

To: Zoox, Inc. (trademarks@leehayes.com)

Subject: U.S. TRADEMARK APPLICATION NO. 87579093 - LUNA - Z019-0124TMU

Sent: 11/29/2017 6:35:51 PM

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**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION
SERIAL NO. 87579093

MARK: LUNA

87579093

CORRESPONDENT

ADDRESS:
RHETT V. BARNEY
LEE & HAYES,
PLLC

**CLICK HERE TO RESPOND TO THIS
LETTER:**

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601 WEST
RIVERSIDE, SUITE 1400

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SPOKANE, WA
99201

APPLICANT: Zoon, Inc.

**CORRESPONDENT'S
REFERENCE/DOCKET
NO:**

Z019-0124TMU

**CORRESPONDENT E-
MAIL ADDRESS:**

trademarks@leehayes.com

NON-FINAL OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW. A RESPONSE TRANSMITTED THROUGH THE TRADEMARK ELECTRONIC APPLICATION SYSTEM (TEAS) MUST BE RECEIVED BEFORE MIDNIGHT **EASTERN TIME** OF THE LAST DAY OF THE RESPONSE PERIOD.

ISSUE/MAILING DATE: 11/29/2017

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

Summary of Issues:

- Section 2(d) Refusal to Register – Likelihood of Confusion
- Potential Section 2(d) Refusal to Register

1. Refusal – Section 2(d) Refusal to Register – Likelihood of Confusion:

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 4971021. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registration.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely a consumer would be confused, mistaken, or deceived as to the source of the goods and/or services of the applicant and registrant(s). See 15 U.S.C. §1052(d). Determining likelihood of confusion is made on a case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). However, “[n]ot all of the [*du Pont*] factors are relevant to every case, and only factors of significance to the particular mark need be considered.” *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1366, 101 USPQ2d 1713, 1719 (Fed. Cir. 2012) (quoting *In re Mighty Leaf Tea*, 601 F.3d 1342, 1346, 94 USPQ2d 1257, 1259 (Fed. Cir. 2010)). The USPTO may focus its analysis “on dispositive factors, such as similarity of the marks and relatedness of the goods [and/or services].” *In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int’l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); see TMEP §1207.01.

The overriding concern is not only to prevent buyer confusion as to the source of the goods and/or services, but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. See *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); see *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 464-65, 6 USPQ2d 1025, 1026 (Fed. Cir. 1988).

Comparison of the Marks:

Marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). “Similarity in any one of these elements may be sufficient to find the marks confusingly similar.” *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014) (citing *In re 1st USA Realty Prof’ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007)); *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988)); TMEP §1207.01(b).

The applicant’s mark is LUNA. The registrant’s mark is LUNAJETS. The applicant’s mark is confusingly similar to the registrant’s mark because they both include the identical wording LUNA.

Marks may be confusingly similar in appearance where similar terms or phrases or similar parts of terms or phrases appear in the compared marks and create a similar overall commercial impression. See *Crocker Nat’l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689, 690-91 (TTAB 1986), *aff’d sub nom. Canadian Imperial Bank of Commerce v. Wells Fargo Bank, Nat’l Ass’n*, 811 F.2d 1490, 1495, 1 USPQ2d 1813, 1817 (Fed. Cir. 1987) (finding COMMCASH and COMMUNICASH confusingly similar); *In re Corning Glass Works*, 229 USPQ 65, 66 (TTAB 1985) (finding CONFIRM and CONFIRMCELLS confusingly similar); *In re Pellerin Milnor Corp.*, 221 USPQ 558, 560 (TTAB 1983) (finding MILTRON and MILLTRONICS confusingly similar); TMEP §1207.01(b)(ii)-(iii).

Additionally, although applicant’s mark does not contain the entirety of the registered mark, applicant’s mark is likely to appear to prospective purchasers as a shortened form of registrant’s mark. See *In re Mighty Leaf Tea*, 601 F.3d 1342, 1348, 94 USPQ2d 1257, 1260 (Fed. Cir. 2010) (quoting *United States Shoe Corp.*, 229 USPQ707, 709 (TTAB 1985)). Thus, merely omitting some of the wording from a registered mark may not overcome a likelihood of confusion. See *In re Mighty Leaf Tea*, 601 F.3d 1342, 94 USPQ2d 1257; *In re Optica Int’l*, 196 USPQ 775, 778 (TTAB 1977); TMEP §1207.01(b)(ii)-(iii). In this case, applicant’s mark does not create a distinct commercial impression from the registered mark because it contains some of the wording in the registered mark and does not add any wording that would distinguish it from that mark.

Accordingly, because the marks both include the identical term LUNA, the marks are confusingly similar.

Comparison of the Goods/Services:

The compared goods and/or services need not be identical or even competitive to find a likelihood of confusion. See *On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). They need only be “related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that [the goods and/or services] emanate from the same source.” *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i).

The applicant’s goods and services are, “Land vehicles and conveyances in the nature of automobiles; Self-driving transport vehicles; Unmanned conveying land vehicles; Passenger carrying vehicles, namely, land vehicles; Electric vehicles, namely, automobiles; Road vehicles; Driverless cars; Mobility conveyances namely, automated people movers; Mobility vehicles, namely, passenger shuttles; Industrial vehicles, namely, semi-trailer trucks; Passenger motor vehicles, namely, land vehicles; Unmanned vehicles, namely, land vehicles; Transportation robots, namely, robotic transport vehicles” and “Transportation of passengers by motorized vehicle; Transportation of passengers by vehicle through a network of transportation providers.”

The registrant's services are, "Transport of goods, passengers and travelers by air; organization of the transportation of goods, passengers and travelers by air; escorting of travelers; booking of seats for travel; travel reservation, namely, making reservations and bookings for transportation; travel organization; transport brokerage; airplane rental and chartering; chartering of airplanes; organization and reservation of chartered flights; advice in relation to all the aforesaid services."

The goods and services are related because the applicant's recitation of services is written broadly enough to encompass the registrant's services. Specifically, "Transportation of passengers by vehicle through a network of transportation providers" encompasses the registrant's, "Transport of passengers by air". The application use(s) broad wording to describe the applied-for services, which presumably encompass the registrant's more narrow recitation. See, e.g., *Sw. Mgmt., Inc. v. Ocinomled, Ltd.*, 115 USPQ2d 1007, 1025 (TTAB 2015); *In re N.A.D., Inc.*, 57 USPQ2d 1872, 1874 (TTAB 2000). Additionally, the goods and/or services of the parties have no restrictions as to nature, type, channels of trade, or classes of purchasers and are "presumed to travel in the same channels of trade to the same class of purchasers." *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1268, 62 USPQ2d 1001, 1005 (Fed. Cir. 2002)).

Determining likelihood of confusion is based on the description of the goods and/or services stated in the application and registration at issue, not on evidence of actual use. See *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1323, 110 USPQ2d 1157, 1162 (Fed. Cir. 2014) (quoting *Octocom Sys. Inc. v. Hous. Computers Servs. Inc.*, 918 F.2d 937, 942, 16 USPQ2d 1783, 1787 (Fed. Cir. 1990)).

Additionally, the trademark examining attorney has attached evidence from the USPTO's X-Search database consisting of a number of third-party marks registered for use in connection with the same or similar goods and/or services as those of both applicant and registrant in this case. This evidence shows that the goods and/or services listed therein, namely, robotic transport vehicles, land vehicles, automobiles, trucks, transportation of passengers, making reservations and bookings for transportation, transport of passengers by air, transport brokerage, escorting of travelers, booking of seats for travel, airplane chartering, and transport of goods are of a kind that may emanate from a single source under a single mark. See *In re Aquamar, Inc.*, 115 USPQ2d 1122, 1126 n.5 (TTAB 2015) (citing *In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB 1988)); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); TMEP §1207.01(d)(iii).

Accordingly, because the marks are confusingly similar and the goods and services are overlapping and closely related, confusion as to source is likely and registration is refused under Section 2(d) of the Trademark Act.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

2. Potential Refusal – Potential Section 2(d) Refusal to Register:

The filing dates of pending U.S. Application Serial Nos. 86510147 and 87132160 precede applicant's filing date. See attached referenced applications. If one or more of the marks in the referenced applications register, applicant's mark may be refused registration under Trademark Act Section 2(d) because of a likelihood of confusion with the registered mark(s). See 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon receipt of applicant's response to this Office action, action on this application may be suspended pending final disposition of the earlier-filed referenced applications.

In response to this Office action, applicant may present arguments in support of registration by addressing the issue of the potential conflict between applicant's mark and the marks in the referenced applications. Applicant's election not to submit arguments at this time in no way limits applicant's right to address this issue later if a refusal under Section 2(d) issues.

3. Advisory – TEAS RF Applicants:

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. See 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone or e-mail without incurring this additional fee.

Responses to Office actions must be properly signed. See 37 C.F.R. §§2.62(b), 2.193(e)(2); TMEP §§712, 712.01. If an applicant is not represented by an attorney, the response must be signed by the individual applicant or someone with legal authority to bind a juristic applicant (e.g., a corporate officer or general partner). See 37 C.F.R. §2.193(e)(2)(ii); TMEP §§611.03(b), 611.06(b)-(h), 712.01. In the case of joint applicants, all must sign. 37 C.F.R. §2.193(e)(2)(ii); TMEP §611.06(a). If an applicant is represented by an attorney authorized to practice before the USPTO, the attorney must sign the response. 37 C.F.R. §2.193(e)(2)(i); TMEP §§611.03(b), 712.01.

4. Advisory – Assistance:

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. See TMEP §§705.02, 709.06.

/Colleen Dombrow/
Trademark Attorney
Law Office 101
Direct Dial: 571-272-8262
Facsimile: 571-273-9101
colleen.dombrow@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

DESIGN MARK

Serial Number

77871946

Status

REGISTERED

Word Mark

ALEES ARK

Standard Character Mark

Yes

Registration Number

4125895

Date Registered

2012/04/10

Type of Mark

TRADEMARK; SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Advanced Lithium Electrochemistry Co., Ltd. CORPORATION TAIWAN No. 2-1, Singhua Rd., Taoyuan City Taoyuan County TAIWAN 330

Goods/Services

Class Status -- ACTIVE. IC 001. US 001 005 006 010 026 046. G & S: Industrial chemicals, acidulated water for recharging accumulators, salts for galvanic cells, Chemicals for use in industry; Ion conductive chemical compounds for use in lithium ion batteries and lithium ion accumulators. First Use: 2010/01/12. First Use In Commerce: 2010/03/01.

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Accumulator boxes; Accumulator jars; Accumulators; Batteries for vehicles; Battery cases; Battery charge devices; Battery chargers; Battery packs; Electric accumulators; Electric accumulators for vehicles; Electric storage batteries; Electrical storage batteries; cell pack, namely, electrical cells and batteries. First Use: 2010/01/12. First Use In Commerce: 2010/03/01.

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S: Automobiles, land vehicles, namely, cars, bicycles, motorcycles, and bus; electric land vehicles, namely, cars, bicycles, motorcycles, and bus. First Use: 2010/01/12. First Use In Commerce: 2010/03/01.

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: storage of wasted batteries; electricity distribution; freight transportation of goods and passenger transportation by truck, train, bus, air and marine vehicles. First Use: 2010/01/12. First Use In Commerce: 2010/03/01.

Goods/Services

Class Status -- ACTIVE. IC 040. US 100 103 106. G & S: recycling of wasted batteries; Sorting waste and recyclable material; Production of electrical energy. First Use: 2010/01/12. First Use In Commerce: 2010/03/01.

Prior Registration(s)

3278654;3456495

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2009/11/13

Examining Attorney

KUNG, KAE LIE

Attorney of Record

Justin King

Aleees Ark

DESIGN MARK

Serial Number

79169407

Status

REGISTERED

Word Mark

LUNAJETS

Standard Character Mark

Yes

Registration Number

4971021

Date Registered

2016/06/07

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

LunaJets SA Société anonyme (SA) SWITZERLAND Rue du Bois du Lan 7
CH-1217 Meyrin SWITZERLAND

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Transport of goods, passengers and travelers by air; organization of the transportation of goods, passengers and travelers by air; escorting of travelers; booking of seats for travel; travel reservation, namely, making reservations and bookings for transportation; travel organization; transport brokerage; airplane rental and chartering; chartering of airplanes; organization and reservation of chartered flights; advice in relation to all the aforesaid services.

Filing Date

2015/04/27

Examining Attorney

LEE, YAT SYE

Attorney of Record

John A. Galbreath

LUNAJETS

DESIGN MARK

Serial Number

85755976

Status

REGISTERED

Word Mark

AVIS

Standard Character Mark

Yes

Registration Number

4760640

Date Registered

2015/06/23

Type of Mark

TRADEMARK; SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Wizard Co., Inc. CORPORATION DELAWARE 6 Sylvan Way Parsippany NEW JERSEY 07054

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Computer software for use in vehicle rental offices used to track reservations and vehicles, and maintaining data concerning vehicles, customers, and rentals; recorded computer software related to vehicle rentals for facilitating the rental of vehicles; downloadable software in the nature of a mobile application for vehicle rental or leasing services; global positioning system (GPS); interactive computer kiosks comprising computers, computer hardware, computer peripherals, and computer operating software, for use in vehicle rentals or leasing services; navigation apparatus for vehicles; satellite radios; telecommunications and data networking hardware, namely, devices for transporting and aggregating voice, data, and video communications across multiple network infrastructures and communications protocols. First Use: 2015/01/31. First Use In Commerce: 2015/01/31.

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:

Vehicles, namely, automobiles, motor buses; buses and structural parts therefor; license plate frames; motor vehicles, namely, automobiles, trucks, vans, sport utility vehicles and structural parts therefor; trailers. First Use: 2015/01/31. First Use In Commerce: 2015/01/31.

Goods/Services

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.

G & S: Booklets in the field of travel, vehicle rental, transportation; calendars; magazines featuring travel; pens; tourist brochure; travel books; maps; printed forms; printed matter, namely, paper signs, books, manuals curriculum, newsletters, informational cards and brochures in the field of travel, vehicle rental, and transportation. First Use: 2015/01/31. First Use In Commerce: 2015/01/31.

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Business administration in the field of transport and delivery; customer loyalty services and customer club services, for commercial, promotional and/or advertising purposes; offering business management assistance in the establishment and/or operation of vehicle rental and leasing facilities; on-line retail store services featuring motor vehicles; providing incentive award programs for customers through issuance and processing of loyalty points for on-line purchase of company's goods and services; providing incentive award programs for customers through the issuance and processing of loyalty coupons for frequent use of participating businesses; providing public sector contract vehicle management; providing transportation documentation for others; transportation management services, namely, planning and coordinating transportation of people for others; membership club services for customers related to access to discounts, namely, administration of a program for enabling participants to obtain discounts on goods and receive improved services, faster lodging and transportation reservations and rentals, and perks and special offers through frequent renter programs. First Use: 2015/01/31. First Use In Commerce: 2015/01/31.

Goods/Services

Class Status -- ACTIVE. IC 036. US 100 101 102. G & S: Providing vouchers for payment of transportation expenses. First Use: 2015/01/31. First Use In Commerce: 2015/01/31.

Goods/Services

Class Status -- ACTIVE. IC 037. US 100 103 106. G & S: Emergency roadside assistance services, namely, responding to calls for roadside assistance, flat tire changing, emergency fuel supplying, and battery jump starting. First Use: 2015/01/31. First Use In Commerce: 2015/01/31.

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Arranging

travel tours; bus transport; car rental; car transport; chauffeur services; coordinating travel arrangements for individuals and for groups; emergency roadside assistance services, namely, towing, winch-out and key delivery services; leasing of automobiles; leasing of cars; leasing of trucks; leasing of vehicles; making reservations and bookings for transportation; online transportation reservation services; passenger transport; providing an on-line searchable computer database featuring information on travel; provision of travel information; rental car reservation; rental of moving vans; rental of GPS equipment for navigational purposes; rental of trucks; rental of vehicles; transport of travelers; transportation consulting; transportation information; travel agency services, namely, making reservations and bookings for transportation; transportation reservation services; travel clubs; travel route planning; vehicle driving services; providing vehicle reservation information and expedited and discounted vehicle reservations to membership club members; providing vehicle rental information to membership club members. First Use: 2015/01/31. First Use In Commerce: 2015/01/31.

Goods/Services

Class Status -- ACTIVE. IC 042. US 100 101. G & S: Providing a web site featuring technology that enables users to book travel. First Use: 2015/01/31. First Use In Commerce: 2015/01/31.

Prior Registration(s)

0703700;1071131;1353304;AND OTHERS

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2012/10/17

Examining Attorney

MCBRIDE, THEODORE

Attorney of Record

Linda Rush

AVIS

DESIGN MARK

Serial Number

86328905

Status

REGISTERED

Word Mark

SUN COUNTRY

Standard Character Mark

Yes

Registration Number

4703001

Date Registered

2015/03/17

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

MN Airlines, LLC LIMITED LIABILITY COMPANY MINNESOTA 1300 Corporate Center Curve Eagan MINNESOTA 55121

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Transportation services, namely, transportation of passengers by air; transportation services, namely, transport of passengers; arranging transportation of passengers for travel; travel information services, namely, providing information for travel route planning, transportation booking, and managing transportation travel arrangements via the Internet. First Use: 1982/07/00. First Use In Commerce: 1982/07/00.

Prior Registration(s)

1303139;2126040

Filing Date

2014/07/04

Examining Attorney

HOFEMAN, DAVID

SUN COUNTRY

DESIGN MARK

Serial Number

86385512

Status

REGISTERED

Word Mark

VIA

Standard Character Mark

Yes

Registration Number

5023113

Date Registered

2016/08/16

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Vizer, Amos INDIVIDUAL ISRAEL 218 Jackson St. Maitland FLORIDA 32751

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Air transport; Air transport services; Air transportation; Air transportation of passengers and freight; Airline check-in services; Airline transportation services; Airplane chartering; Booking of seats for travel; Booking of travel tickets; Coordinating travel arrangements for individuals and for groups; Making reservations and bookings for transportation; Making transportation bookings and reservations for others by means of a website; On-line transportation reservation and travel ticket reservation services; Organizing travel for others; Providing automated check-in and ticketing services for air travelers; Transport by aircraft; Transport of passengers; Transport of persons; Transport of persons and goods; Transport of travellers; Transport reservation. First Use: 2014/10/01. First Use In Commerce: 2014/10/01.

Filing Date

2014/09/04

Print: Nov 29, 2017

86385512

Examining Attorney
POLLACK, ALISON

VIA

DESIGN MARK

Serial Number

86388063

Status

REGISTERED

Registration Number

4720322

Date Registered

2015/04/14

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(2) DESIGN ONLY

Owner

Southwest Airlines Co CORPORATION TEXAS HDQ 4GC 2702 Love Field Drive
Dallas TEXAS 75235

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Air transportation of passengers and freight; Air transportation services featuring a frequent flyer bonus program; Airline transportation services; Delivery of goods by air; Freight transportation by air; Making reservations and bookings for transportation; Making transportation bookings and reservations for others by means of a website; On-line transportation reservation and travel ticket reservation services; Online transportation reservation services; Providing a website featuring information in the field of air transportation; Providing automated check-in and ticketing services for air travelers; Transport by aircraft; Transport by air; Transport of passengers; Transport of persons and goods; Transportation of passengers and/or goods by air; Travel agency services, namely, making reservations and bookings for transportation. First Use: 2014/09/08. First Use In Commerce: 2014/09/08.

Description of Mark

The mark consists of a stylized silver heart with blue, red, and yellow bands running diagonally starting from the top left.

Colors Claimed

The color(s) silver, blue, red, and yellow is/are claimed as a feature of the mark.

Print: Nov 29, 2017

86388063

Filing Date

2014/09/08

Examining Attorney

GARTNER, JOHN

Attorney of Record

Meredith Henchey



DESIGN MARK

Serial Number

86489929

Status

REGISTERED

Word Mark

LEDRIIVE

Standard Character Mark

Yes

Registration Number

4928703

Date Registered

2016/03/29

Type of Mark

TRADEMARK; SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Le Shi Holdings (Beijing) Limited limited company (ltd.) CHINA 925,
8/F, No.218 Tangli Road, Chaoyang Beijing CHINA

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
Anti-spyware software; Cell phones; Computer application software for
mobile phones, portable media players, handheld computers, namely,
software for use in database management and use in electronic storage
of data; Computer e-commerce software to allow users to perform
electronic business transactions via a global computer network;
Computer hardware and computer software programs for the integration
of text, audio, graphics, still images and moving pictures into an
interactive delivery for multimedia applications; Computer hardware
and software for processing digital music files; Computer operating
programs, recorded; Computer operating recorded programs; Computer
operating software; Computer programs for editing images, sound and
video; Computer programs for processing digital music files; Computer
programs for searching remotely for content on computers and computer
networks; Computer programs for using the internet and the world wide
web; Computer programs for using the internet and the worldwide web;
Computer software for controlling the operation of audio and video

devices; Computer software for creating and editing music and sounds; Computer software for processing digital images; Computer software for processing digital music files; Computer software to enable the transmission of photographs to mobile telephones; Computer software to enhance the audio-visual capabilities of multimedia applications, namely, for the integration of text, audio, graphics, still images and moving pictures; Downloadable movies in the field of entertainment; Downloadable films and movies featuring education provided via a video-on-demand service; Downloadable films and television programs featuring education provided via a video-on-demand service; Downloadable music files; Eye glasses; Eyeglasses; Opera glasses; Portable media players; Projection screens; Set-top boxes; Televisions; Video phones; Videophones. First Use: 2015/09/15. First Use In Commerce: 2015/09/15.

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S: Automotive hood ornaments; Baby carriages; Bicycles; Cars; Electric cars; Electrically-powered motor vehicles; Land vehicles; Motor vehicles, namely, automobiles, trucks, vans, sport utility vehicles and structural parts therefor; Motorcycles; Rail vehicles, namely, passenger carriages; Rail vehicles, namely, trains and structural parts therefor; Tires for vehicles; Tricycles; Water vehicles, namely, hydrofoil boats supported by single or multi hulls, and structural parts therefor. First Use: 2015/03/01. First Use In Commerce: 2015/03/01.

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Advertising and marketing; Advertising and marketing services, namely, promoting the goods and services of others; Business organisation and management consulting services; Business organization and management consulting; Collection and systematisation of information into computer databases; Export and import agencies; Marketing services; On-line matching services for connecting automobile drivers with other drivers who are, respectively, searching for or departing from parking spaces; Online advertising via a computer communications network; Production of advertising films; Relocation services for business; Rental of advertising space; Rental of advertising space on web sites; Rental of advertising time on communication media; Sponsorship search; Talent management services for actors. First Use: 2015/06/17. First Use In Commerce: 2015/06/17.

Goods/Services

Class Status -- ACTIVE. IC 037. US 100 103 106. G & S: Bathtub and bath boiler cleaning; Car repair and maintenance; Consulting in the field of building construction; Electric appliance installation and repair; Furniture maintenance; Furniture restoration, repair and maintenance; Heating equipment installation and repair; Installation and repair of heating, ventilating and air conditioning equipment; Installation of doors and windows; Installation, maintenance and

repair of computer hardware; Installation, repair and maintenance of heating equipment; Repair or maintenance of electric lighting apparatus; Residential and commercial building construction; Technical consultation in the field of building construction. First Use: 2015/06/20. First Use In Commerce: 2015/06/20.

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Air transport; Air transport and storage of goods; Air transport services; Air transportation; Air transportation of passengers and freight; Boat rental; Car rental; Car rental, garage and parking space rental; Car transport; Chauffeur services; Escorting of travellers; Freight transportation by truck, train, air; GPS navigation services; Motor coach rental; Railway coach rental; Rental and leasing of ships; Rental car reservation; Rental of electric cars; Rental of GPS-equipped vehicles, namely, scooters, electric cars and bicycles; Rental of motor vehicles; Rental of vehicles used as displays at events; Rental of warehouse space; Rental of warehouses; Transport of goods; Transportation and delivery services by air, road, rail and sea; Transportation of goods; Vehicle rental. First Use: 2015/10/20. First Use In Commerce: 2015/10/20.

Translation Statement

The wording "Ledrive" has no meaning in a foreign language.

Filing Date

2014/12/24

Examining Attorney

KERTGATE, AMY

Attorney of Record

B. Anna McCoy

Ledrive

DESIGN MARK

Serial Number

86576412

Status

REGISTERED

Word Mark

RISE PRIVATE-FLIGHT SHARING

Standard Character Mark

Yes

Registration Number

5110448

Date Registered

2016/12/27

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

RISE US HOLDINGS, LLC LIMITED LIABILITY COMPANY TEXAS 8350 N. CENTRAL EXPRESSWAY, SUITE 925 DALLAS TEXAS 75206

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Providing a website featuring information in the field of air transportation; Transportation of passengers and/or goods by air; Travel agency services, namely, making reservations and bookings for transportation. First Use: 2014/10/00. First Use In Commerce: 2014/10/00.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PRIVATE-FLIGHT SHARING" APART FROM THE MARK AS SHOWN.

Filing Date

2015/03/25

Examining Attorney

NUNLEY, CHRISTOPHER M

Attorney of Record

Chelsea Masters

RISE PRIVATE-FLIGHT SHARING

DESIGN MARK

Serial Number

86629051

Status

REGISTERED

Word Mark

FLYTHRU

Standard Character Mark

Yes

Registration Number

5225713

Date Registered

2017/06/20

Type of Mark

TRADEMARK; SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

FLIRTEY INC. CORPORATION DELAWARE 1664 N. VIRGINIA, MS199 RENO NEVADA
89557

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S:
Robotic transport vehicles; Unmanned aerial vehicles (UAVs). First
Use: 2014/01/12. First Use In Commerce: 2014/01/17.

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S:
Administration of a consumer loyalty program to promote restaurant
services and retail services of others; Transportation logistics
services, namely, arranging the transportation of goods for others.
First Use: 2014/01/12. First Use In Commerce: 2014/01/17.

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Shipping and
delivery services, namely, pickup, transportation, and delivery of
packages and letters by various modes of transportation; Supply chain
logistics and reverse logistics services, namely, storage,
transportation and delivery of documents, packages, raw materials, and

other freight for others by air, rail, ship or truck; Supply chain logistics and reverse logistics services, namely, storage, transportation and delivery of goods for others by air, rail, ship or truck; Transport and delivery of goods; Transport of goods; Transportation and delivery services by air, road, rail and sea; Transportation and delivery services, namely, same day shipment services; Transportation of goods. First Use: 2014/01/12. First Use In Commerce: 2014/01/17.

Goods/Services

Class Status -- ACTIVE. IC 043. US 100 101. G & S: Fast-food restaurant services; Mobile restaurant services; Restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Take-out restaurant services. First Use: 2014/01/12. First Use In Commerce: 2014/01/17.

Filing Date

2015/05/14

Examining Attorney

I, DAVID

Attorney of Record

Alexander J.A. Garcia

FLYTHRU

DESIGN MARK

Serial Number

86942991

Status

REGISTERED

Word Mark

LIFT TRIPS ELEVATED TRAVEL...INSPIRED BY YOU

Standard Character Mark

No

Registration Number

5094378

Date Registered

2016/12/06

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

LIFT TRIPS TRAVEL LLC LIMITED LIABILITY COMPANY MASSACHUSETTS 139A
CHARLES STREET SUITE 344 BOSTON MASSACHUSETTS 02114

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Travel agency services, namely, making reservations and bookings for transportation, namely, for air, rail, motor-coach, rental car and chartered bus, all of the foregoing excluding ride share services in the nature of transportation of passengers by vehicle through a network of independent ride-share transportation providers. First Use: 2016/02/02. First Use In Commerce: 2016/02/02.

Goods/Services

Class Status -- ACTIVE. IC 043. US 100 101. G & S: Making hotel reservations for others. First Use: 2016/02/02. First Use In Commerce: 2016/02/02.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TRIPS" APART FROM THE MARK AS SHOWN.

Description of Mark

The mark consists of a suitcase, with its handle extended upward, situated to the left of the words "Lift Trips" on one line and the next line in smaller font "ELEVATED TRAVEL...INSPIRED BY YOU", with "YOU" underlined, in a free form manner, narrower on the left and wider on the right. The middle panel of the suitcase and "Lift" are in a darker shade than the rest of the mark.

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2016/03/16

Examining Attorney

BROWN, TINA

Attorney of Record

Heidi Rib Brent



LiftTrips

ELEVATED TRAVEL...INSPIRED BY YOU

DESIGN MARK

Serial Number

87038233

Status

REGISTERED

Word Mark

EASTAR JET

Standard Character Mark

No

Registration Number

5299130

Date Registered

2017/10/03

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

EASTAR JET CO., LTD. CORPORATION REPUBLIC OF KOREA Airport official
1st Fl. (Gunsan Airport 2, Sandong-gil, Okseo-myeon Gunsan-si,
Jeollabuk-d REPUBLIC OF KOREA 54168

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Transport of
travelers; International complex transportation, namely,
transportation of passengers and goods by air; Rental of
transportation devices and equipment, namely aircraft, for the
transportation of passengers and goods by air; Transportation agency
services, namely, making reservations and bookings for transportation;
Transport reservation; Transportation information; Transport
brokerage; Air traffic control services; Towing of airplanes; Aircraft
leasing; Air transport services agency; Air cargo transport services;
Stevedoring air cargo services; Warehousing; Rental of warehouses;
Storage of aircraft; Storage of cargo services; Coordinating travel
arrangements for individuals and for groups; Travel guide services;
Escorting of travelers; Transport services for sightseeing tours;
Organization of transportation for excursions, day trips and
sightseeing tours; Travel transportation reservation services; Booking
of seats for travel; Package holiday services, namely, arranging

transportation arrangements of packages; Arranging of overseas transportation; Airport baggage handling, namely, airport baggage check-in services. First Use: 2009/01/07. First Use In Commerce: 2015/10/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JET" APART FROM THE MARK AS SHOWN.

Description of Mark

The mark consists of the words "EASTAR" and "JET" in stylized font with a four-point star between the two literal elements.

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2016/05/16

Examining Attorney

CARLYLE, SHAUNIA

Attorney of Record

David Ludwig

EASTAR JET

DESIGN MARK

Serial Number

86510147

Status

THIRD EXTENSION - GRANTED

Word Mark

LUNA PETUNIA

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

SCG LUNA PETUNIA LLC LIMITED LIABILITY COMPANY DELAWARE 10100 SANTA MONICA BLVD., SUITE 500 LOS ANGELES CALIFORNIA 90067

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, transmission or reproduction of sound or images; Mechanisms for coin-operated apparatus; Cash registers, calculating machines, data processing equipment, computers; video game cartridges; computer game programs, cartridges and discs; downloadable computer game programs; interactive game programs; interactive game software; video game programs for mobile devices, personal computers, consoles, and tablets; downloadable electronic game programs; electronic game software; protective carrying cases specifically adapted for wireless telephones, MP3 players, digital cameras, personal digital assistants and handheld computers; cameras; digital cameras; prerecorded CDs and DVDs featuring animated entertainment for children and music; downloadable audio and video recordings featuring animated entertainment for children and music; eyewear, namely, sunglasses, eyeglasses and ophthalmic frames and cases therefor; and eyewear accessories, namely, straps, neck cords and head straps which restrain eyewear from movement on a wearer; radios; microphones; binoculars; compasses; telescopes; decorative magnets; bicycle helmets; children's handheld electronic device adapted for use as an interactive eBook reader, video player and recorder; tablet computers; children's tablet computer.

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S: Land vehicles; scooters; bicycles; tricycles; small wagons for children; children's car seats.

Goods/Services

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050. G & S: Bookbinding material; photographs; adhesives for stationery or household purposes; artists' materials, namely, pastels, chalk, drawing ink, drawing pads, craft paper, modeling clay, easels, canvases for painting; paint brushes; typewriters and office requisites except furniture, namely, staplers, staple removers, staples, rubber bands, pencil sharpeners, binder clips, paper clips; plastic materials for packaging, namely, plastic bags, plastic film; printers' type; printing blocks; writing paper; stationery; paper party decorations; decorative paper centerpieces; paper napkins; paper party bags; paper table cloths; posters; printed certificates; children's activity books; binders; envelopes; printed invitations; memo pads; notebooks; coloring books; books featuring stories for children; pens and pencils; pen and pencil boxes and cases; erasers; markers; crayons; greeting cards and stickers; magazines featuring stories and activities for children; calendars; wrapping paper; paper cake decorations.

Goods/Services

Class Status -- ACTIVE. IC 018. US 001 002 003 022 041. G & S: Trunks and travelling bags; umbrellas and parasols; walking sticks; whips, harness and saddlery; bags, namely, beach bags, book bags, belt bags, diaper bags, hip bags, overnight bags, messenger bags, shoulder bags, all-purpose sport bags, athletic bags, tote bags; backpacks; knapsacks; wallets; purses; luggage; coin purses.

Goods/Services

Class Status -- ACTIVE. IC 021. US 002 013 023 029 030 033 040 050. G & S: Combs; brushes, namely, hair brushes, bath brushes and nail brushes; beverage glassware; porcelain and earthenware mugs; bath accessories, namely, soap dishes and toothbrush holders; toothbrushes; plates; cups; bowls; lunchboxes; thermal insulated containers for food or beverages.

Goods/Services

Class Status -- ACTIVE. IC 024. US 042 050. G & S: Bed covers; plastic and textile table covers; bed sheets; blankets; comforters; towels; curtains; throws.

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Footwear; warm up suits; jogging suits; sweat suits; sweat pants; sweat shirts; body suits; swimwear; bathing suits; beach and bathing cover-ups; gym shorts; tops; shirts; jerseys; pajamas; robes; scarves; sport shirts; T-shirts; knit shirts; polo shirts; pullovers; sweaters; vests; tank tops; jumpsuits; playsuits; jackets; overcoats; parkas; wind resistant

jackets; leather jackets; athletic footwear; boots; slippers; sleepwear; loungewear, underwear, briefs, underpants; boxer shorts; undershirts; hats; headwear; hosiery, socks, tights, knee-highs, slipper socks, leg warmers, novelty socks; gloves; mittens; bowties; belts for clothing; and Halloween costumes.

Goods/Services

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S:
Decorations for Christmas trees; toys, games, playthings, and sporting goods, namely, basketball backboards; toy scooters; skateboards and skateboard bags; bendable play figures and accessories therefor; toy action figures and accessories therefor; sports board games; balls, namely, balls for games; basketballs; playground balls; rubber balls; sports balls; foam action balls; toy hoop sets; toy banks; toy watches; bath tub toys; children's multiple activity toys; toy magic tricks; water squirting toys; wind-up toys; squeeze toys; jump ropes; sling shots; toy walkie-talkies; action skill games; talking dolls; toy 3-D viewers and reels; board games; card games; hand held units for playing electronic games; stand alone videogame machines and programs therefor sold as a unit; electronic game equipment with a watch function; hand held LCD game machines; coin and non-coin operated game tables; pinball machines and pinball-type games; jigsaw puzzles; manipulative puzzles; mechanical action toys; battery-operated action toys; puppets; dolls; playsets for dolls; doll clothing; doll costumes; children's play cosmetics; role playing games; action-type target shooting game sets comprising toy gun, toy suction darts and target; toy weapons; squirt guns; kites; plastic party favors in the nature of small toys and noisemakers; balloons; stuffed and plush toys; latex squeeze toy figures; musical toys; inflatable bath toys; swimming and inflatable ride-in toys; toy vehicles; transforming robotic toy vehicles; non-motorized ride-in toys; inflatable play swimming pools; toy play houses and toy play tents; surf boards, kick board floatation devices, body boards and leashes therefor for recreational use; toy sand boxes and sand toys; snow sleds, toboggans, snow saucers and snow boards for recreational use; toy building blocks; mobiles for children; Christmas tree ornaments that are neither confectionery nor illuminated; toy craft kits comprising molds and mouldings for making toy figures; plastic action figure models; flying discs; pet toys; marbles; yo-yos; and playing cards; paper party hats; video game machines adapted for use with television receivers; ride-on toys; toy bows and arrows; knee pads for athletic use; elbow pads for athletic use; talking toys; children's handheld electronic device adapted for use as a video game player.

Foreign Country Name

ERPN CMNTY TM OFC

Foreign Priority

FOREIGN PRIORITY CLAIMED

Print: Nov 29, 2017

86510147

Foreign Application Number

013237921

Foreign Filing Date

2014/08/09

Foreign Registration Number

013237921

Foreign Registration Date

2015/05/24

Foreign Expiration Date

2024/09/08

Filing Date

2015/01/21

Examining Attorney

PHILLIPS WENDELL

Attorney of Record

Scott Rosenbaum

LUNA PETUNIA

DESIGN MARK

Serial Number

87132160

Status

FINAL REFUSAL - MAILED

Word Mark

LUNACYCLE

Standard Character Mark

Yes

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Luna Cycles CORPORATION CALIFORNIA 3739 Balboa street #227 San Francisco CALIFORNIA 94121

Goods/Services

Class Status -- ACTIVE. IC 008. US 023 028 044. G & S: Hand tools for repair and maintenance of bicycles. First Use: 2012/09/01. First Use In Commerce: 2012/09/01.

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Lithium ion batteries; electric bicycle controllers. First Use: 2012/09/01. First Use In Commerce: 2012/09/01.

Goods/Services

Class Status -- ACTIVE. IC 012. US 019 021 023 031 035 044. G & S: Bicycle frames for electric bicycles; Electric bicycles; Electric bicycle parts, namely, brake sensors, electric bicycle motors, electric bicycle mid-drives, bicycle sprockets. First Use: 2012/09/01. First Use In Commerce: 2012/09/01.

Filing Date

2016/08/09

Examining Attorney

COLLINS, ALICIA

Attorney of Record

Ruth Khalsa

LUNACYCLE

To: Zoox, Inc. (trademarks@leehayes.com)
Subject: U.S. TRADEMARK APPLICATION NO. 87579093 - LUNA - Z019-0124TMU
Sent: 11/29/2017 6:35:53 PM
Sent As: ECOM101@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **11/29/2017** FOR U.S. APPLICATION SERIAL NO. 87579093

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **11/29/2017** (*or sooner if specified in the Office action*). A response transmitted through the Trademark Electronic Application System (TEAS) must be received before midnight **Eastern Time** of the last day of the response period. For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the TEAS response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that

closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay “fees.”

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the “United States Patent and Trademark Office” in Alexandria, VA; or sent by e-mail from the domain “@uspto.gov.” For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.