

ESTTA Tracking number: **ESTTA1092872**

Filing date: **11/03/2020**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Waymo LLC
Granted to Date of previous extension	11/04/2020
Address	1600 AMPHITHEATRE PARKWAY MOUNTAIN VIEW, CA 94043 UNITED STATES
Attorney information	FABRICIO VAYRA AND CRAIG A. BEAKER PERKINS COIE LLP 1201 THIRD AVENUE, SUITE 4900 SEATTLE, WA 98101 UNITED STATES Primary Email: pctrademarks@perkinscoie.com Secondary Email(s): cbeaker@perkinscoie.com, eunicelee@perkinscoie.com 303-291-2300
Docket Number	125595-7047

Applicant Information

Application No.	88821677	Publication date	07/07/2020
Opposition Filing Date	11/03/2020	Opposition Period Ends	11/04/2020
Applicant	Viracle Co., Limited FAYUEN COMM BLDG NO.76-77 FA YUEN STREET KL HK, 999077 CHINA		

Goods/Services Affected by Opposition

Class 009. First Use: 2019/12/05 First Use In Commerce: 2019/12/05
All goods and services in the class are opposed, namely: Car video recorders; Car videorecorders; Dashboard cameras; LCD monitors for security purposes; Rearview cameras for vehicles; Theft alarms; Ultrasonic object detectors for use on vehicles; Vehicle locating, tracking and security system comprised of an antenna and radio transmitter to be placed in a vehicle; Vehicle locator and recovery device programmed to use global positioning systems (GPS) and cellular telecommunications; Vehicle mounted GPS sensor for determining the rate of motion for a vehicle; Vehicle safety equipment, namely, back-up sensors and cameras; Vehicle safety equipment, namely, electronic tire pressure monitors; Vehicle safety equipment, namely, electronic vibration, shock, motion, angle, temperature and voltage monitors; Vehicle safety equipment, namely, an on-board vehicular surveillance system comprised of cameras and monitors for exposing and eliminating the blind spots on both sides of the vehicle

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	5908535	Application Date	01/23/2017
Registration Date	11/12/2019	Foreign Priority Date	NONE
Word Mark	WAYMO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2019/03/06 First Use In Commerce: 2019/03/06 Radar apparatus; lasers, not for medical purpose; laser device for sensing distance to objects; laser equipment for non-medical purposes; laser measuring systems; laser object detectors for use on vehicles; lasers for measuring purposes; lidar (light detection and ranging apparatus)		

U.S. Registration No.	6119762	Application Date	12/10/2018
Registration Date	08/04/2020	Foreign Priority Date	NONE
Word Mark	WAYMO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2017/08/22 First Use In Commerce: 2017/08/22 Eyewear Class 018. First use: First Use: 2019/10/28 First Use In Commerce: 2019/10/28 Bags, namely, all-purpose carrying bags Class 021. First use: First Use: 2019/06/21 First Use In Commerce: 2019/06/21 Mugs; water bottles sold empty Class 022. First use: First Use: 2017/00/00 First Use In Commerce: 2017/00/00 Lanyards for holding badges Class 025. First use: First Use: 2017/07/00 First Use In Commerce: 2017/07/00 Apparel, namely, t-shirts, shirts, jackets, sweatshirts, vests, hats, scarves, one piece garments and playsuits for infants, toddlers, and children		

U.S. Application No.	87265179	Application Date	12/12/2016
Registration Date	NONE	Foreign Priority Date	11/16/2016
Word Mark	WAYMO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2018/12/05 First Use In Commerce: 2018/12/05 Computer hardware; computer software for operating an autonomous vehicle;		

	<p>computer software for vehicle navigation; computer software for vehicle fleet management; computer software for coordinating, scheduling, booking, and dispatching vehicles for passenger and freight transport; computer software for managing freight transportation by truck and autonomous vehicles; navigation apparatus for vehicles; electric and optical navigational instruments; steering apparatus, automatic, for vehicles, namely, computer hardware and operational software for steering vehicles</p> <p>Class 012. First use: First Use: 2018/12/05 First Use In Commerce: 2018/12/05 Land vehicles; automobiles; autonomous cars; autonomous land vehicles; steering apparatus, automatic, for vehicles, namely, electric steering gears</p> <p>Class 038. First use: First Use: 2018/12/05 First Use In Commerce: 2018/12/05 Telecommunication services, namely, telecommunication access services; telecommunication services, namely, routing calls and messages to passengers</p> <p>Class 039. First use: First Use: 2018/12/05 First Use In Commerce: 2018/12/05 Passenger transportation services; transportation services, namely, making reservations and bookings for transportation; transportation of passengers by vehicle; transportation services, namely, providing temporary use of vehicles; transportation services, namely, providing vehicle fleet management in the nature of fuel management services for vehicles, vehicle management, business management relating to vehicles, and tracking, locating, and monitoring services related to vehicles; passenger transportation services, namely, travel by autonomous vehicles; transport reservation services; freighting services; freight transportation by trucks and autonomous vehicles; transportation of passengers and freight; passenger transport; providing a website featuring information regarding autonomous car transportation services and scheduling transportation services</p> <p>Class 042. First use: First Use: 2016/12/13 First Use In Commerce: 2016/12/13 Providing online non-downloadable software services for transportation services, namely, coordinating, booking, and dispatching autonomous vehicles; providing online non-downloadable software services for coordinating freight transportation by truck and autonomous vehicles; research and development into autonomous vehicles</p>
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U.S. Application No.	87534077	Application Date	07/19/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WAYMO		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Downloadable mobile applications for coordinating transportation services; downloadable mobile applications for coordinating, scheduling, booking, and dispatching vehicles for passenger and freight transport and delivery services; computer software and hardware for vehicle fleet launching, coordination, calibrating, direction, and management; vehicle safety and detection equipment and hardware, namely, cellular radio modules, temperature and environmental sensors for measuring the presence of objects in the environment and the speed, trajectory, and heading of objects, sensor covers, indicators for detecting speed, objects, and the speed, trajectory, and heading of objects, transmitters and receivers of electronic signals, brake controller; vehicle detection equipment in the nature of monitoring devices for vehicles, namely, cameras, global positioning system (GPS) receivers, and devices for monitoring vehicle functions, the presence of objects in the environment, and the speed, trajectory, and head-</p>		

	<p>ing of objects</p> <p>Class 012. First use: First Use: 0 First Use In Commerce: 0 Vehicle parts and fittings, namely, structural parts for automobiles and steering units for land vehicles and parts thereof; vehicle equipment and hardware, namely, roof boxes for vehicles; vehicle anti-theft and security equipment, namely, anti-theft devices for vehicles</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 Freight logistics management; leasing of vehicles; leasing of automobiles; transport and delivery of goods; supply chain logistics and reverse logistic services, namely, storage, transportation, and delivery of goods for others by land; transportation services, namely, coordinating the pickup and dropoff of passengers at designated or directed locations by land</p>
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U.S. Application No.	88358906	Application Date	03/27/2019
Registration Date	NONE	Foreign Priority Date	10/22/2018
Word Mark	WAYMO ONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Downloadable mobile applications for coordinating transportation services; downloadable mobile applications for coordinating, scheduling, booking, and dispatching vehicles for passenger transport and delivery services; downloadable computer software and hardware for vehicle coordination, navigation, steering, calibrating, direction, scheduling, booking, dispatching, and management</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Freight logistics management</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Transportation services, namely, making reservations and bookings for transportation; transportation services, namely, coordinating the pickup and dropoff of passengers at designated or directed locations; transportation of passengers by vehicle; passenger transportation services, namely, travel by autonomous vehicles; freight services; freight transportation by trucks and autonomous vehicles; transport and delivery of goods; providing a website featuring information regarding autonomous car transportation and delivery services and scheduling transportation services</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Providing on-line software services, namely, providing online non-downloadable software for transportation services, namely, coordinating, booking, and dispatching autonomous vehicles; research and development into autonomous vehicles</p>		

U.S. Application No.	88441095	Application Date	05/22/2019
Registration Date	NONE	Foreign Priority Date	11/29/2018
Word Mark	WAYMO HONEYCOMB		
Design Mark			

Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Lasers, not for medical purpose; laser device for sensing distance to objects; laser equipment for non-medical purposes; laser measuring systems; laser object detectors; lasers for measuring purposes; lidar (light detection and ranging apparatus); laser device for sensing objects; laser device for sensing indoor and/or outdoor terrain</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Research, design, and development of lasers for sensing objects and distance to objects, lasers for sensing indoor and outdoor terrain, lasers for measuring purposes, laser measuring systems, lidar (light detection and ranging apparatus), and laser equipment</p>

U.S. Application No.	90031216	Application Date	07/01/2020
Registration Date	NONE	Foreign Priority Date	01/06/2020
Word Mark	WAYMO VIA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Computer hardware; downloadable computer software for operating an autonomous vehicle; downloadable computer software for vehicle navigation; downloadable computer software for vehicle fleet management; downloadable computer software for coordinating, scheduling, booking, and dispatching vehicles for passenger and freight transport; downloadable computer software for managing freight transportation by truck and autonomous vehicles; downloadable computer software for coordinating the transport and delivery of goods; navigation apparatus for vehicles; navigational instruments for vehicles; steering apparatus, automatic, for vehicles, namely, computer hardware and downloadable operational software for steering vehicles; radar apparatus; lasers, not for medical purpose; laser device for sensing distance to objects; laser equipment for non-medical purposes; laser measuring systems; laser object detectors for use on vehicles; lasers for measuring purposes; lidar apparatus; temperature and environmental sensors for measuring the presence of objects in the environment and the speed, trajectory, and heading of objects; vehicle sensors, namely, temperature and environmental sensors for measuring the presence of objects in the environment and the speed, trajectory, and heading of objects; sensors for determining position, velocity, direction, and acceleration; downloadable mobile applications for coordinating transportation services; software for use as an application programming interface (API); downloadable computer software and hardware for vehicle fleet launching, coordination, calibrating, direction, and management; cameras; cameras for use with vehicles; computer hardware and downloadable software for use with vehicle cameras; downloadable computer programs and downloadables software for artificial intelligence (AI), machine learning, and deep learning; downloadable computer programs and downloadable software for intelligent data services using artificial intelligence (AI), machine learning, and deep learning; downloadable computer programs and downloadable software for artificial intelligence (AI), machine learning, and deep learning and for contextual prediction, personalization, and predictive analytics; downloadable computer programs and downloadable software for artificial intelligence (AI), machine learning, and deep learning for processing large volumes of data; downloadable computer software for use as an application programming interface (API); downloadable software development kits (SDK); downloadable</p>		

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