEN, MINNESOTA UNITED STATES 55317
Legal Entity Type:	LIMITED LIABILITY COMPANY
State or Country Where Organized:	DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name:	Richard B. Biagi		
Attorney Primary Email Address:	pto@nealmcdevitt.com	**Attorney Email Authorized:**	Yes

Correspondent

Correspondent Name/Address:	Richard B. Biagi Neal & McDevitt, LLC 1776 Ash Street Northfield, ILLINOIS UNITED STATES 60093		
Phone:	847-441-9100	**Fax:**	847-441-0911
Correspondent e-mail:	pto@nealmcdevitt.com rbiagi@nealmcdevitt.com rclaerbaut@nealmcdevitt.com apierce@nealmcdevitt.com	**Correspondent e-mail Authorized:**	Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 15, 2023	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 08, 2023	ASSIGNED TO EXAMINER	82103
Sep. 22, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 22, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 22, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 22, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 22, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 11, 2022	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Jul. 25, 2022	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney:	HALMEN, KATHERINE E	**Law Office Assigned:**	LAW OFFICE 111

File Location

Current Location:	PUBLICATION AND ISSUE SECTION	**Date in Location:**	May 18, 2023

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number:	92082167	**Filing Date:**	Apr 26, 2023
Status:	Pending	**Status Date:**	Apr 26, 2023
Interlocutory Attorney:	STEVEN W FERRELL		

Defendant

Name: Ferrara Candy Company

Correspondent Address: FERRARA CANDY COMPANY
404 W. HARRISON STREET
CHICAGO IL UNITED STATES , 60607

Correspondent e-mail: ferrara.candy@msaiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE RAIN		87633885	5499609

Plaintiff(s)

Name: NPG Records, LLC, Paisley Park Enterprises, LLC

Correspondent Address: JEFFREY T. NORBERG
NEAL & MCDEVITT, LLC
1776 ASH STREET
NORTHFIELD IL UNITED STATES , 60093

Correspondent e-mail: jnorberg@nealmcdevitt.com , pto@nealmcdevitt.com , rbiagi@nealmcdevitt.com , rclaerbaut@nealmcdevitt.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE RAIN		87479695	6615587
PURPLE RAIN		86983979	5551259
PURPLE RAIN		88664380	
PURPLE RAIN		88884836	
PURPLE RAIN		87479698	6615588
PURPLE RAIN		88983366	6609270
PURPLE RAIN		97513150	
PURPLE RAIN		97519859	
PURPLE RAIN		90771914	

Prosecution History

Entry Number	History Text	Date	Due Date
3	INSTITUTED	Apr 26, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 26, 2023	Jun 05, 2023
1	FILED AND FEE	Apr 26, 2023	

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Mark: PURPLE RAIN

PURPLE RAIN

US Serial Number: 97519859

Application Filing Date: Jul. 26, 2022

Register: Principal

Mark Type: Trademark

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 non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: May 15, 2023

Mark Information

Mark Literal Elements: PURPLE RAIN

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

International Registration Number: 1719435

International Application(s) /Registration(s) Based on this Property: A0131656/1719435

Claimed Ownership of US Registrations: 5551259, 6615587, 6615588 and others

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: (Based on use in commerce) Clothing, namely, shirts, t-shirts, and infant and toddler one-piece clothing; (Based on intent to use) Clothing; headwear; footwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a) 1(b)

First Use:	Jun. 1984	**Use in Commerce:**	Jun. 1984

Basis Information (Case Level)

Filed Use:	Yes	**Currently Use:**	Yes
Filed ITU:	Yes	**Currently ITU:**	Yes
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: NPG Records, LLC

Owner Address: 7801 AUDUBON ROAD
CHANHASSEN, MINNESOTA UNITED STATES 55317

Legal Entity Type:	LIMITED LIABILITY COMPANY	**State or Country Where Organized:**	DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Richard B. Biagi

Attorney Primary Email Address:	pto@nealmcdevitt.com	**Attorney Email Authorized:**	Yes

Correspondent

Correspondent Name/Address: Richard B. Biagi
Neal & McDevitt, LLC
1776 Ash Street
Northfield, ILLINOIS UNITED STATES 60093

Phone:	847-441-9100	**Fax:**	847-441-0911
Correspondent e-mail:	pto@nealmcdevitt.com rbiagi@nealmcdevitt.com rclaerbaut@nealmcdevitt.com apierce@nealmcdevitt.com	**Correspondent e-mail Authorized:**	Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 15, 2023	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
May 15, 2023	NON-FINAL ACTION E-MAILED	
May 15, 2023	NON-FINAL ACTION WRITTEN	82103
May 08, 2023	ASSIGNED TO EXAMINER	82103
Sep. 22, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 22, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 22, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 22, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 22, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 17, 2022	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Jul. 29, 2022	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney:	HALMEN, KATHERINE E	**Law Office Assigned:**	LAW OFFICE 111

File Location

Current Location:	TMO LAW OFFICE 111 - SENIOR ATTORNEY	**Date in Location:**	May 15, 2023

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: 92082167 **Filing Date:** Apr 26, 2023

Status: Pending **Status Date:** Apr 26, 2023

Interlocutory Attorney: STEVEN W FERRELL

Defendant

Name: Ferrara Candy Company

Correspondent Address: FERRARA CANDY COMPANY
404 W. HARRISON STREET
CHICAGO IL UNITED STATES , 60607

Correspondent e-mail: ferrara.candy@msaiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE RAIN		87633885	5499609

Plaintiff(s)

Name: NPG Records, LLC, Paisley Park Enterprises, LLC

Correspondent Address: JEFFREY T. NORBERG
NEAL & MCDEVITT, LLC
1776 ASH STREET
NORTHFIELD IL UNITED STATES , 60093

Correspondent e-mail: jnorberg@nealmcdevitt.com , pto@nealmcdevitt.com , rbiagi@nealmcdevitt.com , rclaerbaut@nealmcdevitt.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE RAIN		87479695	6615587
PURPLE RAIN		86983979	5551259
PURPLE RAIN		88664380	
PURPLE RAIN		88884836	
PURPLE RAIN		87479698	6615588
PURPLE RAIN		88983366	6609270
PURPLE RAIN		97513150	
PURPLE RAIN		97519859	
PURPLE RAIN		90771914	

Prosecution History

Entry Number	History Text	Date	Due Date
3	INSTITUTED	Apr 26, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 26, 2023	Jun 05, 2023
1	FILED AND FEE	Apr 26, 2023	

Generated on: This page was generated by TSDR on 2023-05-25 15:32:20 EDT

Mark: PURPLE RAIN

PURPLE RAIN

US Serial Number: 90771914

Application Filing Date: Jun. 14, 2021

Register: Principal

Mark Type: Trademark

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 first request for extension of time to file a Statement of Use has been granted.

Status Date: Dec. 07, 2022

Publication Date: Apr. 12, 2022 **Notice of Allowance Date:** Jun. 07, 2022

Mark Information

Mark Literal Elements: PURPLE RAIN

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: 5551259

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: downloadable podcasts in the field of music; downloadable electronic publications in the nature of books, magazines, newsletters, pamphlets, booklets and brochures in the field of music and entertainment; mobile phone accessories, namely, face plates and cell phone cases and covers; eyewear; sunglasses; decorative magnets; computer mouse pads; hand grips, stands, and mounts adapted for handheld electronic devices, namely, smart phones, tablet computers, cameras, and portable sound and video players; turntable slipmats

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: Yes

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: NPG RECORDS, LLC

Owner Address: 7801 AUDUBON ROAD
CHANHASSEN, MINNESOTA UNITED STATES 55317

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Richard B. Biagi

Attorney Primary Email Address: pto@nealmcdevitt.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Richard B. Biagi
Neal & McDevitt, LLC
1776 Ash Street
Northfield, ILLINOIS UNITED STATES 60093

Phone: 847-441-9100

Fax: 847-441-0911

Correspondent e-mail: pto@nealmcdevitt.com rbiagi@nealmcdevitt.com rclaerbaut@nealmcdevitt.com apierce@nealmcdevitt.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 09, 2022	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 07, 2022	SOU EXTENSION 1 GRANTED	98765
Dec. 07, 2022	SOU EXTENSION 1 FILED	98765
Dec. 07, 2022	TEAS EXTENSION RECEIVED	
Sep. 22, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 22, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 22, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 22, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 22, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 07, 2022	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 04, 2022	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 12, 2022	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 12, 2022	PUBLISHED FOR OPPOSITION	
Mar. 23, 2022	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 04, 2022	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 04, 2022	ASSIGNED TO EXAMINER	94053
Sep. 01, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Jun. 17, 2021	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney: MCCLELLAN, MATTHEW D.

Law Office Assigned: LAW OFFICE 121

File Location

Current Location: INTENT TO USE SECTION **Date in Location:** Jun. 07, 2022

Assignment Abstract Of Title Information

Summary

Total Assignments: 1 **Applicant:** NPG Records, Inc.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: 7700/0243 **Pages:** 18

Date Recorded: Apr. 22, 2022

Supporting Documents: No Supporting Documents Available

Assignor

Name: NPG RECORDS, INC. **Execution Date:** Mar. 31, 2022

Legal Entity Type: CORPORATION **State or Country Where Organized:** MINNESOTA

Assignee

Name: NPG RECORDS, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Address: 7801 AUDUBON ROAD
CHANHASSEN, MINNESOTA 55317

Correspondent

Correspondent Name: PATRICIA LARSON, SR. TRADEMARK PARALEGAL

Correspondent Address: FREDRIKSON & BYRON, P.A.
200 S. SIXTH STREET, SUITE 4000
MINNEAPOLIS, MN 55402

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Cancellation

Proceeding Number: 92082167 **Filing Date:** Apr 26, 2023

Status: Pending **Status Date:** Apr 26, 2023

Interlocutory Attorney: STEVEN W FERRELL

Defendant

Name: Ferrara Candy Company

Correspondent Address: FERRARA CANDY COMPANY
404 W. HARRISON STREET
CHICAGO IL UNITED STATES , 60607

Correspondent e-mail: ferrara.candy@msaiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE RAIN		87633885	5499609

Plaintiff(s)

Name: NPG Records, LLC, Paisley Park Enterprises, LLC

Correspondent Address: JEFFREY T. NORBERG
NEAL & MCDEVITT, LLC

1776 ASH STREET
NORTHFIELD IL UNITED STATES , 60093

Correspondent e-mail: jnorberg@nealmcdevitt.com , pto@nealmcdevitt.com , rbiagi@nealmcdevitt.com , rclaerbaut@nealmcdevitt.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE RAIN		87479695	6615587
PURPLE RAIN		86983979	5551259
PURPLE RAIN		88664380	
PURPLE RAIN		88884836	
PURPLE RAIN		87479698	6615588
PURPLE RAIN		88983366	6609270
PURPLE RAIN		97513150	
PURPLE RAIN		97519859	
PURPLE RAIN		90771914	

Prosecution History

Entry Number	History Text	Date	Due Date
3	INSTITUTED	Apr 26, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 26, 2023	Jun 05, 2023
1	FILED AND FEE	Apr 26, 2023	

Type of Proceeding: Cancellation

Proceeding Number: 92079640 **Filing Date:** May 03, 2022

Status: Terminated **Status Date:** Nov 17, 2022

Interlocutory Attorney: ASHLEY D HAYES

Defendant

Name: Voxie Denim, Inc

Correspondent Address: VOXIE DENIM, INC
7052 MOONLIGHT CIRCLE
HUNTINGTON BEACH CA UNITED STATES , 92647

Correspondent e-mail: brianjp69@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE-REIGN		78905339	3304646

Plaintiff(s)

Name: NPG Records, LLC and Paisley Park Enterprises, LLC

Correspondent Address: LORA M. FRIEDEMANN
FREDRIKSON & BYRON, P.A.
200 SOUTH SIXTH STREET, SUITE 4000
MINNEAPOLIS MN UNITED STATES , 55402-1425

Correspondent e-mail: IP@fredlaw.com , lfriedemann@fredlaw.com , tdeutmeyer@fredlaw.com , ldeleon@fredlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE RAIN		86983979	5551259
PURPLE RAIN		87479695	6615587
PURPLE RAIN		88983366	6609270
PURPLE RAIN		88664380	
PURPLE RAIN		88884836	
PURPLE RAIN		90771914	
PURPLE RAIN			

Prosecution History			
Entry Number	**History Text**	**Date**	**Due Date**
9	TERMINATED	Nov 17, 2022	
8	COMMR ORDER CANCELLING REG	Nov 17, 2022	
7	BD DECISION: CAN GRANTED	Nov 15, 2022	
6	P APPEARANCE / POWER OF ATTORNEY	Sep 21, 2022	
5	P MOT TO JOIN/SUBSTITUTE PARTY	Jul 27, 2022	
4	NOTICE OF DEFAULT	Jun 24, 2022	
3	INSTITUTED	May 05, 2022	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 05, 2022	Jun 14, 2022
1	FILED AND FEE	May 03, 2022	

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

NPG RECORDS, LLC and

PAISLEY PARK ENTERPRISES, LLC,

Petitioners,

v.

DR. PURPLE RAIN LAB, INC.

Registrant.

Proceeding No. _____

Trademark Registration No. 5,501,129

Mark: DR. PURPLE RAIN

PETITION FOR CANCELLATION

NPG Records, LLC and Paisley Park Enterprises, LLC (hereinafter collectively referred to as "Petitioners") believe that U.S. Registration No. 5,501,129 (hereinafter referred to as "Registrant's Mark") damages Petitioners' rights in Petitioners' PURPLE RAIN mark. The disputed registration was issued to Dr. Purple Rain Lab, Inc. ("Registrant" or "Respondent") on the Principal Register on June 26, 2018. Petitioners believe that they will continue to suffer damage if Registrant's Mark is allowed to subsist. Accordingly, Petitioners hereby petition the Trademark Trial and Appeal Board to cancel the subject registration on the grounds that 1) the mark has been abandoned though non-use pursuant to Section 14(3) of the Trademark Act, 15 U.S. C. §1064(3); 2) the mark is likely to cause confusion, mistake, or deception in the trade and among consumers as to source, origin, or sponsorship of the respective goods and services in violation of Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d); 3) that Registrant's use and registration of the mark is likely to cause dilution by blurring Petitioners' PURPLE RAIN mark in violation of Section 43(c) of the Trademark Act, 15 U.S.C. §1125(c); and 4) that Registrant's use and registration of the subject

mark is likely to suggest falsely a connection with Prince Rogers Nelson ("Prince") in violation of Section 2(a) of the Trademark Act, 15 U.S.C. §1052(a).

In support of their Petition, Petitioners state and allege as follows:

1. Petitioner NPG Records, LLC is a Delaware limited liability company with a principal place of business located at 7801 Audubon Road, Chanhassen, Minnesota 55317.

2. Petitioner Paisley Park Enterprises, LLC is a Delaware limited liability company with its principal place of business located at 7801 Audubon Road, Chanhassen, Minnesota 55317.

3. On information and belief, Registrant in no longer in operation and was a Delaware corporation with an address of 620 N. Wilcox Avenue, Apt. C, Montebello, California 90640. According to the Delaware Secretary of State records, the entity's status as of March 1, 2021 is "Void, AR's or Tax Delinquent" and the last annual report for the entity was filed in 2018 (See, paragraph 22 below and Exhibit B.)

4. Petitioner Paisley Park Enterprises, LLC is the owner of all of the late Prince Rogers Nelson's rights of publicity, including: Prince's name, voice, signature, photograph or likeness; all licenses and similar contractual rights or permissions; all royalty fees, income, payments, or other proceeds; all claims and causes of action with respect to any of the foregoing; and all other rights, privileges and protections of any kind whatsoever.

5. Petitioner NPG Records, LLC owns the following marks and corresponding U.S. trademark registrations and applications:

Mark	Reg./Ser. No.	Goods/Services
PURPLE RAIN	Reg. No. 6,615,587 Filed 06/07/2017 (date of first use 06/25/1984)	IC 009: Musical sound recordings; musical video recordings; audio and video recordings featuring music performances; downloadable digital audio and video files featuring musical performances; motion picture films featuring music and musical entertainment; downloadable ring tones for mobile phones
PURPLE RAIN	Reg. No. 5,551,259 Filed 08/26/2014 (date of first use 06/25/1984)	IC 009: Sound recordings featuring vocal and musical performances on phonograph records, pre-recorded audio tapes, pre-recorded CD's, and downloadable digital audio files; video recordings featuring vocal and musical performances on pre-

Mark	Reg./Ser. No.	Goods/Services
		recorded video cassettes, pre-recorded DVD's and downloadable digital video files
PURPLE RAIN	Ser. No. 88/884,836 Filed 04/23/2020	IC 016: Printed programs for live stage and musical performances; souvenir programs concerning vocal and musical performances; printed programs for live Broadway musical shows; printed theater and stage passes; books in the field of musical and theatrical performances, and about musical artists and music; posters; photographs; stickers; book marks; notepads, pens, pencils
PURPLE RAIN	Ser. No. 88/664,380 Filed 10/22/2019	IC 041: Entertainment services, namely, live stage performances in the nature of musicals and theatrical and musical performances; entertainment services in the nature of live musical performances; entertainment services in the nature of live visual and audio performances by musical artists, musical bands, rock groups and dancers; provision of information relating to live musical and theatrical performances, live stage events, theatrical performances, live stage performances in the nature of music concerts; live music shows; live and televised appearances by professional entertainers featuring musical, dance, and dramatic presentations; live music shows incorporating the presentation of pre-recorded music performances before a live audience; music publishing services; audio production; record and music production services; providing an internet website portal featuring links to musical artists' websites featuring musical performances, musical videos, film clips, photographs and other multimedia materials; fan club services
PURPLE RAIN	Reg. No. 6,615,588 Filed 06/07/2017 (date of first use 09/30/1999)	IC 041: Providing non-downloadable pre-recorded music, audio recordings featuring music and audiovisual recordings featuring music videos, information in the field of music, and commentary and articles about music on-line via a global computer network; recording studio services; providing recreational activities facilities for others; preparing audiovisual displays and exhibitions in the field of music; operating a museum and providing guided tours of the museum; providing theme park services; providing information to fans and fan sites of the late entertainer Prince Rogers Nelson by means of a global network; providing information and commentary online in the field of music
PURPLE RAIN	Reg. No. 6,609,270 Filed 10/22/2019 (date of first use 09/30/1999)	IC 041: Providing a website for entertainment purposes featuring non-downloadable photos from musical performances and information about musical performances, music artists, musical bands; providing non-downloadable pre-recorded music, audio recordings featuring music and audiovisual recordings featuring music videos, information in the field of music, and commentary and articles about music on-line via a global computer network; recording studio services; audio recording; providing recreational activities facilities for others; entertainment, namely, preparing exhibitions featuring audiovisual displays in the field of music; operating a museum and providing guided tours of the museum; providing theme park services; providing information to fans and fan sites of the late entertainer Prince Rogers Nelson by means of a global network; providing information and commentary online in the field of music
PURPLE RAIN	Ser. No. 97/513,150	IC 020: Pillows

Mark	Reg./Ser. No.	Goods/Services
	Filed 07/21/2022 (date of first use 11/27/2020 for IC 020, 03/03/2022 for IC 024)	IC 024: Fleece blankets; textile blankets for outdoor use; textile lap blankets; bed blankets; blanket throws; lap blankets; duvets; duvet covers; sheet sets
PURPLE RAIN	Ser. No. 97/519,859 Filed 07/26/2022	IC 025: Clothing, namely, shirts, t-shirts, and infant and toddler one-piece clothing; Clothing; headwear; footwear
PURPLE RAIN	Ser. No. 90/771,914 Filed 06/14/2021	IC 009: downloadable podcasts in the field of music; downloadable electronic publications in the nature of books, magazines, newsletters, pamphlets, booklets and brochures in the field of music and entertainment; mobile phone accessories, namely, face plates and cell phone cases and covers; eyewear; sunglasses; decorative magnets; computer mouse pads; hand grips, stands, and mounts adapted for handheld electronic devices, namely, smart phones, tablet computers, cameras, and portable sound and video players; turntable slipmats

6. Attached as Exhibit A are copies of the Certificates of Registration and TSDR records for the registrations and applications listed in the table above. The registrations are valid and subsisting.

7. The goods and services set forth in the registrations and applications (collectively, "Petitioners' Goods and Services") are sold in interstate commerce to the general public via a wide variety of brick-and-mortar stores and online channels and through services offered to audiences of the general public in-person and via online channels.

8. Petitioners, via their predecessor in interest, have longstanding common law rights in their PURPLE RAIN mark through decades of public use. Together, the registration, applications, and common law marks are hereinafter referred to as "Petitioners' Mark".

9. On June 26, 2018, the United States Patent and Trademark Office issued to Respondent on the Principal Register Registration No. 5,501,129 for the mark PURPLE RAIN for use with: Non-medicated mouth wash and rinse; Tooth paste; Tooth powder, in International Class 003;

Tongue scrapers, in International Class 010; Dental floss; Tooth brushes, in International Class 021. For all of the listed goods, Registrant alleged that it began using the mark anywhere and in U.S. commerce at least as early as August 1, 2017.

10. Petitioners' rights predate those claimed by Registrant. One or more of Petitioners' Marks has a priority date that precedes the alleged date of first use and the constructive date of first use of Registrant's Mark.

11. Petitioners have developed widespread goodwill in Petitioner's Mark. By reason of advertising, promotion, and other common means used in Petitioners' industry, the consuming public recognizes Petitioners' Mark and associates Petitioners' Mark exclusively with Petitioners and their goods and services.

12. Moreover, Petitioners' Mark is the title of the world-famous song, album, and motion picture for which Prince Rogers Nelson won several of the highest awards that recognize works of this type, including two GRAMMYs and an Oscar. For decades, he performed the song before millions of people around the world, including but not limited to on live television at the 2007 Super Bowl half time show. Purple Rain is uniquely associated with the late Prince Rogers Nelson.

13. On August 23, 2022, the Trademark Trial and Appeal Board in a precedential decision recognized that the phrase "Purple Rain" is famous and a widely recognized identifier for the late Prince Rogers Nelson. *NPG Records, LLC et al. v. JHO Intellectual Property Holdings LLC*, Trademark Trial and Appeal Board Opposition No. 91269739 at 12 TTABVUE 14-20. The Board's decision was supported by significant evidence, which is incorporated by reference here. Examples include Prince's own extensive use of the phrase, unsolicited media coverage, Petitioners' widespread and ongoing sale of merchandise in connection with PURPLE RAIN, and a consumer

survey. There is no doubt that "Purple Rain" serves as an individual identifier of the late Prince Rogers Nelson and that any use of the phrase points uniquely and unmistakably to Prince. Thus, unauthorized of PURPLE RAIN is a violation of Section 2(a) of the Trademark Act.

14. Petitioners' Mark is inherently distinctive and strong and as such should be accorded the broad protection given to strong marks.

15. Petitioners' PURPLE RAIN mark and Registrant's DR. PURPLE RAIN mark are nearly identical in sight, sound, and commercial impression.

16. Registrant's use of Registrant's Mark is without Petitioners' consent or permission.

17. Petitioners' Petition to cancel Registrant's DR. PURPLE RAIN registration is timely and Registrant's registration does not enjoy incontestable status.

Count One: Abandonment

18. Petitioners repeat and reallege paragraphs 1 through 17 as though fully set forth herein.

19. Petitioners have standing to petition to cancel the subject registration since Petitioners are being damaged and will continue to be damaged by the subsistence of Registrant's Mark on the Principal Register of the United States Patent and Trademark Office.

20. Upon information and belief, Registrant has not used the DR. PURPLE RAIN mark in commerce in connection with any of the named goods for at least three years.

21. Petitioners were unable to find evidence that Registrant currently is selling the named goods under the DR. PURPLE RAIN mark.

22. According to the entity status report Petitioner obtained from the Delaware Secretary of State on May 2, 2023, Registrant's last annual report was for the year 2018 and Registrant's corporate status was changed to "Void, AR's or Tax Delinquent" as of March 1, 2021. The last corporate filing made by this entity was on October 3, 2019. (See attached Exhibit B.)

23. Registrant's non-use of the DR. PURPLE RAIN mark in connection with the named goods for the last three years constitutes *prima facie* evidence of abandonment pursuant to 15 U.S.C. §1127.

24. Accordingly, Registrant has abandoned the DR. PURPLE RAIN mark pursuant to Section 14(3) of the Trademark Act, 15 U.S.C. §1064(3) and Registrant is therefore not entitled to continued registration of same.

Count Two: Likelihood of Confusion

25. Petitioners repeat and reallege paragraphs 1 through 17 as though fully set forth herein.

26. Registrant's use of Registrant's Mark is likely to cause confusion, mistake, or deception as to the source, origin, sponsorship, or approval of Registrant's goods in that purchasers or others are likely to believe that Registrant's goods are Petitioners' goods or are in some way legitimately connected with, licensed by, or approved by Petitioners, in violation of Section 2(d) of the Trademark Act.

Count Three: Dilution

27. Petitioners repeat and reallege paragraphs 1 through 17 as though fully set forth herein.

28. Due to Petitioners' extensive use of Petitioners' Mark and many years of advertising and publicity, Petitioners' Marks are sufficiently famous and distinctive to warrant protection under Section 43(c) of the Trademark Act.

29. Registrant's use of Registrant's Mark is causing and is likely to cause dilution by blurring Petitioners' Marks in violation of Section 43(c) of the Trademark Act.

Count Four: False Suggestion of Connection

30. Petitioners repeat and reallege paragraphs 1 through 17 as though fully set forth herein.

31. As the TTAB found in its precedential decision in Opposition Proceeding No.

91269739, PURPLE RAIN is the same as or a close approximation of the name or identity of Prince. Among other things, a survey of relevant consumers established that the public commonly associates the term PURPLE RAIN with Prince. It is the title of Prince's most iconic album and the title of a highly successful and iconic film featuring Prince, and it has been the subject of widespread unsolicited media coverage.

32. The TTAB also found that PURPLE RAIN points uniquely and unmistakably to Prince. Prince's iconic PURPLE RAIN song and film were both highly successful and widespread in circulation. And the aforementioned survey establishes that a significant percentage of the general public recognizes PURPLE RAIN as a reference to Prince.

33. Registrant's Mark is DR. PURPLE RAIN, which is the same as Prince's identity with the addition of the prefix "DR.".

34. Registrant's DR. PURPLE RAIN Mark would be and/or is recognized as Prince's identity.

35. Petitioners are not connected with Registrant or its goods, nor have Petitioners authorized Registrant's use of DR. PURPLE RAIN.

36. Prince and Purple Rain are sufficiently famous that people will presume a connection between Registrant's Mark and Petitioners when Registrant's Mark is used with Registrant's goods. This assertion is supported by the TTAB, which has established that Prince is sufficiently famous that consumers associate PURPLE RAIN with Prince.

37. Petitioners have undertaken substantial efforts to enforce their rights in the Prince persona, and they have licensed both PRINCE and PURPLE RAIN in connection with a wide variety of goods and services.

38. Registrant's use and registration of Registrant's Mark is likely to cause a false

suggestion of a connection with Prince Rogers Nelson under Section 2(a) of the Trademark Act.

WHEREFORE, for the reasons stated above, Petitioners believe that they are and will be damaged by the continued registration of Registrant's Mark and pray that it be cancelled in its entirety.

Please address all communications to Richard B. Biagi, Jeffrey T. Norberg, and Rochelle Claerbaut, Neal & McDevitt, LLC, 1776 Ash Street, Northfield, IL 60093.

Dated: May 25, 2023

/Richard B. Biagi/

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