

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: **BBM**
Applicant: BlackBerry Limited
Serial No.: 86/044,137
Filing Date: August 21, 2013

Statement of Facts In Support of Petition to Make Special

Applicant's applied-for mark BBM is used in connection with instant messaging software (Class 9) and instant messaging services (Class 38), and the mark is well known in the United States and abroad.

Applicant has announced that its BBM goods and services will be coming to the Android and Apple iOS operating systems, which announcement has spawned numerous infringements by others using BBM in an effort to fool the public into believing their apps originate from Applicant. For example, attached is an article from the tech website *übergizmo*, dated August 13, 2013, discussing one of these fake apps. An excerpt from the article is shown below (red lining added for emphasis):

Another Fake BBM Android App Spotted On Google Play

By [Tyler Lee](#) on 09/13/2013
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We're sure that BlackBerry, iOS, and Android users are aware that BlackBerry's BBM will be making its way onto iOS and Android before the end of summer, and while BlackBerry has yet to share a specific release date, we have seen leaked screenshots of the app in action on Android. However it seems that in the wake of the hype, fake BBM apps for Android were spotted and it looks like yet another one has made its way onto the Google Play store. Calling itself "BBM", it was created by BBM Droid and it actually costs users money if they wanted to purchase and download the app.

Given that this is not an official app, we're surprised there are some out there who have actually bought

Accordingly, Applicant wishes to secure a registration for its mark as soon as possible.

The undersigned, 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 document or any registration resulting therefrom, declares that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

BlackBerry Limited

Date: AUGUST 22, 2013

By: _____


JAMES YERSH - SVP, CONTROLLER

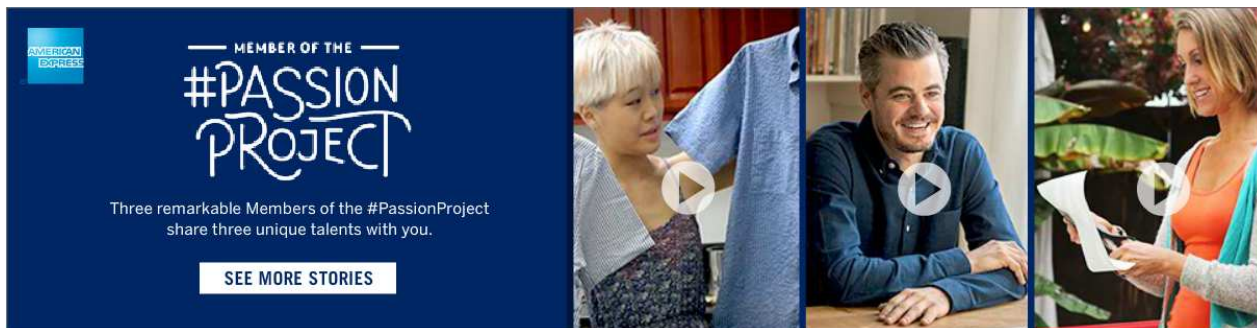
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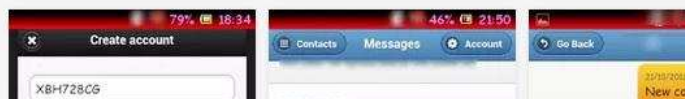
Another Fake BBM Android App Spotted On Google Play

By Tyler Lee on 08/13/2013

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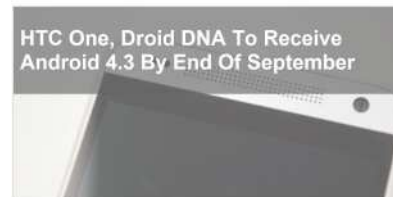
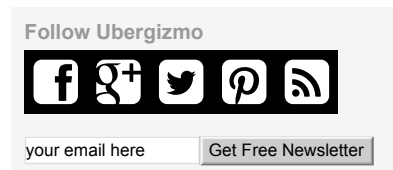
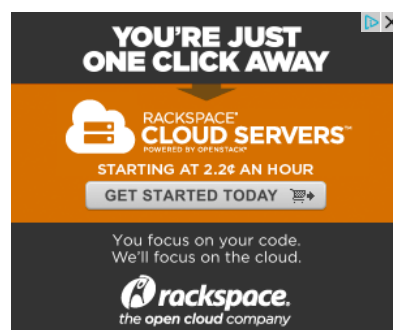


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Given that this is not an official app, we're surprised there are some out there who have actually bought and downloaded the app. According to the app's description, it tries to "educate" users on how to "properly" install the app which basically requires the user to download another app. We're not sure what exactly the app does when it installs itself on your phone, but it definitely is not worth finding out, so stay clear! BlackBerry will announce when they officially launch the app, so anything you see before then is almost certainly a fake, so be sure to check back with us regularly as we will keep you updated on the app's status.

Related:

- [CyanogenMod Accounts Takes After Android Device Manager](#)
- [YouTube For Android Updated](#)
- [Oppo N1 Gets September Launch](#)



- Moto X Custom Engravings Not Available At Launch (Rumor)
- Seen at: [thedroidguy](#)



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