# Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

## The table below presents the data as entered.

Input Field	Entered				
SERIAL NUMBER	86970282				
LAW OFFICE ASSIGNED	LAW OFFICE 112				
EXTENSION OF USE	NO				
MARK SECTION					
MARK	mark				
LITERAL ELEMENT	BIRDIE				
STANDARD CHARACTERS	YES				
USPTO-GENERATED IMAGE	YES				
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.				
OWNER SECTION (current)					
NAME	ROSIEQ LLC				
INTERNAL ADDRESS	700 Valencia Street Apt 7				
MAILING ADDRESS	Apt 7				
CITY	San Francisco				
STATE	California				
ZIP/POSTAL CODE	94110				
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States				
OWNER SECTION (proposed)					
NAME	ROSIEQ LLC				
MAILING ADDRESS	90 STATE STREET STE 700				
CITY	ALBANY				
STATE	New York				
ZIP/POSTAL CODE	12207				
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States				
EMAIL	XXXX				
CORRESPONDENCE INFORMATION (current)					
NAME	Philip Z Kimball				
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	Trademarks@pzklaw.com				

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	pzkimball@pzklaw.com				
CORRESPONDENCE INFORMATION (proposed)					
NAME	Philip Z Kimball				
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	Trademarks@pzklaw.com				
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	pzkimball@pzklaw.com				
GOODS AND/OR SERVICES SECTION					
INTERNATIONAL CLASS	009				
CURRENT IDENTIFICATION	Downloadable software in the nature of a mobile application for finding, locating, and interacting with other users through the sharing of ratings, reviews, referrals and recommendations relating to various businesses, places and service providers; computer application software for mobile phones, portable media players and handheld computers, namely, software for posting reviews and recommendations on products and services of others				
GOODS OR SERVICES	KEEP ALL LISTED				
FIRST USE ANYWHERE DATE	01/12/2017				
FIRST USE IN COMMERCE DATE	05/22/2020				
SPECIMEN FILE NAME(S)	\\\TICRS\EXPORT18\IMAGEOUT 18\869\702\86970282\xml1 \\ SOU0002.JPG				
	\\\TICRS\EXPORT18\IMAGEOUT 18\869\702\86970282\xml1 \\\\\SOU0003.JPG				
	\\\TICRS\EXPORT18\IMAGEOUT 18\869\702\86970282\xml1 \\ SOU0004.JPG				
	\\\TICRS\EXPORT18\IMAGEOUT 18\869\702\86970282\xml1 \\ SOU0005.JPG				
	\\\TICRS\EXPORT18\IMAGEOUT 18\869\702\86970282\xml1 \\\SOU0006.JPG				
SPECIMEN DESCRIPTION	a screenshot of app "Birdie" available for download in the Google Play app store and several screenshots from the Birdie app				
REQUEST TO DIVIDE	NO				
PAYMENT SECTION					
NUMBER OF CLASSES IN USE	1				
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100				
TOTAL AMOUNT	100				
SIGNATURE SECTION					
DECLARATION SIGNATURE	/Philip Z Kimball/				
SIGNATORY'S NAME	Philip Z. Kimball				
SIGNATORY'S POSITION	Attorney of record, New York bar member				
DATE SIGNED	05/31/2020				
SIGNATORY'S PHONE NUMBER	646-801-8363				
FILING INFORMATION					

SUBMIT DATE	Sun May 31 21:14:42 ET 2020
TEAS STAMP	USPTO/SOU-XXX.XXXXXXXXX-2 0200531211442198723-86970 282-71081c349a6aaf6a8848b 25e83576c171355f925778cfa 4b6e4e210a9a862f9ba-CC-14 402312-202005312058405055 53

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1553 (Rev 09/2005)

OMB No. 0651-0054 (Exp 12/31/2020)

# Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

To the Commissioner for Trademarks:

MARK: BIRDIE(Standard Characters, see https://tmng-al.uspto.gov/resting2/api/img/86970282/large)

**SERIAL NUMBER:** 86970282

#### OWNER AND/OR ENTITY INFORMATION

The owner proposes to amend the following:

Current: ROSIEQ LLC, having an address of

700 Valencia Street Apt 7

Apt 7

San Francisco, California 94110

**United States** 

Proposed: ROSIEQ LLC, having an address of

90 STATE STREET STE 700 ALBANY, New York 12207

United States Phone:

Email: XXXX

The owner is submitting the following allegation of use information:

#### For International Class 009:

Current identification: Downloadable software in the nature of a mobile application for finding, locating, and interacting with other users through the sharing of ratings, reviews, referrals and recommendations relating to various businesses, places and service providers; computer application software for mobile phones, portable media players and handheld computers, namely, software for posting reviews and recommendations on products and services of others

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 01/12/2017, and first used in commerce at least as early as 05/22/2020, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) a screenshot of app "Birdie" available for download in the Google Play app store and several screenshots from the Birdie app.

Specimen File1

Specimen File2

Specimen File3

Specimen File4

Specimen File5

The applicant is not filing a Request to Divide with this Allegation of Use form.

#### **Correspondence Information (current):**

Philip Z Kimball

PRIMARY EMAIL FOR CORRESPONDENCE: Trademarks@pzklaw.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): pzkimball@pzklaw.com

#### **Correspondence Information (proposed):**

Philip Z Kimball

PRIMARY EMAIL FOR CORRESPONDENCE: Trademarks@pzklaw.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): pzkimball@pzklaw.com

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

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

#### **Declaration**

The signatory believes that the applicant is the owner of the mark sought to be registered. For a trademark or service mark application, the mark is in use in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified. For a collective trademark, collective mark, collective membership mark application, the applicant is exercising legitimate control over the use of the mark in commerce by members on or in connection with all the goods/services/collective membership organization in the application or notice of allowance, or as subsequently modified. For a certification mark application, the applicant is exercising legitimate control over the use of the mark in commerce by authorized users on or in connection with the all goods/services in the application or notice of allowance, or as subsequently modified, and the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. The specimen(s) shows the mark as used on or in connection with the goods/services/collective membership organization in commerce. To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or 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/collective membership organization 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

Signature: /Philip Z Kimball/ Date Signed: 05/31/2020

Signatory's Name: Philip Z. Kimball

belief are believed to be true.

Signatory's Position: Attorney of record, New York bar member

Signatory's Phone: 646-801-8363

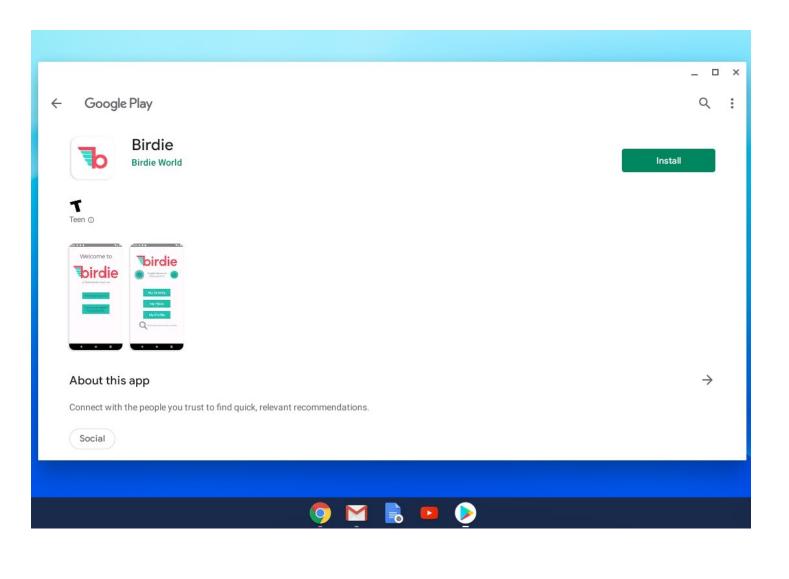
RAM Sale Number: 86970282 RAM Accounting Date: 06/01/2020

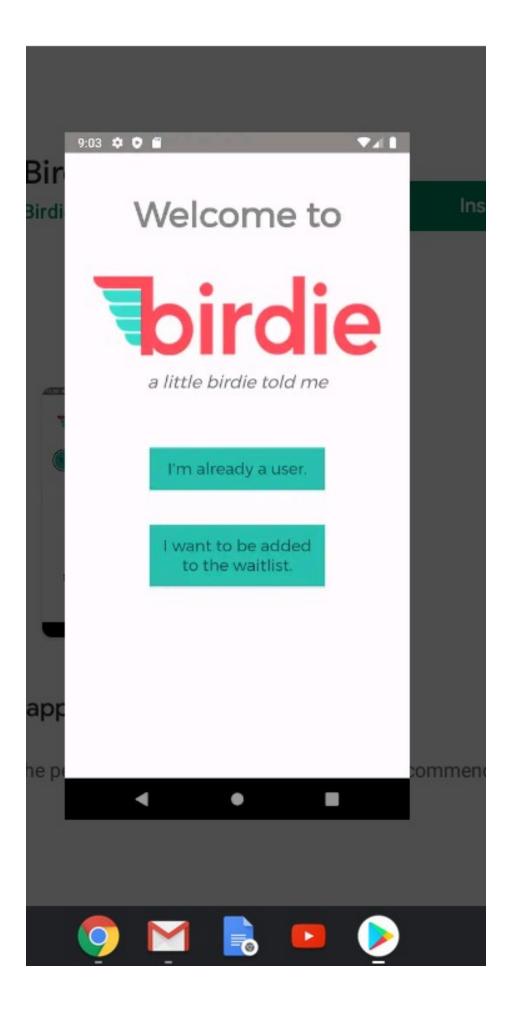
Serial Number: 86970282

Internet Transmission Date: Sun May 31 21:14:42 ET 2020

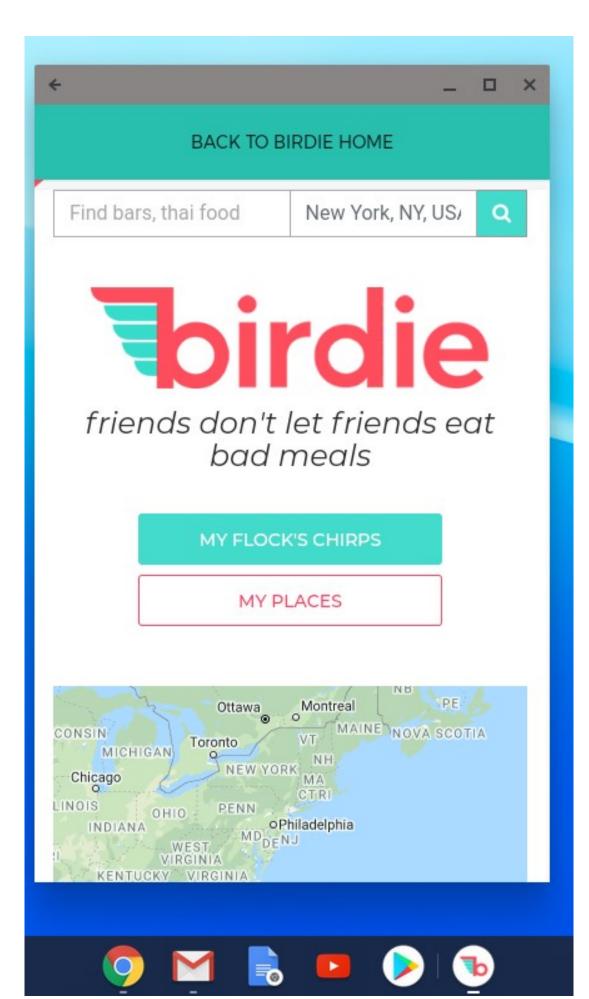
TEAS Stamp: USPTO/SOU-XXX.X.XXX.XXX-2020053121144219

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# BACK TO BIRDIE HOME



two8two Bar & Burger



Burger Joint

282 Atlantic Ave |

Brooklyn | Boerum Hill

718-596-2282

I've Been

Saved by 0













## FEE RECORD SHEET

Serial Number: 86970282

RAM Sale Number: 86970282 Total Fees: \$100

RAM Accounting Date: 20200601

<u>Transaction</u>	Fee	Transaction	Fee per	Number	Total
	<u>Code</u>	<u>Date</u>	<u>Class</u>	of Classes	<u>Fee</u>
Statement of Use (SOU)	7003	20200531	\$100	1	\$100

**Transaction Date:** 20200531