

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: EL TORO

Applicant: Mercury Fu Bao CO., Ltd.

Serial Number: 88/048,644

Office Action Date: December 4, 2018

Examining Attorney: Katherine Ferrell, Law Office 126

# EXHIBIT

# A



Trademarks > Trademark Electronic Search System (TESS)

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# TORO

Word Mark TORO

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer hardware and software for electronically trading securities; software for trading in fixed income and derivatives and commodity and commodity derivative products; computer hardware and software for electronic trading and post-trade routing and processing; computer hardware and software to allow users to perform electronic business transactions via a global computer network; computer hardware and software used for capture and dissemination of trade related data and trade confirms in connection with post-trade services in the financial markets; computer hardware and software used for capture and matching of trade related data and trade confirms; computer hardware and software for facilitation of transaction settlement services and netting and trade allocation services, for trade and account reconciliation services, for trade confirmation services and messaging services relating to post-trade activities; computer hardware and software for facilitation of credit services and calculation and monitoring of credit limits and credit utilization; communications hardware, namely, network routers and switches and software for voice trading, namely, for the transmission, reception and capture of trading instructions via voice; communications hardware and software for voice-trading for trading in financial derivative, commodity and commodity derivative products; computer hardware and software for hybrid voice and electronic trading, namely, for the transmission, reception and capture of trade related data and confirms; computer hardware and software for hybrid voice and electronic trading for conducting trading in securities, fixed income and derivatives, commodity and commodity derivative products; computer software and hardware for settling fixed income and derivatives transactions. electronic publications downloadable in the nature of trade related data and analysis reports, technical and operational guides all in the field of electronic trading of financial products from the Internet, extranets or other communications networks. FIRST USE: 20140102. FIRST USE IN COMMERCE: 20140102

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86160092

Filing Date January 8, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition July 8, 2014

Registration Number 4608792

Registration Date September 23, 2014

Owner (REGISTRANT) StreamingEdge, Inc CORPORATION NEW JERSEY 255 Greenwich Street 4th floor new york NEW YORK 10007 (REGISTRANT) Nweke, Wilson INDIVIDUAL UNITED STATES 255 Greenwich street NEW YORK NEW YORK 10007

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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# TORO

Word Mark TORO

Translations The English translation of the word "TORO" in the mark is "BULL".

Goods and Services IC 009. US 021 023 026 036 038. G & S: [ Apparatus, instruments and software for recording, reproducing and transmitting sound and visual information or recordings namely, ] speakers, amplifiers, signal processors, and signal transmitters and software for operating speakers, amplifiers, signal processors, and signal transmitters \* unrelated to irrigation systems or landscape maintenance, creation or beautification equipment \*. FIRST USE: 20090100. FIRST USE IN COMMERCE: 20090100

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85625024

Filing Date May 14, 2012

Current Basis 1A

Original Filing Basis 1A

Published for August 28, 2012

Opposition

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 4242090

Registration Date November 13, 2012

Owner (REGISTRANT) Massive Audio, Inc. CORPORATION CALIFORNIA P.O. Box 252004 Los Angeles CALIFORNIA 90025

Attorney of Record Dean W. Amburn

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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# TORO

**Word Mark** TORO

**Translations** The English translation of "TORO" in the mark is "BULL".

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Thermal transfer printers for creating signs and labels on polymeric media supplied in rolls. FIRST USE: 20110524. FIRST USE IN COMMERCE: 20110524

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85339658

**Filing Date** June 7, 2011

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** May 8, 2012

**Registration Number** 4178026

**Registration Date** July 24, 2012

**Owner** (REGISTRANT) Graphic Products, Incorporated DBA Graphic Products CORPORATION OREGON GP Legal #129825 SW Sunshine Ct. 5 Beaverton OREGON 97005

**Attorney of Record** Caleb J. Mayfield

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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# el Toro

**Word Mark** EL TORO

**Translations** The English translation of "EL TORO" in the mark is "THE BULL".

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Fiber optic cables; Fiber optics; Optical fiber cables; Optical fibers; Optical fibres. FIRST USE: 20111130. FIRST USE IN COMMERCE: 20111130

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85485178

**Filing Date** December 1, 2011

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** November 6, 2012

**Registration Number** 4356262

**Registration Date** June 25, 2013

**Owner** (REGISTRANT) Total Vein Solutions LLC DBA Total Vein Systems LIMITED LIABILITY COMPANY TEXAS 901 Yale Street Houston TEXAS 77008

**Attorney of Record** John K. Buche

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# Typed Drawing

**Word Mark** TORO

**Goods and Services** IC 006 007 008 009 011 012 016 021 028. US 023. G & S: MACHINES FOR GRADING, LEVELING, SCARIFYING, [ SLICING, ] AERATING, [ SEEDING, ] FERTILIZING, ROLLING, AND RAKING. FIRST USE: 19710500. FIRST USE IN COMMERCE: 19710500

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 72414266

**Filing Date** February 1, 1972

**Current Basis** 1A

**Original Filing Basis** 1A

**Registration Number** 0961987

**Registration Date** June 26, 1973

**Owner** (REGISTRANT) TORO COMPANY, THE CORPORATION MINNESOTA 8111 LYNDALE AVE. S. MINNEAPOLIS MINNESOTA 55420  
(LAST LISTED OWNER) TORO COMPANY, THE CORPORATION BY MERGER WITH DELAWARE 8111 LYNDALE AVENUE SOUTH BLOOMINGTON MINNESOTA 55420

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Linda M. Byrne

**Prior Registrations** 0529845;0894142;AND OTHERS

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130531.

**Renewal** 3RD RENEWAL 20130531

**Live/Dead Indicator** LIVE

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**Word Mark** TORO

**Goods and Services** IC 006 007 008 009 011 012 016 021 028. US 023. G & S: GRASS CUTTING MACHINERY- NAMELY, [ ENGINES FOR POWER LAWN MOWERS, SELF PROPELLED POWER PLANTS FOR PULLING LAWN MOWERS, ] GANG LAWN MOWERS [ , HAND LAWN MOWERS, ] AND SELF-CONTAINED POWER MOWERS. FIRST USE: 19140700. FIRST USE IN COMMERCE: 19140700

**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Serial Number** 71570008

**Filing Date** December 4, 1948

**Current Basis** 1A

**Original Filing Basis** 1A

**Registration Number** 0529845

**Registration Date** August 29, 1950

**Owner** (REGISTRANT) TORO MANUFACTURING CORPORATION CORPORATION MINNESOTA 3042 SNELLING AVENUE MINNEAPOLIS MINNESOTA  
  
(LAST LISTED OWNER) TORO COMPANY, THE CORPORATION BY CHANGE OF NAME FROM DELAWARE 8111 LYNDALE AVE., SO. MINNEAPOLIS MINNESOTA 55420

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Linda M. Byrne

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECTION 8(10-YR) 20110111.

**Renewal** 4TH RENEWAL 20110111

**Live/Dead Indicator** LIVE

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TORO ROSSO

Word Mark TORO ROSSO

Translations The English translation of "TORO ROSSO" in the mark is "red bull".

Goods and Services IC 014. US 002 027 028 050. G & S: Precious metals and their alloys; goods in precious metals and their alloys, included in this class, namely, craft objects in the nature of pendants, medals, ornamental pins, and jewelry charms, decorative objects in the nature of figurines of precious metal and ornaments of precious metal in the nature of jewelry, keyrings of precious metal; badges of precious metal; jewelry including rings of precious metals, precious stones, including costume jewelry, cufflinks and tie pins; horological and chronometrical instruments; wrist watches and watch straps; clock cases; cases for the aforesaid goods, namely, jewelry cases and cases for watches and clocks

IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper, cardboard and goods made from these materials, included in this class, namely, paper towels, table napkins, filter paper, handkerchiefs of paper, toilet paper, packaging of paper or cardboard, in the nature of boxes, cartons, storage containers, and packaging containers made of paper or cardboard; packaging containers and bags in the nature of envelopes and pouches of paper or plastic, for packaging; printed matter, namely, leaflets and brochures in the field of sports, entertainment, culture, lifestyle, news, events, fitness, athletic competitions, athletic training and conditioning, and energy drinks, and folders; bookbinding material; photographs; posters, transparencies, flags of paper; signboards of paper and cardboard; clipboards; stationery; iron-on transfers, stickers; labels, namely, iron-on paper labels not of textile; adhesives for stationery or household purposes; artists' materials, namely, drawing, painting and modeling materials in the nature of drawing instruments, painting tablets, and modeling compounds; paint brushes; typewriters and office requisites, except furniture, namely, magnetic boards, file folders, punches, and staplers; instructional and teaching material, except apparatus, namely, printed instructional and teaching materials in the field of sports, entertainment, culture, lifestyle, news, events, fitness, athletic competitions, athletic training and conditioning, and energy drinks; plastic materials for packaging, included in this class, namely, plastic bags for packaging, plastic film for packaging, plastic bubble packs for wrapping or packaging, and plastic foils; printers' type; printing blocks; writing slates and black boards; writing and drawing implements, namely, writing implements and drawing instruments; self-adhesive plastic films for decorative purposes, namely, decals; money clips

IC 043. US 100 101. G & S: Services for providing food and drink, including bar services, cafes, cafeterias, canteens, snack bars, restaurants, self-service restaurants; food and drink catering; temporary accommodation including hotels, boarding houses, holiday camps, tourist homes, motels; temporary accommodation reservations; boarding for animals; rental of transportable buildings, bars and tents; rental of chairs, tables, table linen, glassware and bar equipment

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 79139364

Filing Date August 24, 2012

Current Basis 66A

Original Filing Basis 66A

Published for Opposition August 5, 2014

Registration Number 4622999

International Registration 1183971

**Number**  
**Registration Date** October 21, 2014  
**Owner** (REGISTRANT) Red Bull GmbH LIMITED LIABILITY COMPANY AUSTRIA Am Brunnen 1 A-5330 Fuschl am See AUSTRIA  
**Attorney of Record** Joseph V. Myers III  
**Prior Registrations** 3763417;3935775;3967592;AND OTHERS  
**Description of Mark** Color is not claimed as a feature of the mark.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**Word Mark** TUCSON TOROS

**Translations** The English translation of the word "TOROS" in the mark is BULLS.

**Goods and Services** IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper goods and printed matter, namely, program guides and media guide books relating to baseball, posters, stickers, baseball trading cards, bumper stickers all relating to baseball. FIRST USE: 20090315. FIRST USE IN COMMERCE: 20090315

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 01.15.05 - Smoke; Steam; Vapor  
03.07.01 - Cattle; Oxen, cows, calves, bulls; Steers

**Trademark Search Facility Classification Code** ANI-MAMM Mammalia;accuracte depiction of warm-blooded animals except for human beings  
INAN Inanimate objects such as lighting,clouds,footprints,atomic configurations,snowflakes,rainbows,flames

**Serial Number** 76695584

**Filing Date** February 3, 2009

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** December 22, 2009

**Registration Number** 3814870

**Registration Date** July 6, 2010

**Owner** (REGISTRANT) TUCSON TOROS, LLC LIMITED LIABILITY COMPANY ARIZONA 2919 E. Broadway Blvd., #200 Tucson ARIZONA 85716

**Attorney of Record** Gina Torres-Vanasse

**Prior Registrations** 3076617;3141241;3147886

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TUCSON" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The present mark is presented with a bull in the charging stance with bellowing steam coming from its nostrils with the word "TUCSON" appearing above the word "TOROS" in block lettering.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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# TORO ROSSO

Word Mark TORO ROSSO

Translations The English translation of "TORO ROSSO" in the mark is "RED BULL".

Goods and Services IC 035. US 100 101 102. G & S: Advertising services, namely, providing advertising space on a racing car, and on uniforms of racing team members, participating in automobile racing events and exhibitions. FIRST USE: 20060312. FIRST USE IN COMMERCE: 20060702

IC 041. US 100 101 107. G & S: Entertainment services in the nature of professional athletes participating in professional automobile races and automobile racing exhibitions; sporting activities, namely, entertainment in the nature of professional athletes participating in automobile races; entertainment services, namely, operating racing and sporting teams in the motorsport sector; information relating to sports provided online; providing a website featuring auto racing car, driver, team, event, and factory news and information. FIRST USE: 20060408. FIRST USE IN COMMERCE: 20060408

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 87586782

Filing Date August 28, 2017

Current Basis 1A

Original Filing Basis 1A

Published for Opposition February 20, 2018

Registration Number 5463058

Registration Date May 8, 2018

Owner (REGISTRANT) Red Bull GmbH LIMITED LIABILITY COMPANY AUSTRIA Am Brunnen 1 A-5330 Fuschl am See AUSTRIA

Attorney of Record Joseph V. Myers III

Prior Registrations 3935775;3967592;4622999;AND OTHERS

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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# TORO taxes

**Word Mark** TORO TAXES

**Translations** The English translation of "TORO" in the mark is "BULL".

**Goods and Services** IC 035. US 100 101 102. G & S: Income tax consultation; Income tax preparation; Management of tax files; Tax and taxation planning, advice, information and consultancy services; Tax consultation; Tax filing services; Tax preparation; Tax preparation services provided via IN-PERSON. FIRST USE: 20091102. FIRST USE IN COMMERCE: 20091102

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 86360745

**Filing Date** August 7, 2014

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** March 3, 2015

**Registration Number** 4738068

**Registration Date** May 19, 2015

**Owner** (REGISTRANT) TORO TAX FRANCHISING LLC LIMITED LIABILITY COMPANY NEVADA 1800 E. SAHARA AVE. STE. 106 LAS VEGAS NEVADA 89104

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** C. MICHAEL RASMUSSEN

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TAXES" APART FROM THE MARK AS SHOWN

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**Word Mark** TORO

**Goods and Services** IC 035. US 100 101 102. G & S: Providing on-line product information via a web site concerning outdoor landscape maintenance equipment, parts and supplies. FIRST USE: 19960728. FIRST USE IN COMMERCE: 19960728

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 26.11.21 - Rectangles that are completely or partially shaded

**Serial Number** 75387174

**Filing Date** November 10, 1997

**Current Basis** UNKNOWN

**Original Filing Basis** 1B

**Published for Opposition** March 2, 1999

**Registration Number** 2333655

**Registration Date** March 21, 2000

**Owner** (REGISTRANT) Toro Company, The CORPORATION DELAWARE Legal Department 8111 Lyndale Avenue South Bloomington MINNESOTA 55420

**Attorney of Record** Linda M. Byrne

**Prior Registrations** 0529845;0755846;0769393;0894142;0944516;0961987;1097952;1109798;1137331; 1150168;1154592;1156106;1180886;1205656;1224513;1287819;1456174;1456175; 1530931;1681922;1750030;2017726;2021069;2022145;2022147;2022219;AND OTHERS

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100709.

**Renewal** 1ST RENEWAL 20100709

**Live/Dead Indicator** LIVE

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# TORO

**Word Mark** TORO

**Goods and Services** IC 035. US 100 101 102. G & S: Providing on-line product information via a web site concerning outdoor landscape maintenance equipment, parts and supplies. FIRST USE: 19960728. FIRST USE IN COMMERCE: 19960728

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 75387168

**Filing Date** November 10, 1997

**Current Basis** UNKNOWN

**Original Filing Basis** 1B

**Published for Opposition** March 2, 1999

**Registration Number** 2336569

**Registration Date** March 28, 2000

**Owner** (REGISTRANT) Toro Company, The CORPORATION DELAWARE Legal Department 8111 Lyndale Avenue South Bloomington MINNESOTA 55420

**Attorney of Record** Linda M. Byrne

**Prior Registrations** 0529845;0755846;0769393;0894142;0944516;0961987;1097952;1109798;1137331;1150168;1154592;1156106;1180886;1205656;1224513;1287819;1456174;1456175;1530931;1681922;1750030;2017726;2021069;2022145;2022219;AND OTHERS

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100709.

**Renewal** 1ST RENEWAL 20100709

**Live/Dead Indicator** LIVE

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# Typed Drawing

**Word Mark** TORO

**Goods and Services** IC 035. US 101. G & S: Rendering Technical Aid in the Establishment and Operation of Retail Store Services in the Field of Powered Lawn Mowers, Tillers, and Snow Throwers. FIRST USE: 19480000. FIRST USE IN COMMERCE: 19480000

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 73256324

**Filing Date** March 31, 1980

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** May 25, 1982

**Registration Number** 1205656

**Registration Date** August 17, 1982

**Owner** (REGISTRANT) Toro Company, The CORPORATION MINNESOTA 8111 Lyndale Avenue South Minneapolis MINNESOTA 55420  
(LAST LISTED OWNER) TORO COMPANY, THE CORPORATION DELAWARE 8111 Lyndale Avenue South Bloomington MINNESOTA 55420

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Linda M. Byrne

**Prior Registrations** 0529845;1109798;AND OTHERS

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130209.

**Renewal** 2ND RENEWAL 20130209

**Live/Dead Indicator** LIVE

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