

ESTTA Tracking number: **ESTTA1181969**

Filing date: **12/30/2021**

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	Amazon Technologies, Inc.
Granted to date of previous extension	01/02/2022
Address	410 TERRY AVENUE N SEATTLE, WA 98109-5210 UNITED STATES
Attorney information	SUSAN M. KAYSER K&L GATES LLP 1601 K STREET, N.W. WASHINGTON, DC 20006 UNITED STATES Primary email: WATrademarks@klgates.com Secondary email(s): Susan.kayser@klgates.com, AmazonTM-AWS@klgates.com, Docket@amazon.com 202-778-9000
Docket no.	204074135004

Applicant information

Application no.	88773506	Publication date	07/06/2021
Opposition filing date	12/30/2021	Opposition period ends	01/02/2022
Applicant	Schmall, Aidan W 227 CENTRAL PARK WEST APT 1B NEW YORK, NY 10024 UNITED STATES		


Goods/services affected by opposition

Class 041. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Music production services; Music video production; Production of music; Production of musical sound recording; Production of musical videos; Production of sound and music video recordings; Entertainment services in the nature of recording, production and post-production services in the field of music; Post-production editing services in the field of music, videos and film

Grounds for opposition


Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

Marks cited by opposer as basis for opposition

U.S. registration no.	3576161	Application date	08/28/2008
Register	Principal		
Registration date	02/17/2009	Foreign priority date	NONE
Word mark	AWS		
Design mark			
Description of mark	NONE		
Goods/services	Class 042. First use: First Use: 2002/07/31 First Use In Commerce: 2002/07/31 Application service provider, namely, providing, hosting, managing, developing and maintaining applications, software, websites and databases in the fields of ecommerce, online payments, order queuing, website design, data storage and shared computing capacity scaling services		

U.S. registration no.	6273099	Application date	09/05/2017
Register	Principal		
Registration date	02/16/2021	Foreign priority date	NONE
Word mark	AWS		
Design mark			
Description of mark	NONE		
Goods/services	Class 009. First use: First Use: 2016/08/30 First Use In Commerce: 2016/08/30 Computer hardware; data processing computer software; computer software for cloud computing; computer software for virtualization; computer software for managing and deploying virtual machines to a cloud computing platform; computer software for use in cloud infrastructure management and automation; computer software for running cloud computing based applications; computer software platforms for cloud computing networks and applications; computer soft-		

	ware that provides access to cloud-based scalable computing resources and data storage; computer software for monitoring cloud and application performance; computer software for data backup, recovery and archiving; computer software for data transfer; database management software; computer software for creating, configuring, provisioning and scaling databases; computer software for video streaming; game software; game engine software; computer software to manage, connect, and operate internet of things (IOT) electronic devices; computer software for enabling electronic devices to operate and communicate locally while retaining the benefits of analytics and high-level services in the cloud; computer software development tools; software development kits (SDK); computer software for application development, testing, deployment and management
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U.S. registration no.	5676725	Application date	09/05/2017
Register	Principal		
Registration date	02/12/2019	Foreign priority date	NONE
Word mark	AWS		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 035. First use: First Use: 2009/10/26 First Use In Commerce: 2009/10/26 Business consulting; business consulting services in the field of information technology (IT) and cloud computing; business consulting services in the field of enterprise architecture; business risk management consultation; compilation and systemization of information into computer databases; database management services; business records management; business data analysis; data processing services; trade show management services; conducting and arranging trade show exhibitions in the fields of technology, cloud computing, web services, software, software as a service (SaaS), artificial intelligence, software development, game development, databases, data processing and analytics, data storage, data warehousing, data archiving, data and information security, networking, mobile computing, and the Internet of Things (IoT); computerized on-line ordering featuring developer tools and cloud computing software and services; providing an on-line marketplace for buyers and sellers of goods and services; domain name directory services; message and conference call transcription services</p> <p>Class 038. First use: First Use: 2006/03/14 First Use In Commerce: 2006/03/14 Electronic data transmission; streaming of data; streaming of software applications; providing data streaming capacity to others; streaming of audio and video material on the Internet; video-on-demand transmission; providing access to telecommunication networks; providing multiple user access to global computer information networks for the transfer and dissemination of a wide range of information; providing user access to computer software in data networks; providing access to remotely hosted operating systems and computer applications</p>		

	<p>through the internet; providing access to cloud based computing resources and storage; providing access to databases; providing virtual private network (VPN) services; telephonecommunications; voice over Internet protocol (VOIP) services; web conferencing services; call routing services; providing voice chat services; providing internet chat rooms; transmission of messages;providing on-line forums for transmission of messages among computer users; call recording services</p> <p>Class 041. First use: First Use: 2008/12/02 First Use In Commerce: 2008/12/02 Education services, namely, conducting seminars, classes, workshops and conferences in the fields of technology, cloud computing, web services, software, software as a service (SaaS), artificial intelligence, software development, game development, databases, data processing andanalytics, data storage, data warehousing, data archiving, data and informationsecurity, networking, mobile computing,and the Internet of Things (IoT); online journals, namely, blogs featuring information in the fields of technology, cloud computing, web services, software, software as a service (SaaS), artificial intelligence, software development, game development, databases, data processing and analytics, data storage, data warehousing, data archiving, data and information security, networking, mobile computing, and the Internet of Things (IoT)</p> <p>Class 042. First use: First Use: 2006/03/14 First Use In Commerce: 2006/03/14 Monitoring of computer systems and databases for security purposes in the nature of protecting data and information from unauthorized access; computerized security services, namely, electronically monitoring, detecting and reporting on suspicious and abnormal patterns of computer network access or activity in the nature of protecting data and information from unauthorized access; providing user authentication services for accessing a secure virtual computing environment; providing authentication services via online non-downloadable software for establishing and transmitting security credentials for domain name services</p> <p>Class 045. First use: First Use: 2010/12/06 First Use In Commerce: 2010/12/06 Domain name registry services, namely, coordinating the registration of domain names for identification of users and internet protocol addresses on the internet; providing an online computer databasein the field of domain name registration information</p>
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U.S. registration no.	6273100	Application date	09/12/2017
Register	Principal		
Registration date	02/16/2021	Foreign priority date	NONE
Word mark	AWS		
Design mark			

Description of mark	The mark consists of the word "AWS" with a curved arrow underneath creating the appearance of a smile.
Goods/services	Class 009. First use: First Use: 2017/11/10 First Use In Commerce: 2017/11/10 Computer hardware; data processing computer software; computer software for cloud computing; computer software for virtualization; computer software for managing and deploying virtual machines to a cloud computing platform; computer software for use in cloud infrastructure management and automation; computer software for running cloud computing based applications; computer software platforms for cloud computing networks and applications; computer software that provides access to cloud-based scalable computing resources and data storage; computer software for monitoring cloud and application performance; computer software for data backup, recovery and archiving; computer software for data transfer; database management software; computer software for creating, configuring, provisioning and scaling databases; computer software for video streaming; game software; game engine software; computer software to manage, connect, and operate internet of things (IOT) electronic devices; computer software for enabling electronic devices to operate and communicate locally while retaining the benefits of analytics and high-level services in the cloud; computer software development tools; software development kits (SDK); computer software for application development, testing, deployment and management

U.S. registration no.	5676724	Application date	09/12/2017
Register	Principal		
Registration date	02/12/2019	Foreign priority date	NONE
Word mark	AWS		
Design mark			
Description of mark	The mark consists of the word "AWS" with a curved arrow underneath creating the appearance of a smile.		
Goods/services	Class 035. First use: First Use: 2017/09/12 First Use In Commerce: 2017/09/12 Business consulting; business consulting services in the field of information technology (IT) and cloud computing; business consulting services in the field of enterprise architecture; business risk management consultation; compilation and systemization of information into computer databases; database management services; business records management; business data analysis; data processing services; trade show management services; conducting and arranging trade show exhibitions in the fields of technology, cloud computing, web services, software, software as a service (SaaS), artificial intelligence, software development, game development, databases, data processing and analytics, data		



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