

ESTTA Tracking number: **ESTTA1101173**

Filing date: **12/11/2020**

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	Lyft, Inc.
Granted to Date of previous extension	12/13/2020
Address	185 BERRY STREET, SUITE 5000 SAN FRANCISCO, CA 94107 UNITED STATES
Attorney information	ALYSSA M WORSHAM WILSON SONSINI GOODRICH & ROSATI 650 PAGE MILL ROAD PALO ALTO, CA 94304-1050 UNITED STATES Primary Email: trademarks@wsgr.com 650-493-9300
Docket Number	

Applicant Information

Application No.	88632143	Publication date	06/16/2020
Opposition Filing Date	12/11/2020	Opposition Period Ends	12/13/2020
Applicant	Howard N. Martin 420 BASS HARBOR COURT SIMPSONVILLE, SC 29681 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 2019/09/23 First Use In Commerce: 2019/09/23
All goods and services in the class are opposed, namely: Devices for hands-free use of mobile phones; Stands adapted for mobile phones

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.	4969205	Application Date	02/03/2014
Registration Date	05/31/2016	Foreign Priority Date	NONE

Word Mark	LYFT
Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Business services, namely, providing anonline network for contractors to receive leads and opportunities by means of an online marketplace for the purpose of developing business in the transportation industry; Providing a website featuring an online marketplace for exchanging services with other users; online retail store services featuring toys, pillows, games, and vehicle accessories

U.S. Registration No.	4969206	Application Date	02/03/2014
Registration Date	05/31/2016	Foreign Priority Date	NONE
Word Mark	LYFT		
Design Mark			
Description of Mark	The mark consists of the word "lyft" inlower case letters.		
Goods/Services	Class 035. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Business services, namely, providing anonline network for contractors to receive leads and opportunities by means of an online marketplace for the purpose of developing business in the transportation industry; Providing a website featuring an online marketplace for exchanging services with other users; online retail store services featuring toys, pillows, games, and vehicle accessories		

U.S. Registration No.	6170586	Application Date	07/08/2019
Registration Date	10/06/2020	Foreign Priority Date	NONE
Word Mark	LYFT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2017/01/00 First Use In Commerce: 2017/01/00 Luminous signs using light emitting diodes and electronic controllers to produce real-time and programmable messages and information displays; luminous signs using light emitting diodes and electronic controllers to project data from a mobile device; illuminating equipment for vehicles, namely, LED information displays Class 011. First use: First Use: 2017/01/00 First Use In Commerce: 2017/01/00 Electric luminaries for vehicles; lighting installations, namely, vehicle lights; lights for use in illuminating signs and displays; illuminating equipment forvehicles, namely, electrical lamps		

U.S. Registration No.	6170587	Application Date	07/08/2019
Registration Date	10/06/2020	Foreign Priority Date	NONE
Word Mark	LYFT		
Design Mark			

Description of Mark	The mark consists of the term "LYFT" instylized format.
Goods/Services	Class 009. First use: First Use: 2017/01/00 First Use In Commerce: 2017/01/00 Luminous signs using light emitting diodes and electronic controllers to produce real-time and programmable messages and information displays; luminous signs using light emitting diodes and electronic controllers to project data from a mobile device; illuminating equipment for vehicles, namely, LED information displays Class 011. First use: First Use: 2017/01/00 First Use In Commerce: 2017/01/00 Electric luminaries for vehicles; lighting installations, namely, vehicle lights; lights for use in illuminating signs and displays; illuminating equipment for vehicles, namely, electrical lamps

U.S. Registration No.	4686618	Application Date	10/01/2012
Registration Date	02/17/2015	Foreign Priority Date	NONE
Word Mark	LYFT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Computer software for coordinating transportation services, namely, software for electronic message alerts featuring leads, optimal matches, and matching posts-for services, scheduling, namely, connecting transportation providers with individuals and groups needing rides, the arrangement and booking of transportation, the sending and receiving of electronic messages, engaging in social networking and creating profiles Class 038. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Telecommunications services, namely, routing calls, messages, and push-notifications to transportation providers and riders		

U.S. Registration No.	4698330	Application Date	02/04/2014
Registration Date	03/10/2015	Foreign Priority Date	NONE
Word Mark	LYFT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Transportation of passengers by motorized vehicle; Transportation of passengers by vehicle through a network of transportation providers		

U.S. Registration No.	4698331	Application Date	02/04/2014
Registration Date	03/10/2015	Foreign Priority Date	NONE
Word Mark	LYFT		
Design Mark			
Description of Mark	The mark consists of the word "lyft" in lower case letters.		

Goods/Services	<p>Class 009. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Computer software for coordinating transportation services, namely, software for electronic message alerts featuring leads, optimal matches, and matching posts-for services, scheduling, namely, connecting transportation providers with individuals and groups needing rides, the arrangement and booking of transportation, electronic messages, social networking services and profiles</p> <p>Class 038. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Telecommunications services, namely, routing calls, messages, and push-notifications to transportation providers and riders</p> <p>Class 039. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Transportation of passengers by motorized vehicle; Transportation of passengers by vehicle through a network of transportation providers</p>
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U.S. Registration No.	5389265	Application Date	09/24/2016
Registration Date	01/30/2018	Foreign Priority Date	NONE
Word Mark	UNDERCOVER LYFT		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use: First Use: 2015/09/18 First Use In Commerce: 2015/09/18 Entertainment services in the nature of an ongoing reality based program; Entertainment, namely, a continuing reality based show broadcast over television, Internet and video media, and presented to mobile communication devices via a global computer network and wireless networks</p>		

U.S. Registration No.	5387239	Application Date	01/11/2016
Registration Date	01/23/2018	Foreign Priority Date	NONE
Word Mark	LYFT LINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2014/08/06 First Use In Commerce: 2014/08/06 Computer software for coordinating transportation services, namely, software for electronic message alerts featuring leads, optimal matches, and matching posts-for services, scheduling, namely, connecting transportation providers with individuals and groups needing rides, the arrangement and booking of transportation, electronic messages, social networking services and profiles</p> <p>Class 039. First use: First Use: 2014/08/06 First Use In Commerce: 2014/08/06 Transportation of passengers by motorized vehicle; transportation of passengers by vehicle through a network of transportation providers</p>		

U.S. Registration No.	5272210	Application Date	02/03/2014
Registration Date	08/22/2017	Foreign Priority Date	NONE
Word Mark	LYFT		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 2014/02/17 First Use In Commerce: 2014/02/17 Toys, namely, plush toys, stuffed toys

U.S. Application No.	88492500	Application Date	06/27/2019
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	LYFT RENTALS
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Downloadable computer software for renting and leasing vehicles, coordinating, processing and facilitating vehicle purchase or lease; downloadable computer software for compiling and analyzing vehicle data</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Retail store services featuring vehicle accessories, namely, GPS devices, safety seats for children, apparatus for disabled persons, luggage carriers, key chains, car chargers, toll pass devices, vehicle tow chains, snow tire chains, rope, car jumper, jack stands, vehicle tools</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0 Providing information in the field of insurance for rental vehicles; data compiling and analyzing in the field of insurance; insurance brokerage in the field of insurance for rental vehicles; processing vehicle insurance claims and payment data</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 Vehicle rental and leasing services; reservation services for the rental and leasing of vehicles; reservation services for the rental and leasing of vehicles for others by means of a website; vehicle rental services featuring rental of cars and vehicle accessories, namely, GPS devices, safety seats for children, apparatus for disabled persons, luggage carriers, key chains, car chargers, toll pass devices, vehicle tow chains, snow tire chains, rope, car jumper, jack stands, vehicle tools as a unit; vehicle rental services featuring rental of cars as well as providing vehicle accessories, namely, GPS devices, safety seats for children, apparatus for disabled persons, luggage carriers, key chains, car chargers, toll pass devices, vehicle tow chains, snow tire chains, rope, car jumper, jack stands, vehicle tools as part of the vehicle rental; providing information in the field of vehicle rental and leasing</p>
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U.S. Application No.	87254350	Application Date	12/01/2016
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	LYFT
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Computer software for coordinating transportation, freight and delivery services by autonomous vehicles; computer software for electronic message alerts and notifications for transportation, freight and delivery services by autonomous vehicles; computer software for leasing or renting cars, facilitating vehicle in-</p>
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