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	Uber Technologies, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	1515 3RD STREET SAN FRANCISCO, CA 94158 UNITED STATES		

Attorney information	ANDREW P. BRIDGES FENWICK & WEST LLP 801 CALIFORNIA STREET SILICON VALLEY CENTER MOUNTAIN VIEW, CA 94041 UNITED STATES Primary Email: trademark@fenwick.com 6509888500
Docket Number	34819-71659

Applicant Information

Application No.	90075333	Publication date	04/06/2021
Opposition Filing Date	05/03/2021	Opposition Period Ends	05/06/2021
Applicant	Uber Herbs, LLC 633 W. 5TH STREET FL 26 LOS ANGELES, CA 90071 UNITED STATES		

Goods/Services Affected by Opposition

Class 005. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Herbs for medicinal purposes solely derived from cannabis with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
No bona fide intent to use mark in commerce for identified goods or services	Trademark Act Section 1(b), 44(e) or 66(a)
Dilution by blurring	Trademark Act Sections 2 and 43(c)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrep-	Trademark Act Section 2(a)

ute	
Other	common law rights

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3977893	Application Date	11/05/2010
Registration Date	06/14/2011	Foreign Priority Date	NONE
Word Mark	UBER		
Design Mark	**UBER**		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2010/10/28 First Use In Commerce: 2010/10/28 Computer software for coordinating transportation services, namely, software for the automated scheduling and dispatch of motorized vehicles Class 038. First use: First Use: 2010/10/28 First Use In Commerce: 2010/10/28 Telecommunications services, namely, routing calls, SMS messages, and push-notifications to local third-party motorizedvehicle dispatchers in the vicinity of the caller using mobile phones Class 039. First use: First Use: 2010/10/28 First Use In Commerce: 2010/10/28 Providing a website featuring information regarding transportation services and-bookings for transportation services Class 042. First use: First Use: 2010/10/28 First Use In Commerce: 2010/10/28 Providing temporary use of online non-downloadable software for providing transportation services, bookings for transportation services and dispatching motorized vehicles to customers		

U.S. Registration No.	4837495	Application Date	02/20/2014
Registration Date	10/20/2015	Foreign Priority Date	NONE
Word Mark	UBERX		

Design Mark	
	UBERX
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2012/07/04 First Use In Commerce: 2012/07/04
	Computer software for coordinating transportation services, namely, software for the automated scheduling and dispatch of motorized vehicles
	Class 038. First use: First Use: 2012/07/04 First Use In Commerce: 2012/07/04
	Telecommunications services, namely, routing calls, SMS messages, and push-notifications to local third-party motorizedvehicle operators in the vicinity of the caller using mobile phones
	Class 039. First use: First Use: 2012/07/04 First Use In Commerce: 2012/07/04
	Providing a website featuring information regarding transportation services and-bookings for transportation services; transport by motorized vehicles; travel arrangement, namely, arranging vehicle transportation
	Class 042. First use: First Use: 2012/07/04 First Use In Commerce: 2012/07/04
	Providing temporary use of online non-downloadable software for providing transportation services, bookings for transportation services and for dispatching motorized vehicles to customers; design anddevelopment of computer software

U.S. Registration No.	5042023	Application Date	02/20/2015
Registration Date	09/13/2016	Foreign Priority Date	NONE
Word Mark	UBER EATS		
Design Mark	UBER EATS		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2015/12/09 First Use In Commerce: 2015/12/09		
	Computer software for engaging and coordinating transportation services; computer software for engaging and coordinating delivery services		
	Class 035. First use: First Use: 2016/06/09 First Use In Commerce: 2016/06/09		
	Advertising and promotional services; business management; business administration; business administration in the field of transport and delivery; business management services in the field of transport and delivery; computerized food and grocery ordering services; computerized ordering service featuring consumer goods of others, food, and groceries; on-line ordering service featuring consumer goods of others, food, and groceries; office functions; on-line retail store services featuring consumer goods of others, food, and groceries; on-line grocery store services; comparison shopping services; monitoring, managing and tracking of package shipments; monitoring and tracking of package shipments to ensure on-time delivery for business purposes; business management		

	consulting services in thefield of transportation and delivery; providing a web-based system and online portals in the field of consumer-to-business commerce for consumers to enter, manage and modify their consumer preferenceinformation for use by merchants to create and manage offers for delivery to consumers
	Class 038. First use: First Use: 2015/12/09 First Use In Commerce: 2015/12/09
	Telecommunications services, namely, routing calls, SMS messages, and push-notifications to local third-party motorizedvehicle operators and food and grocery delivery agents in the vicinity of the caller using mobile phones; telecommunication services, namely, routing calls, SMS messages and push-notifications to retail and delivery services; telecommunications
	Class 039. First use: First Use: 2015/12/09 First Use In Commerce: 2015/12/09
	Providing a website featuring information regarding delivery services and bookings for delivery services; transport; packaging and storage of goods; food delivery; parcel delivery; transport and delivery of goods; message delivery; express-delivery of goods by vehicles; providing information concerning collection and delivery of assets in transit; delivery services; temporary storage of deliveries; transportation and delivery services by road; providing information and tracking information to third parties regarding pickup and delivery status via Internet access and telephone; follow-up services, namely, providing electronic tracking of packages to others
	Class 042. First use: First Use: 2016/06/09 First Use In Commerce: 2016/06/09
	Providing temporary use of online non-downloadable software for providing transportation and delivery services, bookings for transportation and delivery services and for dispatching motorized vehicles to customers; design and development of computer software

U.S. Registration No.	5670781	Application Date	05/29/2015
Registration Date	02/05/2019	Foreign Priority Date	NONE
Word Mark	UBERPOOL		
Design Mark	UBERPOOL		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2014/08/04 First Use In Commerce: 2014/12/02		
	Computer software for coordinating transportation services, namely, software for the automated scheduling and dispatch of motorized vehicles; computer softwarefor use by motorized vehicle operators and passengers and potential passengers for ridesharing		
	Class 039. First use: First Use: 2014/08/04 First Use In Commerce: 2014/12/02		
	Providing a website featuring information regarding transportation services andbookings for transportation services; transport, packaging and storage of goods; travel arrangement for others		
	Class 042. First use: First Use: 2014/08/04 First Use In Commerce: 2014/12/02		

| | Providing temporary use of online non-downloadable software for providing transportation services, bookings for transportation services and for dispatching motorized vehicles to customers; providing temporary use of online non-downloadablesoftware for use by motorized vehicle operators and passengers and potential passengers for ridesharing |

U.S. Registration No.	5704139	Application Date	07/24/2017
Registration Date	03/19/2019	Foreign Priority Date	NONE
Word Mark	UBER PRESENTS		
Design Mark	UBER PRESENTS		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2017/04/21 First Use In Commerce: 2017/04/21 Entertainment services in the nature ofdevelopment, creation, production, distribution, and post-production of motion pictures and multimedia entertainment content; Film and video production; Providing a website featuring entertainment information in the field(s) of videos and films; Providing a website featuring non-downloadable videos in the fields of entertainment and documentaries		

U.S. Registration No.	5801036	Application Date	08/03/2017
Registration Date	07/09/2019	Foreign Priority Date	NONE
Word Mark	UBER AI LABS		
Design Mark	UBER AI LABS		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2017/10/00 First Use In Commerce: 2017/10/00 Computer software, namely, software formachine learning; downloadable webinars, tutorial sessions and seminars in the field of machine learning; downloadable publications, namely, tech reports and research papers in the field of machine learning		

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