

ESTTA Tracking number: **ESTTA1233034**

Filing date: **09/01/2022**

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	Duke University		
Entity	Corporation	Citizenship	North Carolina
Address	OFFICE OF COUNSEL 310 BLACKWELL STREET, 4TH FLOOR DURHAM, NC 27701 UNITED STATES		
Attorney information	SUSAN FREYA OLIVE OLIVE & OLIVE P.A. 500 MEMORIAL STREET DURHAM, NC 27701 UNITED STATES Primary email: emailboxttab@oliveandolive.com Secondary email(s): bcrews@oliveandolive.com No phone number provided		
Docket no.	DUKU10622		

**Applicant information**

Application no.	97027392	Publication date	08/02/2022
Opposition filing date	09/01/2022	Opposition period ends	09/01/2022
Applicant	Taizhou Duke Auto Accessories Co., Ltd. NO. 67, TANGLOU GROUP, XIAZHAI VILLAGE TANTOU TOWN, TIANAI COUNTY TAIZHOU, ZHEJIANG, 317206 CHINA		

**Goods/services affected by opposition**


Class 012. First Use: Sep 1, 2021 First Use In Commerce: Sep 1, 2021 All goods and services in the class are opposed, namely: Anti-slipping dashboard mats for holding personal items that are affixed or specially adapted to the automobile; Baby strollers; Covers for vehicle steering wheels; Fitted fabric covers for vehicle seat belts; Fitted seat covers for vehicles; Safety seats for use in cars; Upholstery for vehicles; Vehicle seat cushions
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**Grounds for opposition**

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)
Dilution by tarnishment	Trademark Act Sections 2 and 43(c)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national	Trademark Act Section 2(a)

symbols	
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Marks cited by opposer as basis for opposition

U.S. registration no.	1701827	Application date	10/01/1991
Register	Principal		
Registration date	07/21/1992	Foreign priority date	NONE
Word mark	DUKE UNIVERSITY		
Design mark			
Description of mark	NONE		
Goods/services	Class 020. First use: First Use: 1925 First Use In Commerce: 1965 pillows Class 021. First use: First Use: 1965 First Use In Commerce: 1965 cups Class 025. First use: First Use: 1925 First Use In Commerce: 1965 shirts		

U.S. registration no.	1702350	Application date	09/30/1991
Register	Principal		
Registration date	07/21/1992	Foreign priority date	NONE
Word mark	DUKE UNIVERSITY STORES		
Design mark			
Description of mark	NONE		
Goods/services	Class 042. First use: First Use: 1940 First Use In Commerce: 1940 retail store and mail order services inthe field of clothing, furniture, toys,games, sports equipment, school and office supplies, educational materials, computers, books, photography, housewares, towels, floor coverings, jewelry, ornaments, stationery, prints, camping equipment, pennants, decals, memorabilia, items-bearing Duke University trademarks, anditems depicting Duke University or its students, faculty, or campus life		


U.S. registration no.	1702830	Application date	10/01/1991
Register	Principal		
Registration date	07/28/1992	Foreign priority date	NONE
Word mark	DUKE UNIVERSITY		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 006. First use: First Use: 1965 First Use In Commerce: 1965 key rings made primarily of metal and metal license plates</p> <p>Class 016. First use: First Use: 1925 First Use In Commerce: 1965 business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags</p> <p>Class 018. First use: First Use: 1925 First Use In Commerce: 1965 trunks for traveling, travel bags, and toiletry cases sold empty</p> <p>Class 024. First use: First Use: 1925 First Use In Commerce: 1965 tablecloths not of paper, blankets, and cloth flags</p>		

U.S. registration no.	1713473	Application date	10/01/1991
Register	Principal		
Registration date	09/08/1992	Foreign priority date	NONE
Word mark	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 014. First use: First Use: 1965 First Use In Commerce: 1965 jewelry; namely, class rings</p> <p>Class 041. First use: First Use: 1965 First Use In Commerce: 1965 educational services; namely, providing courses of study at the undergraduate and graduate level</p>		


U.S. registration no.	2026492	Application date	06/27/1995
Register	Principal		
Registration date	12/31/1996	Foreign priority date	NONE
Word mark	DKE		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 025. First use: First Use: Feb 17, 1995 First Use In Commerce: Feb 17, 1995 clothing, namely, T-shirts</p>		

U.S. registration	2082553	Application date	06/28/1995
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no.			
Register	Principal		
Registration date	07/22/1997	Foreign priority date	NONE
Word mark	DKE		
Design mark			
Description of mark	NONE		
Goods/services	Class 028. First use: First Use: Nov 12, 1996 First Use In Commerce: Nov 12, 1996 balloons		


U.S. registration no.	2092314	Application date	06/28/1995
Register	Principal		
Registration date	08/26/1997	Foreign priority date	NONE
Word mark	D KE		
Design mark			
Description of mark	NONE		
Goods/services	Class 024. First use: First Use: Nov 22, 1996 First Use In Commerce: Nov 22, 1996 pennants not of paper		

U.S. registration no.	2122067	Application date	06/28/1995
Register	Principal		
Registration date	12/16/1997	Foreign priority date	NONE
Word mark	DKE		
Design mark			
Description of mark	NONE		
Goods/services	Class 016. First use: First Use: Nov 5, 1996 First Use In Commerce: Nov 5, 1996 decals, stickers, stationery, and note pads Class 021. First use: First Use: Nov 6, 1996 First Use In Commerce: Nov 6, 1996		

	drinking glasses, cups, and mugs		
U.S. registration no.	2203764	Application date	07/01/1997
Register	Principal		
Registration date	11/17/1998	Foreign priority date	NONE
Word mark	DUKE CENTER FOR LIVING		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 041. First use: First Use: Aug 1991 First Use In Commerce: Aug 1991 educational services, namely, conducting classes, individualized programs, retreats, seminars, and workshops in the fields of health, medicine, nutrition, physical fitness, and stress and lifestyle management; and providing facilities for exercise</p> <p>Class 042. First use: First Use: Aug 1991 First Use In Commerce: Aug 1991 counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight management diet planning and supervision</p>		
U.S. registration no.	2317603	Application date	08/26/1997
Register	Principal		
Registration date	02/15/2000	Foreign priority date	NONE
Word mark	DUKE		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 041. First use: First Use: Jan 1935 First Use In Commerce: Jan 1935 Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing</p> <p>Class 042. First use: First Use: Jan 1935 First Use In Commerce: Jan 1935 providing hospital, medical, and healthcare services; [ providing medical services delivered by mobile unit; ] conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services</p>		
U.S. registration no.	2415817	Application date	01/07/2000

Register	Principal		
Registration date	12/26/2000	Foreign priority date	NONE
Word mark	DUKECARD		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 009. First use: First Use: Aug 1985 First Use In Commerce: Aug 1985 magnetically encoded debit cards, security access cards, admission cards, identification cards [ and telephone calling cards ] for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events</p> <p>Class 036. First use: First Use: Aug 1985 First Use In Commerce: Aug 1985 financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto</p>		

U.S. registration no.	3157222	Application date	07/20/2005
Register	Principal		
Registration date	10/17/2006	Foreign priority date	NONE
Word mark	DUKIE		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 025. First use: First Use: Jul 17, 2002 First Use In Commerce: Jul 17, 2002</p> <p>Children's wear, namely, jackets, wind jackets, [ wind vests, ] undergarments, pants, shorts, [ sweaters, ] sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, [ uniforms, ] footwear, dresses; infants' wear, namely, jackets, [ wind jackets, ] wind vests, undergarments, shirts, pants, [ shorts, ] dresses, [ skirts, ] headwear, footwear, gloves, sleepwear, and infants' cloth [ and plastic bibs ]</p>		

U.S. registration no.	3780204	Application date	03/27/2009
Register	Principal		
Registration date	04/27/2010	Foreign priority date	NONE
Word mark	DUKEENGAGE		
Design mark			

Description of mark	NONE
Goods/services	<p>Class 035. First use: First Use: Feb 1, 2007 First Use In Commerce: Feb 1, 2007 charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service</p> <p>Class 036. First use: First Use: Feb 1, 2007 First Use In Commerce: Feb 1, 2007 charitable fundraising services</p> <p>Class 041. First use: First Use: Feb 1, 2007 First Use In Commerce: Feb 1, 2007 Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs</p> <p>Class 042. First use: First Use: Feb 1, 2007 First Use In Commerce: Feb 1, 2007 Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback</p>

U.S. registration no.	3878213	Application date	08/03/2006
Register	Principal		
Registration date	11/16/2010	Foreign priority date	NONE
Word mark	DUKE		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 016. First use: First Use: Feb 1, 2010 First Use In Commerce: Feb 1, 2010 Decals, note pads, note cards, writing paper, and binders</p>		

U.S. registration no.	3936096	Application date	10/08/1998
Register	Principal		
Registration date	03/29/2011	Foreign priority date	NONE
Word mark	DUKE		
Design mark			
Description of mark	NONE		
Goods/services	Class 025. First use: First Use: 1926 First Use In Commerce: 1926		


	clothing for men, women and children, namely, cloth and plastic bibs, booties, cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, night-shirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands
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U.S. registration no.	3995015	Application date	05/27/2010
Register	Principal		
Registration date	07/12/2011	Foreign priority date	NONE
Word mark	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITYSPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D		
Design mark			
Description of mark	The mark consists of a medallion designthat consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and containsnine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the tophalf and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.		
Goods/services	Class 025. First use: First Use: Sep 11, 2006 First Use In Commerce: Sep 11, 2006 Clothing, namely, shirts Class 041. First use: First Use: Sep 11, 2006 First Use In Commerce: Sep 11, 2006 Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs		

U.S. registration no.	4108223	Application date	06/27/2011
Register	Principal		
Registration date	03/06/2012	Foreign priority date	NONE
Word mark	IRON DUKES		
Design mark			
Description of mark	NONE		
Goods/services	Class 016. First use: First Use: May 12, 2011 First Use In Commerce: May 12, 2011 Decals Class 021. First use: First Use: May 12, 2011 First Use In Commerce: May 12, 2011 Drinking vessels Class 024. First use: First Use: May 12, 2011 First Use In Commerce: May 12, 2011 Blankets for outdoor use		

	<p>Class 025. First use: First Use: May 12, 2011 First Use In Commerce: May 12, 2011 Shirts and hats for non-industrial uses</p> <p>Class 028. First use: First Use: May 12, 2011 First Use In Commerce: May 12, 2011 Golf balls</p>
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U.S. registration no.	4172132	Application date	08/03/2006
Register	Principal		
Registration date	07/10/2012	Foreign priority date	NONE
Word mark	DUKE		
Design mark			
Description of mark	The mark consists of the stylized wording "DUKE". A design of the side of a devil's head appears between the letters "U" and "K" in "DUKE".		
Goods/services	Class 025. First use: First Use: Oct 2009 First Use In Commerce: Oct 2009 Clothing for men and women, namely, tops [ and sweatshirts ]		

U.S. registration no.	4323346	Application date	06/21/2012
Register	Principal		
Registration date	04/23/2013	Foreign priority date	NONE
Word mark	DUKE CHILDREN'S		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 009. First use: First Use: Jun 17, 2009 First Use In Commerce: Jun 17, 2009 Downloadable electronic publications inthe nature of bulletins in the field of healthcare</p> <p>Class 016. First use: First Use: Jun 17, 2009 First Use In Commerce: Jun 17, 2009 Bulletins concerning healthcare</p> <p>Class 035. First use: First Use: 1974 First Use In Commerce: 1974 Retail pharmacy services; retail gift shop services</p> <p>Class 036. First use: First Use: 1974 First Use In Commerce: 1974 Charitable fundraising services</p> <p>Class 041. First use: First Use: 1996 First Use In Commerce: 1996 Educational services, namely, conducting programs and training in the fields</p>		

	<p>of medicine and healthcare; charitable services, namely, providing recreational activities for children suffering from illness in the nature of swimming, hiking, fishing, climbing, tennis, dance, photography, arts and crafts, and boating, and conducting field trips in the fields of arts, culture and science</p> <p>Class 042. First use: First Use: 1996 First Use In Commerce: 1996 Scientific research</p> <p>Class 044. First use: First Use: 1990 First Use In Commerce: 1990 Healthcare; providing information in the field of healthcare</p>
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U.S. registration no.	4342645	Application date	10/17/2012
Register	Principal		
Registration date	05/28/2013	Foreign priority date	NONE
Word mark	WASHINGTON DUKE INN & GOLF CLUB		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 035. First use: First Use: Oct 1988 First Use In Commerce: Oct 1988 Retail gift shop; retail sporting goods store</p> <p>Class 041. First use: First Use: Oct 1988 First Use In Commerce: Oct 1988 Providing sports facilities</p> <p>Class 043. First use: First Use: Oct 1988 First Use In Commerce: Oct 1988 Hotel services; restaurant services; provision of banquet and social function facilities for special occasions; provision of conference, exhibition and meeting facilities</p>		


U.S. registration no.	4372828	Application date	07/20/2006
Register	Principal		
Registration date	07/23/2013	Foreign priority date	NONE
Word mark	DUKE MEDICINE		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 041. First use: First Use: Jul 21, 2005 First Use In Commerce: Jul 21, 2005 Arranging and conducting educational conferences; medical and scientific training and teaching; arranging of exhibitions, seminars, conferences, professional workshops, training courses; organization of seminars, working groups, research groups and conventions, in the fields of medicine and science; production of radio or television programs; children's entertainment and amusement centers, namely, interactive play areas; entertainment in the nature of golf or tennis tournaments; awards programs for major corporations and individuals who have made significant charitable contributions; publishing documents, books, journals and reports in the fields of science and medicine; providing fitness and exercise facilities; educational research; providing instruction in the field of health and wellness</p> <p>Class 042. First use: First Use: Jul 21, 2005 First Use In Commerce: Jul 21, 2005 Clinical research; design of medical, optical, and scientific apparatus and instru-</p>		

	<p>ments; design or development of information and databases; design and testing- for new product development; design or testing of new products for others; li- censing of intellectual property; medical research; medical and optical laborator- ies; scientific research and development</p> <p>Class 044. First use: First Use: Jul 21, 2005 First Use In Commerce: Jul 21, 2005</p> <p>Blood bank; charitable services, namely, providing medical services, medical equipment, and medical supplies to those in need; charitable services, namely, patient assistance programs to provide drugs, drug counseling, and assistance in obtaining drugs for senior citizens and others in need; dentist services; emer- gency medical response services; health care; hospitals; hospices; medical, dental, optical, pharmaceutical, wellness and nursing care, consultation, and ad- vice; medical information; nursing care; optician and optometry services; medic- al clinics; medical services; nutrition counseling; pharmaceutical dispensing; providing health information; providing medical information; rental of medical equipment; home health care and wellness counseling and psychotherapy with individuals, families, and groups; providing information in the field of health and wellness; social work services, namely, assisting patients and their families to obtain appropriate support services in the nature of home health care and well- ness counseling; providing medical equipment to individuals</p> <p>Class 045. First use: First Use: Jul 21, 2005 First Use In Commerce: Jul 21, 2005</p> <p>Grief and bereavement counseling; ministerial services; providing personal sup- port services for families of patients, namely, companionship, help with medical forms, counseling and emotional support</p>
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U.S. registration no.	4397703	Application date	09/25/2012
Register	Principal		
Registration date	09/03/2013	Foreign priority date	NONE
Word mark	DUKE FORWARD		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 036. First use: First Use: Sep 29, 2012 First Use In Commerce: Sep 29, 2012</p> <p>Accepting and administering monetary charitable contributions; Charitable fun- draising services</p>		

U.S. registration no.	4481331	Application date	06/30/2009
Register	Principal		
Registration date	02/11/2014	Foreign priority date	NONE
Word mark	DUKE CONNECTED CARE		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 044. First use: First Use: Dec 3, 2012 First Use In Commerce: Dec 3, 2012</p> <p>health care</p>		

U.S. registration no.	4760204	Application date	11/05/2014
Register	Principal		
Registration date	06/23/2015	Foreign priority date	NONE
Word mark	IRON DUKES		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 035. First use: First Use: Jul 1, 1971 First Use In Commerce: Jul 1, 1971 Charitable services, namely, promoting public awareness of the need for supporting athletic activities, facilities and events; Club services, namely, promoting the interests of supporters of athletic activities, facilities and events</p> <p>Class 036. First use: First Use: Jul 1, 1971 First Use In Commerce: Jul 1, 1971 Charitable fundraising to support athletic activities, facilities and events</p>		


U.S. registration no.	5053273	Application date	01/12/2016
Register	Principal		
Registration date	10/04/2016	Foreign priority date	NONE
Word mark	DUKE TIP		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 025. First use: First Use: Dec 31, 1980 First Use In Commerce: Dec 31, 1980 head wear, tops, gloves, scarves, hooded sweatshirts, jackets, mittens, ties, bottoms, ponchos, sashes, singlets, hosiery, sweaters, uniforms</p> <p>Class 041. First use: First Use: Sep 30, 1980 First Use In Commerce: Sep 30, 1980 Education services, namely, classroom, laboratory, correspondence and home</p>		

	<p>study instruction, vocational instruction, mentoring, tutoring, classes, seminars and workshops for intellectually gifted students at the primary level and distribution of curricula course materials in connection therewith; Providing a website featuring information in the field of teaching academically gifted students; Research in the field of education; Education services, namely, training educators to teach academically gifted students and providing curricula in connection therewith</p> <p>Class 042. First use: First Use: Sep 30, 1980 First Use In Commerce: Sep 30, 1980</p> <p>Scientific research in the field of intellectual giftedness; Scientific research and development for identifying academically gifted students</p>
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U.S. registration no.	5054186	Application date	02/25/2016
Register	Principal		
Registration date	10/04/2016	Foreign priority date	NONE
Word mark	DUKE HEALTH		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 041. First use: First Use: 1996 First Use In Commerce: 1996</p> <p>Arranging and conducting educational conferences; medical and scientific training and teaching; education services, namely, providing exhibitions, seminars, and training in the fields of health and wellness, medicine and science; audio recording and production; video production services; children's entertainment and amusement centers, namely, interactive play areas; entertainment in the nature of golf and tennis tournaments; awards programs for corporations and individuals who have made significant charitable contributions; publication of documents, books, brochures, journals and reports in the fields of science and medicine; providing fitness and exercise facilities; research in the field of education</p> <p>Class 042. First use: First Use: 1996 First Use In Commerce: 1996</p> <p>medical research; conducting clinical trials for others; database design and development; design and testing for new product development; medical and optical laboratories; scientific research and development</p> <p>Class 044. First use: First Use: 1996 First Use In Commerce: 1996</p> <p>Health care; Blood bank; Charitable services, namely, providing medical services, medical equipment, and medical supplies; Charitable services, namely, patient assistance programs to provide drugs and medical care free of charge to low-income patients without prescription drug or healthcare coverage; Dentist services; Emergency medical response services; Hospital services; Hospice services; Consulting services in the fields of medical, dental, optical, pharmaceutical, wellness and nursing care; Nursing care; Optician and optometry services; Medical services; Counseling in the fields of mental health, nutrition and wellness; Dispensing of pharmaceuticals; Providing health and medical information; Rental of medical equipment; Home health care services; Providing wellness services, namely, personal assessments, personalized routines, maintenance schedules, and counseling</p> <p>Class 045. First use: First Use: 1996 First Use In Commerce: 1996</p> <p>Grief and bereavement counseling; licensing of intellectual property; ministerial services; providing personal support services for families of patients, namely, companionship, help with medical forms, emotional counseling and emotional support</p>		

U.S. registration	5054699	Application date	03/09/2016
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no.			
Register	Principal		
Registration date	10/04/2016	Foreign priority date	NONE
Word mark	DUKE TIP		
Design mark			
Description of mark	The mark consists of the word "Duke" written on top of the stylized "TiP" mark.		
Goods/services	<p>Class 025. First use: First Use: 1980 First Use In Commerce: 1980 Head wear, tops, gloves, scarves, hooded sweatshirts, jackets, mittens, ties, bottoms, ponchos, sashes, singlets, hosiery, sweaters, uniforms</p> <p>Class 041. First use: First Use: Sep 1980 First Use In Commerce: Sep 1980 Education services, namely, classroom, laboratory, correspondence and home study instruction, vocational instruction, mentoring, tutoring, classes, seminars and workshops for intellectually gifted students at the primary level and distribution of curricula course materials in connection therewith; Providing a website featuring information in the field of teaching academically gifted students; Research in the field of education; Education services, namely, training educators to teach academically gifted students and providing curricula in connection therewith</p> <p>Class 042. First use: First Use: Sep 1980 First Use In Commerce: Sep 1980 Scientific research in the field of intellectual giftedness; Scientific research and development for identifying academically gifted students</p>		

U.S. registration no.	5071698	Application date	01/12/2016
Register	Principal		
Registration date	11/01/2016	Foreign priority date	NONE
Word mark	DUKE TIP		
Design mark			
Description of mark	The mark consists of Literal elements: "DUKE TIP". The word "Duke" written in-line with the "TiP" stylized mark. The "i" in "TiP" is lowercase and the dot on the "i" is inverse coloring. The letters in "TiP" are connected via the serifs.		
Goods/services	<p>Class 025. First use: First Use: Dec 31, 1980 First Use In Commerce: Dec 31, 1980 head wear, tops, gloves, scarves, hooded sweatshirts, jackets, mittens, ties, bottoms, ponchos, sashes, singlets, hosiery, sweaters, uniforms</p> <p>Class 041. First use: First Use: Sep 30, 1980 First Use In Commerce: Sep 30, 1980 Education services, namely, classroom, laboratory, correspondence and home study instruction, vocational instruction, mentoring, tutoring, classes, seminars and workshops for intellectually gifted students at the primary level and distribution of curricula course materials in connection therewith; Providing a website featuring information in the field of teaching academically gifted students; Research in the field of education; Education services, namely, training educators to teach academically gifted students and providing curricula in connection therewith</p> <p>Class 042. First use: First Use: Sep 30, 1980 First Use In Commerce: Sep 30,</p>		

	1980 Scientific research in the field of intellectual giftedness; Scientific research and development for identifying academically gifted students
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U.S. registration no.	5189149	Application date	01/27/2016
Register	Principal		
Registration date	04/25/2017	Foreign priority date	NONE
Word mark	DUKES AND DUCHESSSES		
Design mark			
Description of mark	NONE		
Goods/services	Class 025. First use: First Use: Jan 1, 1979 First Use In Commerce: Jan 1, 1979 Tops Class 041. First use: First Use: Jan 1, 1979 First Use In Commerce: Jan 1, 1979 Membership club services, namely, membership in a student organization serving as social event hosts and tour guides for visitors to Duke University		

U.S. registration no.	5335576	Application date	12/12/2016
Register	Principal		
Registration date	11/14/2017	Foreign priority date	NONE
Word mark	DUKE		
Design mark			
Description of mark	NONE		
Goods/services	Class 006. First use: First Use: 1965 First Use In Commerce: 1965 Metal novelty license plates; metal keyholders Class 008. First use: First Use: 1984 First Use In Commerce: 1984 Knives; hammers Class 009. First use: First Use: 2002 First Use In Commerce: 2002 Decorative magnets; electric switch plates; computer cases; cases for tele-phones; headphones; computer storage devices, namely, blank flash drives; tape measures Class 011. First use: First Use: 1984 First Use In Commerce: 1984 Lamps; refrigerators Class 012. First use: First Use: 1988 First Use In Commerce: 1988 License plate holders; automobile windshield sunshades Class 014. First use: First Use: 1984 First Use In Commerce: 1984		

	<p>Jewelry; watches; clocks; ornamental pins</p> <p>Class 016. First use: First Use: 1965 First Use In Commerce: 1965 Writing implements; letter openers; decals; temporary tattoo transfers; paper; calendars; clipboards; notebooks; correspondence cards; note cards; art pictures</p> <p>Class 018. First use: First Use: 1965 First Use In Commerce: 1965 Luggage; luggage tags; key cases of leather or imitation leather; umbrellas; tote bags; backpacks; briefcases</p> <p>Class 020. First use: First Use: 1984 First Use In Commerce: 1984 Chairs; non-metal novelty license plates; non-metal key holders; picture frames; pillows; wall plaques made of plastic or wood</p> <p>Class 021. First use: First Use: 1965 First Use In Commerce: 1965 Cups; drinking glasses; wall plaques made of crystal or glass; coasters, not of paper and other than table linen; insulating sleeve holders for jars, bottles, or cans; bottle openers; bottle stoppers specially adapted for use with wine bottles</p> <p>Class 022. First use: First Use: 2002 First Use In Commerce: 2002 Laundry bags; tents</p> <p>Class 026. First use: First Use: 1987 First Use In Commerce: 1987 Buttons; ribbons; appliques</p> <p>Class 027. First use: First Use: 2003 First Use In Commerce: 2003 Floor mats; rugs</p> <p>Class 028. First use: First Use: 1984 First Use In Commerce: 1984 Balls for sports; play balls; backboards for basketball; golf club covers; golf club bags; cheerleading pom-poms; Christmas tree ornaments</p>
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U.S. registration no.	5472647	Application date	12/12/2016
Register	Principal		
Registration date	05/22/2018	Foreign priority date	NONE
Word mark	DUKE		
Design mark			
Description of mark	NONE		
Goods/services	Class 024. First use: First Use: 1965 First Use In Commerce: 1965 Table cloths not of paper; blanket throws; banners and flags of textile; felt pennants		

U.S. registration no.	5568287	Application date	07/17/2017
Register	Principal		
Registration date	09/25/2018	Foreign priority date	NONE
Word mark	DUKE		
Design mark			
Description of mark	NONE		
Goods/services	Class 035. First use: First Use: 1924 First Use In Commerce: 1924 Retail store services, mail order services, and online retail store services featuring clothing, furniture, toys, sports equipment, housewares, jewelry, prints,		

decals, and memorabilia; Retail pharmacy services; Concession stands featuring food, drinks, and souvenirs; Forest management; Association services, namely, promoting interests of the alumni of a university

Class 036. First use: First Use: 1968 First Use In Commerce: 1968

Financial services, namely, checking account services, savings account services, and issuing of credit cards; Financial services, namely, processing of transactions related to debit and stored value cards, and issuing statements of account; electronic banking; ATM banking; charitable fundraising

Class 039. First use: First Use: 1993 First Use In Commerce: 1993

Transportation services, namely, providing shuttle services by bus; provision of car parking facilities

Class 041. First use: First Use: 1925 First Use In Commerce: 1925

Educational services, namely, providing courses of instruction and distance learning at the undergraduate, graduate and professional levels and distribution of course material in connection therewith; Educating at university or colleges; Medical training and teaching; Developing, arranging, and conducting educational conferences in the fields of science and the liberal arts; Providing speakers and lecturers in the fields of science and the liberal arts, live performances, fine art exhibitions, and live dramatic theater productions; Museum services; Promoting and administering amateur athletic programs and activities; Providing amusement, recreation, fitness and sports facilities; Operation of recreational and sports camps; Publishing of books, journals, magazines, and scientific papers; Library services; On-line academic library services; Providing a website featuring information in the fields of education and entertainment; Production of radio or television programs; Entertainment in the nature of football, baseball, golf, basketball, soccer, swimming, tennis, track, softball, volleyball, cross country, fencing, and lacrosse sports tournaments; Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; On-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs; providing an on-line computer database in the field of university sports, social activities, educational events, entertainment, current events, arts, history; Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices; Education services, namely, classroom, laboratory, correspondence and home study instruction, vocational instruction, mentoring, tutoring, classes, seminars and workshops for intellectually gifted pre-college students in the fields of language arts, math and science and distribution of curricula course materials in connection therewith; Providing a website featuring information in the field of teaching academically gifted students; Research in the field of education; Education services, namely, training educators to teach academically gifted students and providing curricula in connection therewith; Entertainment services, namely, providing non-downloadable films and movies via a video-on-demand service; Botanical gardens

Class 042. First use: First Use: 1996 First Use In Commerce: 1996

medical research; conducting clinical trials for others; database design and development; design and testing for new product development; medical and optical laboratories; scientific research and development

Class 043. First use: First Use: 1933 First Use In Commerce: 1933

Hotel services; restaurant services; providing banquet and social function facilities for special occasions; provision of conference, exhibition and meeting facilities

Class 044. First use: First Use: 1930 First Use In Commerce: 1930

	Health care; hospital services; medical services; nursing care; optician and optometry services; dispensing of pharmaceuticals; providing health and medical information Class 045. First use: First Use: 1935 First Use In Commerce: 1935 Ministerial services; providing personal support services for families of patients, namely, companionship, help with medical forms, counseling and emotional support
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U.S. registration no.	5670646	Application date	09/20/2018
Register	Principal		
Registration date	02/05/2019	Foreign priority date	NONE
Word mark	DUKE TRUE		
Design mark			
Description of mark	NONE		
Goods/services	Class 041. First use: First Use: Sep 25, 2017 First Use In Commerce: Sep 25, 2017 Organizing and conducting college sport competitions and athletic events; Providing sports facilities; Sports instruction services		

U.S. registration no.	5831850	Application date	09/20/2018
Register	Principal		
Registration date	08/13/2019	Foreign priority date	NONE
Word mark	DUKE ROBOTICS		
Design mark			
Description of mark	NONE		
Goods/services	Class 041. First use: First Use: Oct 1, 2014 First Use In Commerce: Oct 1, 2014 Educational services, namely, providing classes in the fields of engineering, science and computer systems Class 042. First use: First Use: Oct 1, 2014 First Use In Commerce: Oct 1, 2014 Scientific research		

U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		
Mark	DUKE		
Goods/services	Used as a trademark to identify a wide range of products sold and licensed by Duke University, in virtually all areas of endeavor, to men, women, and children of all ages. For purposes of this proceeding, Opposer asserts its use of this mark on or in connection with goods classified: Å# In International Class 3. Such goods include, by way of example, nail art, temporary tattoos, and toiletry bags. Å# In International Class 8. Such goods include, by way of example, nail files. Å# In International Class 9. Such goods include, by way of example, cell cases, compact discs, computers accessories, dvds, and sunglasses. Å# In International Class 11. Such goods include, by way of example,		

fans, lighting, and refrigerators. ¶ In International Class 12. Such goods include, by way of example, vehicle headrest and seat covers, vehicle floor mats, license plate frames, and ornamental license plates. ¶ In International Class 14. Such goods include, by way of example, jewelry and time-keeping instruments, including clocks and watches. ¶ In International Class 16. Such goods include, by way of example, books, business card holders, calendars, decals, paperweights, pens, and stationary. ¶ In International Class 18. Such goods include, by way of example, bags, journals, luggage, pet items, umbrellas, and writing pads. ¶ In International Class 20. Such goods include, by way of example, cushions, furniture, and pet beds. ¶ In International Class 21. Such goods include, by way of example, dinnerware, drinkware, grooming ware, home décor items, kitchenware, and pet ware. ¶ In International Class 22. Such goods include, by way of example, lanyards and laundry bags. ¶ In International Class 24. Such goods include, by way of example, banners, bedding, blankets, flags, shower curtains, towels, and window treatments. ¶ In International Class 25: clothing of all types for infants, children, women, and men, including, by way of example, belts and suspenders, bibs, bottoms, footwear, headwear, loungewear, nightwear, outerwear, and tops. ¶ In International Class 26. Such goods include, by way of example, dog collar charms, fancy goods for sewing, and hair accessories. ¶ In International Class 27. Such goods include, by way of example, mats and rugs. ¶ In International Class 28. Such goods include, by way of example, balls, dolls, games, golf items, pet toys, sports bags, and stuffed toys. ¶ In International Class 30. Such goods include, by way of example, snacks. ¶ In International Class 32. Such goods include, by way of example, beverages. ¶ In International Class 34. Such goods include, by way of example, lighters.

U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		
Mark	DUKE		
Goods/services	<p>Used as a service mark to identify a wide range of services provided and licensed by Duke University. For purposes of this proceeding, Opposer asserts its use of this mark in connection with services classified: ¶ In International Class 35. Such services include, by way of example, advertising, association services, forest management, hotel management services, mail order services, online retail store services, retail pharmacy services, and retail store services. ¶ In International Class 36. Such services include, by way of example, charitable fundraising, financial services, insurances services, and real estate services. ¶ In International Class 37. Such services include, by way of example, building maintenance, computer maintenance and repair services, and vehicles maintenance services. ¶ In International Class 38. Such services include, by way of example, broadcasting services, computer communication and internet services, and telecommunication services. ¶ In International Class 39. Such services include, by way of example, vehicle parking services, and transportation services. ¶ In International Class 41. Such services include education and entertainment services for men, women, and children, including, by way of example, the following: o coaching o developing, arranging, and conducting educational conferences, seminars, symposiums, and workshops o providing courses of instruction and distant learning at the pre-collegiate, undergraduate, graduate, professional levels, and for continuing education and distribution of course</p>		

	<p>materials in connection therewith of arranging, conducting, and presenting collegiate athletic events, band and cheerleading performances, dance performances, music performances, and theatrical performances of film, video, television, audio, and radio production services of library services of garden services of health and wellness training and teaching of museum services of online information and entertainment of publishing services of sports camp, sports club, sports rehabilitation, and sports training services. Â# In International Class 42. Such services include, by way of example, conducting clinical trials, database design and development, medical and optical laboratories, medical, health, and wellness research, providing online information regarding science and technology, and scientific research and development. Â# In International Class 43. Such services include, by way of example, day care services for children, hotel services, restaurant services, providing banquet and social function facilities, provision of conference, exhibition, and meeting facilities, and provision of food and drink. Â# In International Class 44. Such services include, by way of example, dental services, health and wellness services, pharmaceutical services, providing health and medical information, and veterinary services. Â# In International Class 45. Such services include, by way of example, counselling services, legal services, and ministerial and religious services.</p>
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U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		
Mark	DUKE UNIVERSITY		
Goods/services	Substantially the same goods as provided herein with respect to DUKE; substantially the same services as provided herein with respect to DUKE		

Attachments	<p>74208935#TMSN.png( bytes )  75976140#TMSN.png( bytes )  75347293#TMSN.png( bytes )  77700792#TMSN.png( bytes )  78944344#TMSN.png( bytes )  85658564#TMSN.png( bytes )  86445421#TMSN.png( bytes )  86872484#TMSN.png( bytes )  86872488#TMSN.png( bytes )  86888034#TMSN.png( bytes )  20220901 DUKEDECOR NOO.pdf(337365 bytes )  Exhibits Combined 1-18.pdf(359336 bytes )  Exhibits Combined 19-35.pdf(382083 bytes )</p>
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Signature	/bjc/
Name	Brian J. Crews
Date	09/01/2022

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

**Before the Trademark Trial and Appeal Board**

IN THE MATTER OF Trademark Application of Taizhou Duke Auto Accessories Co., Ltd.  
For Registration of DUKEDECOR, Serial No. 97027392  
Published for Opposition in the Official Gazette on August 2, 2022  
Goods/Services Opposed: All

Duke University, Plaintiff-Opposer vs Taizhou Duke Auto Accessories Co., Ltd., Defendant-Applicant	<b>OPPOSITION TO REGISTRATION OF MARK</b>
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Attorney Reference: DUKU10622

Duke University, a corporation of the State of North Carolina, with a principal place of business in Durham, North Carolina, and business address at Office of University Counsel, Duke University, Durham, North Carolina, believes that it will be damaged by registration of the mark shown in the above-identified application (hereafter referred to as “Applicant’s Application”), and hereby opposes same.

As set out in the grounds for opposition below, Applicant seeks to obtain a federal registration for the term DUKEDECOR, without limitation as to color or style, for goods that Opposer already is providing under Opposer’s own DUKE marks to fans around the nation and the world. The registration that Applicant seeks would give Applicant not only the right to use a mark confusingly similar to Opposer’s DUKE brand in competition with Opposer’s goods and services, but also would presumptively entitle Applicant to limit and interfere with Opposer’s own otherwise broad rights to use Opposer’s DUKE brand and to allow use of Opposer’s brand by its many licensees and authorized resellers around the United States. Likewise, the registration sought by Applicant would entitle

Applicant to use Applicant's brand on a nationwide basis—including in venues adjacent to Opposer's own campuses and at places where Opposer's fans are gathered. Such registration would interfere, as well, with Opposer's efforts to protect consumers against vendors selling counterfeit merchandise purporting to be associated with Opposer but neither licensed by Opposer nor manufactured in accordance with Opposer's requirements.







Accordingly, Opposer seeks rejection of Applicant's application. Opposer brings its claims pursuant to Trademark Act Section 2(d), 15 U.S.C. § 1052(d); Trademark Act Section 43(c), 15 U.S.C. § 1125(c); and Trademark Act Section 2(a), 15 U.S.C. § 1052(a).


The grounds for opposition are more particularly set out as follows. Headings are interposed for convenience; all allegations are deemed incorporated into each ground for opposition, as though realleged for each.

### **GENERAL ALLEGATIONS**

1. Opposer is a university known to the general public by its famous mark DUKE. Opposer provides, among other things, a first-class academic program, a world-renowned teaching hospital and medical facilities, and a well-known Division 1 athletic program (including a famous basketball program) whose sports programs are followed by sports fans around the country, all under its mark DUKE. Opposer's mark DUKE and the services provided under the mark DUKE are viewed by literally millions of fans each year.
2. Opposer commenced use of its mark DUKE in commerce in or about 1924 and has continued and expanded that use in interstate and foreign commerce, both directly and through licensees, continuously since that time. Opposer's famous DUKE mark is used on or in connection with, among other things, automobile car mats, automobile seat covers, and other automobile accessories, as well as baby items.

3. Opposer uses not only its mark DUKE but also formatives and variants thereof. The mark DUKE and those additional marks, all of which are more specifically identified below, are collectively referred to hereafter as “Opposer’s Marks.”
4. Opposer’s Marks include each mark set out in the table below, which lists some of the United States Trademark Registrations and applications owned by Opposer covering marks that include the term DUKE or a variant or formative thereof that reminds viewers and customers of DUKE and reinforces the link between Opposer’s Marks and Opposer. Each of the registrations listed below was lawfully issued, is valid and subsisting, and establishes Opposer’s exclusive right to use the registered mark in commerce in accordance with the registration. Copies of the electronic records provided by the United States Trademark Office for each registration are attached hereto as Exhibits 1 through 34 and are incorporated herein by reference and for purpose of reliance.

Exh.	Reg #	Issue Date	Mark	MARK IMAGE
1	1,701,827	07/21/92	DUKE UNIVERSITY	
2	1,702,350	07/21/92	DUKE UNIVERSITY STORES	
3	1,702,830	07/28/92	DUKE UNIVERSITY	
4	1,713,473	09/08/92	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO	
5	2,026,492	12/31/96	D[U]KE with Stylized “U”	
6	2,082,553	07/22/97	D[U]KE with Stylized “U”	
7	2,092,314	08/26/97	D[U]KE with Stylized “U”	

Exh.	Reg #	Issue Date	Mark	MARK IMAGE
8	2,122,067	12/16/97	D[U]KE with Stylized "U"	
9	2,203,764	11/17/98	DUKE CENTER FOR LIVING	
10	2,317,603	02/15/00	DUKE	
11	2,415,817	12/26/00	DUKECARD	
12	3,157,222	10/17/06	DUKIE	
13	3,780,204	04/27/10	DUKEENGAGE	
14	3,878,213	11/16/10	DUKE with Devil Head Design	
15	3,936,096	03/29/11	DUKE	
16	3,995,015	07/12/11	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D	
17	4,108,223	03/06/12	IRON DUKES	
18	4,172,132	07/10/12	DUKE and Devil Head Design	
19	4,323,346	04/23/13	DUKE CHILDREN'S	
20	4,342,645	05/28/13	WASHINGTON DUKE INN & GOLF CLUB	
21	4,372,828	07/23/13	DUKE MEDICINE	
22	4,397,703	09/03/13	DUKE FORWARD	
23	4,481,331	02/11/14	DUKE CONNECTED CARE	
24	4,760,204	06/23/15	IRON DUKES	
25	5,053,273	10/04/16	DUKE TIP	
26	5,054,186	10/04/16	DUKE HEALTH	
27	5,054,699	10/04/16	DUKE TIP	
28	5,071,698	11/01/16	DUKE TIP	
29	5,189,149	04/25/17	DUKES AND DUCHESES	
30	5,335,576	11/14/17	DUKE	
31	5,472,647	5/22/18	DUKE	

Exh.	Reg #	Issue Date	Mark	MARK IMAGE
32	5,568,287	09/25/18	DUKE	
33	5,670,646	2/5/19	DUKE TRUE	
34	5,831,850	08/13/19	DUKE ROBOTICS	

5. Opposer's Marks also include the common law marks listed on Exhibit 35 attached hereto and, to the extent not already fully set out in the foregoing table and in the referenced exhibit of common law marks, the registrations and common law marks listed in the ESTTA Cover Sheet for the filing of the Notice of Opposition, all of which have priority over the applied-for mark and are incorporated herein by reference.
6. Opposer's Marks are used in a wide variety of fonts and colors, and are not in general limited by appearance, although appearance may be an additional feature of certain marks.
7. As hereinafter set out in more detail, Opposer's mark DUKE has become and is famous and is entitled to the enhanced protection afforded famous marks.
8. Since at least as early as 1998, when Opposer adopted a "Code of Conduct for Duke University Licensees," Opposer has included in its standard license agreements a requirement that licensees follow socially responsible principles, including fair labor standards intended to ensure that those manufacturing licensed products are present at work voluntarily, not at undue risk of physical harm, fairly compensated and not exploited.
9. Applicant seeks to register a mark whose prominent term is identical to Opposer's DUKE mark.
10. The addition of the word "DECOR" at the end of the mark does not add distinctiveness sufficient to distinguish the mark from Opposer's DUKE mark and Opposer's Marks in general. The term "DECOR" is also descriptive, and is not only used by Opposer, but also aptly describes products offered under Opposer's Marks.

11. Applicant has not asserted any earlier priority than the purported first use date, September 1, 2021, with respect to its goods in International Class 012.

**PRIORITY AND LIKELIHOOD OF CONFUSION  
TRADEMARK ACT SECTION 2(d), 15 U.S.C. § 1052(d)**

12. Applicant seeks registration of a mark that contains as a prominent element the term DUKE, without further limitations, pursuant to Section 1(a) of the Trademark Act (15 U.S.C. §1051(a))

for use in connection with:

anti-slipping dashboard mats for holding personal items that are affixed or specially adapted to the automobile; baby strollers; covers for vehicle steering wheels; fitted fabric covers for vehicle seat belts; fitted seat covers for vehicles; safety seats for use in cars; upholstery for vehicles; vehicle seat cushions.

13. Opposer, directly and through licensees, has used Opposer's Marks in commerce on, or in connection with, identical and/or similar goods.

14. Use of Opposer's Marks in commerce for such substantially similar and closely associated goods, including those set out in the exhibits hereto, together with closely associated services, precedes any priority date that Applicant can claim, and is continuing.

15. By reason of its longstanding use of Opposer's Marks, which commenced well prior to the date of Applicant's Application and any date of use on which Applicant is entitled to rely, and by reason of its pleaded registrations, Opposer has priority with respect to use of Opposer's Marks over Applicant and over Applicant's use and intended use of the mark that is the subject of Applicant's Application.

16. If registered as currently proposed, Applicant would be entitled to use and advertise the mark sought to be registered in ways that would emphasize the similarities and connections to Opposer and Opposer's Marks. For example, Applicant could:

- a. Use fonts or lettering designs with the mark that are regularly associated with Opposer's Marks;
- b. Use the mark in Opposer's school colors;
- c. Emphasize by coloration and other effects the term DUKE within the mark, so that it is more immediately noticeable than other portions of the mark;
- d. Depict and/or advertise the mark in association with themes associated with Opposer including collegiate teams and athletes, and/or with a devil or parts thereof reminiscent of Opposer's mascot.

17. Moreover, Applicant has not incorporated limitations on channels of trade or on markets or adopted other such limitations in an attempt to avoid perceptions of a connection or to minimize the likelihood of confusion. The absence of such limitations further enhances both the likelihood of a presumed connection and the likelihood of confusion. Applicant's goods presumptively could be identified as "licensed" (without specification as to the licensor) and presented in commerce to the hundreds of thousands of persons who directly interact every year with Duke University, its publications, and its medical centers, and they could be targeted to Duke University alumni and to Duke University's fans. The mark sought to be registered, used in connection with goods closely related to goods provided under Opposer's Marks, presumptively would be targeted at, and marketed through channels of commerce directed to, Opposer's fans as well as Opposer's alumni, employees, patients, students, potential students, and parents of students past, present, or future. The goods further could be provided on, or adjacent to, Opposer's campuses and at, or adjacent to, DUKE-branded medical facilities in North Carolina and in other states. It must be presumed that the market and the channels of trade through which Applicant will offer its goods in connection with the mark sought to be

registered are identical and closely related to those that are currently used by Opposer and that have been used by Opposer since long prior to any priority date to which Applicant might be entitled.

18. Applicant's mark, used as identified in Applicant's Application, is likely to cause confusion and mistake with respect to Opposer's Marks and their use by Opposer.

### **DILUTION**

#### **TRADEMARK ACT SECTION 43(c), 15 U.S.C. § 1125(c)**

19. Opposer, directly and through licensees, has used its mark DUKE and close variants thereof, for nearly a century. During that time, Opposer itself has become famous both for the quality of its education and for the associated services that it provides, including its medical, health, and research services, and its highly respected Division I athletic teams, which have repeatedly won regional and national championships. Opposer's mark DUKE has appeared in lengthy broadcasts of sporting events to millions of consumers every year, and there has been extensive publicity and promotion of Opposer's mark DUKE by national publications and other sources throughout the years.
20. As a result of the above-described and other exposure of Opposer's mark DUKE to the public, Opposer's mark DUKE has become famous.
21. Opposer's mark DUKE became famous prior to the filing date of Applicant's Application, any date of first use of Applicant's mark that Applicant is entitled to assert, and any other relevant priority date to which Applicant might be entitled with respect to the mark for which registration is sought; and said fame continues at present.
22. Opposer's mark DUKE is so well-recognized that the public will associate DUKE with Opposer even when it encounters the term apart from Opposer's core educational services and

medical and health services, or indeed any specific goods or services offered by Opposer. The fame of Opposer's mark DUKE is so widespread and pervasive that consumers will expect and assume that not only identical marks but also similar marks are associated with Opposer.

23. Applicant seeks to register and to use a mark that is highly similar to Opposer's famous mark DUKE and is likely to trigger consumers to conjure up Opposer's famous mark DUKE when consumers are confronted with Applicant's similar mark.
24. Despite Applicant's claim of right to use the mark it seeks to register, in connection with goods similar or identical to goods offered by Opposer, Applicant is not affiliated with, licensed by, or otherwise associated with Opposer. Opposer is not connected with the goods that Applicant provides, offers, or intends to offer under the mark sought to be registered.
25. Applicant's goods would not be held to the standards Opposer has established to protect the integrity and reputation of Opposer, yet Applicant's mark would be recognized as connected with Opposer, uniquely and unmistakably pointing to Opposer.
26. Applicant's use of the applied-for mark will cause dilution of the distinctive quality of Opposer's famous mark DUKE. The use will diminish, dilute, and tarnish Opposer's rights in its famous DUKE mark and the distinctive quality thereof and the goodwill associated therewith which presently inures to the benefit of Opposer.

**FALSE SUGGESTION OF A CONNECTION  
TRADEMARK ACT SECTION 2(a), 15 U.S.C. § 1052(a)**

27. As hereinabove set out, Applicant's mark is substantially identical to Opposer's famous mark DUKE merely appending the term "DECOR", and Applicant's Mark is a close approximation of Opposer's Marks, in general, containing the term DUKE.

28. Opposer's mark DUKE functions not only as a trademark and service mark, but also as a house mark of Opposer, is recognized as such by consumers, and has been so recognized since long prior to the earliest priority date on which Applicant can rely.
29. Opposer's Mark DUKE serves to identify and as an identity of Opposer, such identification beginning long prior to the filing date of Applicant's Application, prior to any first date of use of Applicant's mark that Applicant is entitled to assert, and prior to any other relevant priority date to which Applicant might be entitled with respect to the mark for which registration is sought, and continuing to the present time.
30. Opposer's provision and promotion of its services and products to the public under Opposer's Marks for over three-quarters of a century has caused the public to associate those marks (including Opposer's mark DUKE) and the goods provided thereunder with Opposer, such association beginning long prior to the filing date of Applicant's Application, prior to any first date of use of Applicant's mark that Applicant is entitled to assert, and prior to any other relevant priority date to which Applicant might be entitled with respect to the mark for which registration is sought, and continuing to the present time. Through those efforts Opposer now has built substantial goodwill in Opposer's Marks, including its DUKE mark, which inures to the benefit of Opposer.
31. Opposer uses Opposer's Marks, including its DUKE mark, as aforesaid and as set out in the exhibits, and in particular for goods that are identical to or substantially similar to those for which Applicant seeks registration, as well as for closely associated goods. Use of Opposer's Marks, including its DUKE mark, in commerce for such substantially similar and closely associated goods long precedes any priority date that Applicant can claim, and is continuing.

32. Opposer's fame and excellent and well-known reputation, and the close and long-time association of Opposer's Marks, including its DUKE mark, with Opposer are such that a connection with Opposer and Opposer's goods and services is likely to be presumed when the mark Applicant seeks to register is used in connection with the goods identified in the application.
33. The presumption of a connection is particularly likely and is enhanced because Applicant seeks to register and use its mark in a substantially unrestricted manner, presumptively in the same channels of trade, presumptively targeted to the same markets, and presumptively colored and otherwise configured and advertised to create a mistaken belief as to the affiliation of Applicant's mark with Opposer and Opposer's goods and services offered under Opposer's Marks, including its famous mark DUKE.
34. Consumers seeking to obtain goods identified with Opposer are familiar with Opposer's Marks, including its DUKE mark, associate those marks with Opposer, know that third parties are licensed to use Opposer's Marks, assume that products bearing Opposer's Marks are duly authorized for sale by Opposer or otherwise connected with Opposer, and rely on their presumption that a connection exists between Opposer and its licensees and other sources of goods and services branded with Opposer's Marks, to inform their purchasing decisions.
35. Applicant's mark, as sought to be registered, would lead consumers to draw false conclusions as to a connection of Applicant's mark with Opposer and with Opposer's goods and services, under circumstances where such a conclusion will be material to the consumer's deliberations regarding the purchase of the goods.
36. As alleged above, despite Applicant's claim of right to use the DUKE mark it seeks to register, in connection with goods similar or identical to goods offered by Opposer, Applicant is not

affiliated with, licensed by, or otherwise associated with Opposer. Opposer is not connected with the goods that Applicant provides, offers, or intends to offer under the mark sought to be registered.

37. Nonetheless, Opposer's name, house mark, trademark, and service mark DUKE, and Opposer's Marks, are of sufficient fame or reputation that when Applicant's mark is used on or in connection with the goods identified in Applicant's Application, a connection with Opposer would be presumed and Applicant's mark would be recognized as connected with Opposer, uniquely and unmistakably pointing to Opposer.

38. Consumers are likely to be deceived as to the connection, which does not in fact exist, and to make purchasing decisions based on the false suggestion of a connection created by Applicant and its mark.

39. Registration and/or use of Applicant's mark as sought in Applicant's Application is likely to interfere with Opposer's use and exploitation of Opposer's Marks, including its DUKE mark, and to falsely suggest a connection with Opposer.

### **CONCLUSION**

40. In view of the foregoing and the similarity of Opposer's prior-used and not abandoned Opposer's Marks to Applicant's applied-for mark, the similarities between the use made by Opposer and its licensees of Opposer's Marks and the use of Applicant's mark by Applicant as identified in Applicant's Application and shown through Applicant's use and actual and potential channels of commerce, it is alleged that Applicant's mark as currently applied for, identified and described, so resembles Opposer's marks as to be likely to cause confusion and to cause mistake. Moreover, registration and/or use of Applicant's mark as sought in Applicant's Application is likely to interfere with Opposer's use and exploitation of Opposer's Marks, to deceptively and

falsely suggest a connection with Opposer, and to diminish and dilute and tarnish Opposer's rights in Opposer's Marks and the distinctive quality thereof and the goodwill associated therewith which presently inures to the benefit of Opposer.

WHEREFORE, Opposer requests that Applicant's Application be denied.

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

The Office is authorized to charge any additional or otherwise unpaid fees associated with the filing of this Notice of Opposition to our deposit account 15-0490.

This 1st day of September 2022.

**OLIVE & OLIVE, P.A.**  
Attorneys for Opposer

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Email: [emailboxTTAB@oliveandolive.com](mailto:emailboxTTAB@oliveandolive.com)

Duke University's Notice of Opposition

Exhibit 1:

TSDR website printout of Reg. No. 1,701,827

**Duke  
University**

Generated on: This page was generated by TSDR on 2022-08-25 14:28:28 EDT

Mark: DUKE UNIVERSITY



US Serial Number: 74208935

Application Filing Date: Oct. 01, 1991

US Registration Number: 1701827

Registration Date: Jul. 21, 1992

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jun. 26, 2012

Publication Date: Apr. 28, 1992

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## Mark Information

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Mark Literal Elements: DUKE UNIVERSITY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: pillows

International Class(es): 020 - Primary Class

U.S Class(es): 032

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: cups

International Class(es): 021 - Primary Class

U.S Class(es): 002, 030

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: shirts

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor  
Office of Counsel  
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Vedia Jones-Richardson

Docket Number: DUKU0412

Attorney Primary Email Address: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Vedia Jones-Richardson  
Olive & Olive, P.A.  
P.O. Box 2049  
Durham, NORTH CAROLINA UNITED STATES 27702

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 05, 2022	TEAS SECTION 8 & 9 RECEIVED	
Jul. 21, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	73376
Jun. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Jun. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 30, 2008	CASE FILE IN TICRS	
Oct. 11, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 11, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Oct. 08, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 21, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 1992	PUBLISHED FOR OPPOSITION	
Mar. 27, 1992	NOTICE OF PUBLICATION	
Dec. 10, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	

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## TM Staff and Location Information

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TM Staff Information - None

File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jun. 26, 2012

# Duke University's Notice of Opposition

## Exhibit 2:

TSDR website printout of Reg. No. 1,702,350

## **DUKE UNIVERSITY STORES**

**Generated on:** This page was generated by TSDR on 2022-08-25 14:29:51 EDT

**Mark:** DUKE UNIVERSITY STORES

**US Serial Number:** 74208327

**Application Filing Date:** Sep. 30, 1991

**US Registration Number:** 1702350

**Registration Date:** Jul. 21, 1992

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** The registration has been renewed.

**Status Date:** Jun. 26, 2012

**Publication Date:** Apr. 28, 1992

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## Mark Information

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**Mark Literal Elements:** DUKE UNIVERSITY STORES

**Standard Character Claim:** No

**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

**Disclaimer:** "STORES"

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** retail store and mail order services in the field of clothing, furniture, toys, games, sports equipment, school and office supplies, educational materials, computers, books, photography, housewares, towels, floor coverings, jewelry, ornaments, stationery, prints, camping equipment, pennants, decals, memorabilia, items bearing Duke University trademarks, and items depicting Duke University or its students, faculty, or campus life

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1940

**Use in Commerce:** 1940

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## Basis Information (Case Level)

---

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** NONPROFIT CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0410

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 11, 2022	TEAS SECTION 8 & 9 RECEIVED	
Jul. 21, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	66607
Jun. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Jun. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 31, 2008	CASE FILE IN TICRS	
Jul. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 29, 2002	PAPER RECEIVED	
Oct. 07, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 21, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 1992	PUBLISHED FOR OPPOSITION	
Mar. 27, 1992	NOTICE OF PUBLICATION	
Dec. 30, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

## TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jun. 26, 2012

# Duke University's Notice of Opposition

## Exhibit 3:

TSDR website printout of Reg. No. 1,702,830

**Duke University**

Generated on: This page was generated by TSDR on 2022-08-25 14:30:49 EDT

Mark: DUKE UNIVERSITY



US Serial Number: 74208934

Application Filing Date: Oct. 01, 1991

US Registration Number: 1702830

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 02, 2012

Publication Date: May 05, 1992

## Mark Information

Mark Literal Elements: DUKE UNIVERSITY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** key rings made primarily of metal and metal license plates

**International Class(es):** 006 - Primary Class

**U.S Class(es):** 013, 025

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1965

**Use in Commerce:** 1965

**For:** business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags

**International Class(es):** 016 - Primary Class

**U.S Class(es):** 002, 037, 038

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1925

**Use in Commerce:** 1965

**For:** trunks for traveling, travel bags, and toiletry cases sold empty

**International Class(es):** 018 - Primary Class

**U.S Class(es):** 002, 003

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1925

**Use in Commerce:** 1965

**For:** tablecloths not of paper, blankets, and cloth flags

**International Class(es):** 024 - Primary Class

**U.S Class(es):** 032, 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1925

**Use in Commerce:** 1965

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** 310 Blackwell Street  
4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** NON-PROFIT CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0408

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
P.O. Box 2049  
DURHAM, NORTH CAROLINA UNITED STATES 27702

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 28, 2022	TEAS SECTION 8 & 9 RECEIVED	
Jul. 28, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
May 02, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 02, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70132
May 02, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70132
May 02, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Apr. 13, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 08, 2008	CASE FILE IN TICRS	
Oct. 17, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	

Oct. 17, 2002 REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED  
Jul. 25, 2002 REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED  
Jul. 25, 2002 PAPER RECEIVED  
Oct. 09, 1998 REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.  
Jul. 24, 1998 REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED  
Jul. 28, 1992 REGISTERED-PRINCIPAL REGISTER  
May 05, 1992 PUBLISHED FOR OPPOSITION  
Apr. 03, 1992 NOTICE OF PUBLICATION  
Dec. 30, 1991 APPROVED FOR PUB - PRINCIPAL REGISTER  
Dec. 16, 1991 EXAMINER'S AMENDMENT MAILED  
Dec. 09, 1991 ASSIGNED TO EXAMINER

67604

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** May 02, 2012

# Duke University's Notice of Opposition

## Exhibit 4:

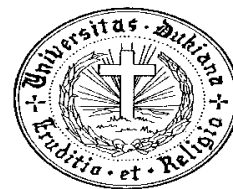
TSDR website printout of Reg. No. 1,713,473

**UNIVERSITAS DUKIANA ERUDITIO ET  
RELIGIO**



Generated on: This page was generated by TSDR on 2022-08-25 14:31:41 EDT

Mark: UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO



US Serial Number: 74208924

Application Filing Date: Oct. 01, 1991

US Registration Number: 1713473

Registration Date: Sep. 08, 1992

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Mar. 15, 2012

Publication Date: May 12, 1992

## Mark Information

Mark Literal Elements: UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Disclaimer: "UNIVERSITY"

Translation: The English translation of the words "UNIVERSITAS DUKIANA" and "ERUDITO ET RELIGIO" in the mark is "Duke University" and "education and religion" respectively.

Design Search Code(s): 05.15.02 - Wreaths; Laurel leaves or branches (borders or frames)  
24.05.01 - Seals, circular or elliptical; Circular or elliptical seals  
24.13.01 - Latin cross (shorter horizontal lines); Cross, Latin (shorter horizontal lines)

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: jewelry; namely, class rings

International Class(es): 014 - Primary Class

U.S Class(es): 028

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: educational services; namely, providing courses of study at the undergraduate and graduate level

International Class(es): 041 - Primary Class

U.S Class(es): 107

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Vedia Jones-Richardson

Docket Number: DUKU2101

Attorney Primary Email Address: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2022	TEAS SECTION 8 & 9 RECEIVED	
Sep. 08, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Mar. 15, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 15, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	67603
Mar. 15, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Mar. 12, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 27, 2008	CASE FILE IN TICRS	
Jul. 07, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 07, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 29, 2002	PAPER RECEIVED	
Jun. 27, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 26, 1998	RESPONSE RECEIVED TO POST REG. ACTION	
Dec. 29, 1997	POST REGISTRATION ACTION MAILED - SEC. 15	
Dec. 02, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 08, 1992	REGISTERED-PRINCIPAL REGISTER	
May 12, 1992	PUBLISHED FOR OPPOSITION	
Apr. 10, 1992	NOTICE OF PUBLICATION	
Jan. 08, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	

Dec. 16, 1991 EXAMINER'S AMENDMENT MAILED

Dec. 09, 1991 ASSIGNED TO EXAMINER

67604

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## TM Staff and Location Information

---

**TM Staff Information - None**

**File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Mar. 15, 2012

Duke University's Notice of Opposition

Exhibit 5:

TSDR website printout of Reg. No. 2,026,492

**D[U]KE with Stylized "U"**

**D♥KE**

Generated on: This page was generated by TSDR on 2022-08-25 14:33:10 EDT

Mark: DKE

# D♥KE

US Serial Number: 74693793

Application Filing Date: Jun. 27, 1995

US Registration Number: 2026492

Registration Date: Dec. 31, 1996

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Feb. 18, 2017

Publication Date: Oct. 08, 1996

## Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards  
27.03.02 - Humans forming letters or numerals; Humans forming punctuation

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: clothing, namely, T-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 17, 1995

Use in Commerce: Feb. 17, 1995

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

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## Current Owner(s) Information

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**Owner Name:** Duke University

**Owner Address:** Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** NONPROFIT CORPORATION

**State or Country** NORTH CAROLINA  
**Where Organized:**

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## Attorney/Correspondence Information

---

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0416

**Attorney Primary** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Email Address:**

**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent** Vedia Jones-Richardson  
**Name/Address:** Olive & Olive, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** (919) 683-5514

**Fax:** (919) 688-3781

**Correspondent e-** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**mail:**

**Correspondent e-** Yes  
**mail Authorized:**

### Domestic Representative - Not Found

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## Prosecution History

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Date	Description	Proceeding Number
Feb. 18, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 18, 2017	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	71359
Feb. 18, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	71359
Feb. 18, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71359
Dec. 19, 2016	TEAS SECTION 8 & 9 RECEIVED	
Nov. 08, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 26, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 26, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 16, 2007	ASSIGNED TO PARALEGAL	68502
Dec. 19, 2006	TEAS SECTION 8 & 9 RECEIVED	
Sep. 14, 2006	CASE FILE IN TICRS	
Dec. 23, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 29, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 29, 2002	PAPER RECEIVED	
Dec. 31, 1996	REGISTERED-PRINCIPAL REGISTER	
Oct. 08, 1996	PUBLISHED FOR OPPOSITION	
Sep. 06, 1996	NOTICE OF PUBLICATION	
Jul. 22, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 30, 1995	NON-FINAL ACTION MAILED	
Nov. 21, 1995	ASSIGNED TO EXAMINER	68788

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## TM Staff and Location Information

---

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Feb. 18, 2017

Duke University's Notice of Opposition

Exhibit 6

TSDR website printout of Reg. No. 2,082,553

**D[U]KE with Stylized "U"**

**D♥KE**

Generated on: This page was generated by TSDR on 2022-08-25 14:34:13 EDT

Mark: DKE



US Serial Number: 75976141

Application Filing Date: Jun. 28, 1995

US Registration Number: 2082553

Registration Date: Jul. 22, 1997

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Aug. 29, 2017

Publication Date: Jun. 25, 1996 Notice of Allowance Date: Sep. 17, 1996

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## Mark Information

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Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards

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## Related Properties Information

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Child Of: 74694684

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: balloons

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 12, 1996

Use in Commerce: Nov. 12, 1996

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## Basis Information (Case Level)

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Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No  
Filed 44E: No  
Filed 66A: No  
Filed No Basis: No

Currently 44E: No  
Currently 66A: No  
Currently No Basis: No

## Current Owner(s) Information

**Owner Name:** Duke University  
**Owner Address:** Durham, NORTH CAROLINA UNITED STATES 22701  
**Legal Entity Type:** NONPROFIT CORPORATION  
**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Docket Number:** DUKU0427  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701  
**Phone:** 9196835514  
**Fax:** 9196883781  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 29, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 29, 2017	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	30005
Aug. 29, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	30005
Aug. 29, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	30005
Jul. 19, 2017	TEAS SECTION 8 & 9 RECEIVED	
Jul. 22, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 11, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Jun. 11, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2007	ASSIGNED TO PARALEGAL	68502
May 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 15, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Jul. 22, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 02, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 22, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 1997	USE AMENDMENT FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Dec. 28, 1995 NON-FINAL ACTION MAILED  
Dec. 15, 1995 ASSIGNED TO EXAMINER  
Dec. 07, 1995 ASSIGNED TO EXAMINER

68788  
69197

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## TM Staff and Location Information

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TM Staff Information - None

File Location

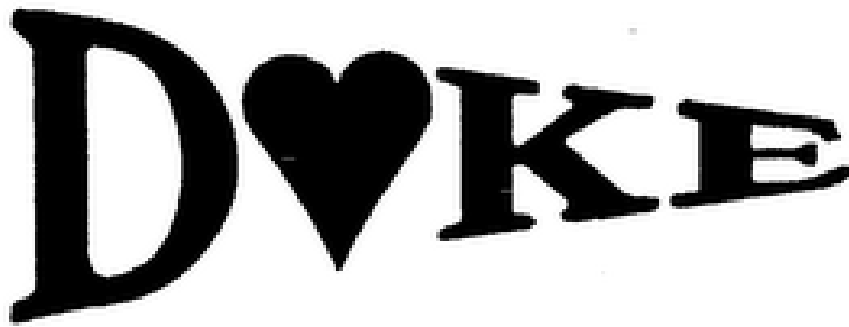
**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Aug. 29, 2017

Duke University's Notice of Opposition

Exhibit 7:  
TSDR website printout of Reg. No.  
2,092,314

**D[U]KE with Stylized "U"**



Generated on: This page was generated by TSDR on 2022-08-25 14:35:29 EDT

Mark: D KE



US Serial Number: 75976140

Application Filing Date: Jun. 28, 1995

US Registration Number: 2092314

Registration Date: Aug. 26, 1997

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Oct. 03, 2017

Publication Date: Jun. 25, 1996 Notice of Allowance Date: Sep. 17, 1996

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## Mark Information

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Mark Literal Elements: D KE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards  
27.03.05 - Objects forming letters or numerals

---

## Related Properties Information

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Child Of: 74694684

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: pennants not of paper

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 22, 1996

Use in Commerce: Nov. 22, 1996

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## Basis Information (Case Level)

---

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No  
Filed 44E: No  
Filed 66A: No  
Filed No Basis: No

Currently 44E: No  
Currently 66A: No  
Currently No Basis: No

## Current Owner(s) Information

**Owner Name:** Duke University  
**Owner Address:** Durham, NORTH CAROLINA UNITED STATES 27701  
**Legal Entity Type:** NONPROFIT CORPORATION  
**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Docket Number:** DUKU0426  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701  
**Phone:** 9196835514  
**Fax:** 9196883781  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 03, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Oct. 03, 2017	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	67110
Oct. 03, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67110
Oct. 03, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67110
Aug. 30, 2017	TEAS SECTION 8 & 9 RECEIVED	
Aug. 30, 2017	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Aug. 26, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Oct. 10, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 31, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Oct. 31, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 31, 2007	ASSIGNED TO PARALEGAL	75461
May 31, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 31, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 02, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Aug. 26, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 19, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 17, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 22, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 1997	USE AMENDMENT FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	

May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

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## TM Staff and Location Information

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TM Staff Information - None

File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Oct. 03, 2017

Duke University's Notice of Opposition

Exhibit 8:

TSDR website printout of Reg. No. 2,122,067

**D[U]KE with Stylized "U"**

**D♥KE**

Generated on: This page was generated by TSDR on 2022-08-25 14:36:05 EDT

Mark: DKE

# D♥KE

US Serial Number: 74694684

Application Filing Date: Jun. 28, 1995

US Registration Number: 2122067

Registration Date: Dec. 16, 1997

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jan. 14, 2018

Publication Date: Jun. 25, 1996 Notice of Allowance Date: Sep. 17, 1996

## Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards  
27.03.05 - Objects forming letters or numerals

## Related Properties Information

Claimed Ownership of US Registrations: 2026492, 2082553, 2092314

Parent Of: 75976140, 75976141

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: decals, stickers, stationery, and note pads

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 05, 1996

Use in Commerce: Nov. 05, 1996

For: drinking glasses, cups, and mugs

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

**Class(es):****Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Nov. 06, 1996**Use in Commerce:** Nov. 06, 1996

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**Basis Information (Case Level)**

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**Filed Use:** No**Currently Use:** Yes**Filed ITU:** Yes**Currently ITU:** No**Filed 44D:** No**Currently 44E:** No**Filed 44E:** No**Currently 66A:** No**Filed 66A:** No**Currently No Basis:** No**Filed No Basis:** No

---

**Current Owner(s) Information**

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**Owner Name:** Duke University**Owner Address:** Office of University Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701**Legal Entity Type:** NONPROFIT CORPORATION**State or Country** NORTH CAROLINA  
**Where Organized:**

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**Attorney/Correspondence Information**

---

**Attorney of Record****Attorney Name:** Vedia Jones-Richardson**Docket Number:** DUKU0417**Attorney Primary** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Email Address:****Attorney Email** Yes  
**Authorized:****Correspondent****Correspondent** Vedia Jones-Richardson  
**Name/Address:** Olive & Olive, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701**Phone:** 9196835514**Fax:** 9196883781**Correspondent e-** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**mail:****Correspondent e-** Yes  
**mail Authorized:****Domestic Representative - Not Found**

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**Prosecution History**

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Date	Description	Proceeding Number
Jan. 14, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 14, 2018	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	76985
Jan. 14, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76985
Jan. 14, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Dec. 18, 2017	TEAS SECTION 8 & 9 RECEIVED	
Dec. 16, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Nov. 19, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Jun. 23, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Jun. 23, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2007	ASSIGNED TO PARALEGAL	73376
May 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Feb. 26, 2007	CASE FILE IN TICRS	
Sep. 27, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 14, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	

Aug. 14, 2003	PAPER RECEIVED	
Dec. 16, 1997	REGISTERED-PRINCIPAL REGISTER	
Oct. 16, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 12, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 16, 1997	USE AMENDMENT FILED	
May 22, 1997	SOU EXTENSION 1 GRANTED	
Mar. 17, 1997	SOU EXTENSION 1 FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

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## TM Staff and Location Information

---

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jan. 14, 2018

Duke University's Notice of Opposition

Exhibit 9:

TSDR website printout of Reg. No. 2,203,764

**DUKE CENTER FOR LIVING**

**Generated on:** This page was generated by TSDR on 2022-08-25 14:37:06 EDT

**Mark:** DUKE CENTER FOR LIVING

**US Serial Number:** 75321843

**Application Filing Date:** Jul. 01, 1997

**US Registration Number:** 2203764

**Registration Date:** Nov. 17, 1998

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** The registration has been renewed.

**Status Date:** Nov. 08, 2018

**Publication Date:** Aug. 25, 1998

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## Mark Information

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**Mark Literal Elements:** DUKE CENTER FOR LIVING

**Standard Character Claim:** No

**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

**Disclaimer:** "CENTER"

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** educational services, namely, conducting classes, individualized programs, retreats, seminars, and workshops in the fields of health, medicine, nutrition, physical fitness, and stress and lifestyle management; and providing facilities for exercise

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 1991

**Use in Commerce:** Aug. 1991

**For:** counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight management diet planning and supervision

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 1991

**Use in Commerce:** Aug. 1991

---

## Basis Information (Case Level)

<b>Filed Use:</b> Yes	<b>Currently Use:</b> Yes
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44E:</b> No
<b>Filed 44E:</b> No	<b>Currently 66A:</b> No
<b>Filed 66A:</b> No	<b>Currently No Basis:</b> No
<b>Filed No Basis:</b> No	

## Current Owner(s) Information

**Owner Name:** Duke University  
**Owner Address:** PO BOX 3024  
Durham, NORTH CAROLINA UNITED STATES 27710  
**Legal Entity Type:** NONPROFIT CORPORATION  
**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Susan Freya Olive  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Docket Number:** DUKU0429  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE PA  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27702  
**Phone:** 919-863-5514  
**Fax:** 919-688-3781  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 08, 2018	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	76293
Nov. 08, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76293
Nov. 08, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Oct. 31, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 31, 2018	TEAS SECTION 8 & 9 RECEIVED	
Nov. 17, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
May 24, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
May 24, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 21, 2008	ASSIGNED TO PARALEGAL	73376
May 09, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jul. 27, 2007	CASE FILE IN TICRS	
Jun. 07, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 29, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 17, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 25, 1998	PUBLISHED FOR OPPOSITION	
Jul. 24, 1998	NOTICE OF PUBLICATION	
Jun. 04, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 20, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 01, 1998	NON-FINAL ACTION MAILED	

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## TM Staff and Location Information

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**TM Staff Information - None**  
**File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Nov. 08, 2018

# Duke University's Notice of Opposition

## Exhibit 10:

TSDR website printout of Reg. No. 2,317,603

**DUKE**

Generated on: This page was generated by TSDR on 2022-08-25 14:38:11 EDT

Mark: DUKE

DUKE

US Serial Number: 75347293

Application Filing Date: Aug. 26, 1997

US Registration Number: 2317603

Registration Date: Feb. 15, 2000

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Feb. 14, 2020

Publication Date: Nov. 23, 1999

## Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

## Related Properties Information

Claimed Ownership of US Registrations: 2203764

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1935

Use in Commerce: Jan. 1935

**For:** providing hospital, medical, and health care services; [ providing medical services delivered by mobile unit; ] conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1935

**Use in Commerce:** Jan. 1935

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** 4th Floor  
310 Blackwell Street  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** NONPROFIT CORPORATION

**State or Country** NORTH CAROLINA  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0428

**Attorney Primary** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Email Address:**

**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent** Vedia Jones-Richardson  
**Name/Address:** OLIVE & OLIVE PA  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**mail:**

**Correspondent e-** Yes  
**mail Authorized:**

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 14, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 14, 2020	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	77315
Feb. 14, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	77315
Feb. 11, 2020	TEAS SECTION 8 & 9 RECEIVED	
Feb. 15, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Sep. 10, 2009	CASE FILE IN TICRS	96529
Aug. 12, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77315
Aug. 12, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 10, 2009	ASSIGNED TO PARALEGAL	77315
Aug. 06, 2009	TEAS SECTION 8 & 9 RECEIVED	
Dec. 03, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70853
Dec. 03, 2005	ASSIGNED TO PARALEGAL	70853
Aug. 10, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 10, 2005	TEAS SECTION 8 & 15 RECEIVED	
Feb. 15, 2000	REGISTERED-PRINCIPAL REGISTER	
Nov. 23, 1999	PUBLISHED FOR OPPOSITION	

Oct. 22, 1999	NOTICE OF PUBLICATION	
Aug. 02, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 29, 1999	EXAMINER'S AMENDMENT MAILED	
Jan. 21, 1999	NON-FINAL ACTION MAILED	
Nov. 16, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 11, 1998	NON-FINAL ACTION MAILED	
May 08, 1998	ASSIGNED TO EXAMINER	74301
May 07, 1998	ASSIGNED TO EXAMINER	73699

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Feb. 14, 2020

# Duke University's Notice of Opposition

## Exhibit 11:

TSDR website printout of Reg. No. 2,415,817

**DUKECARD**

Generated on: This page was generated by TSDR on 2022-08-25 14:39:00 EDT

Mark: DUKECARD

DUKECARD

US Serial Number: 75892149

Application Filing Date: Jan. 07, 2000

US Registration Number: 2415817

Registration Date: Dec. 26, 2000

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jul. 14, 2020

Publication Date: Oct. 03, 2000

## Mark Information

Mark Literal Elements: DUKECARD

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** magnetically encoded debit cards, security access cards, admission cards, identification cards [ and telephone calling cards ] for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1985

Use in Commerce: Aug. 1985

**For:** financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1985

Use in Commerce: Aug. 1985

## Basis Information (Case Level)

**Filed Use:** Yes  
**Filed ITU:** No  
**Filed 44D:** No  
**Filed 44E:** No  
**Filed 66A:** No  
**Filed No Basis:** No

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University  
**Owner Address:** 310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701  
**Legal Entity Type:** NON-PROFIT CORPORATION  
**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Docket Number:** DUKU0435  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
Olive & Olive, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701  
**Phone:** (919) 683-5514  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 14, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 14, 2020	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	77074
Jul. 14, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	77074
Jul. 14, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77074
May 07, 2020	TEAS SECTION 8 & 9 RECEIVED	
Dec. 26, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Nov. 03, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Nov. 03, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 01, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jan. 06, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Jan. 06, 2007	ASSIGNED TO PARALEGAL	76533
Oct. 30, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 30, 2006	TEAS SECTION 8 & 15 RECEIVED	
Jul. 19, 2006	CASE FILE IN TICRS	
Dec. 26, 2000	REGISTERED-PRINCIPAL REGISTER	
Oct. 03, 2000	PUBLISHED FOR OPPOSITION	
Sep. 01, 2000	NOTICE OF PUBLICATION	
Jul. 17, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 2000	EXAMINER'S AMENDMENT MAILED	
Jun. 28, 2000	ASSIGNED TO EXAMINER	76145
Jun. 22, 2000	ASSIGNED TO EXAMINER	77770

## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jul. 14, 2020

# Duke University's Notice of Opposition

## Exhibit 12:

TSDR website printout of Reg. No. 3,157,222

**DUKIE**

Generated on: This page was generated by TSDR on 2022-08-25 14:39:47 EDT

Mark: DUKIE

DUKIE

US Serial Number: 78674480

Application Filing Date: Jul. 20, 2005

US Registration Number: 3157222

Registration Date: Oct. 17, 2006

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jun. 10, 2017

Publication Date: Jul. 25, 2006

## Mark Information

Mark Literal Elements: DUKIE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 1701827, 2026492 and others

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Children's wear, namely, jackets, wind jackets, [ wind vests, ] undergarments, pants, shorts, [ sweaters, ] sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, [ uniforms, ] footwear, dresses; infants' wear, namely, jackets, [ wind jackets, ] wind vests, undergarments, shirts, pants, [ shorts, ] dresses, [ skirts, ] headwear, footwear, gloves, sleepwear, and infants' cloth [ and plastic bibs ]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 17, 2002

Use in Commerce: Jul. 17, 2002

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** NON-PROFIT CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0439

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 9196835514

**Fax:** 9196883781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jun. 10, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 10, 2017	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76293
Jun. 10, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76293
Jun. 09, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Apr. 17, 2017	TEAS SECTION 8 & 9 RECEIVED	
Oct. 17, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Apr. 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 30, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Apr. 30, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 13, 2012	TEAS SECTION 8 & 15 RECEIVED	
Oct. 17, 2006	REGISTERED-PRINCIPAL REGISTER	
Jul. 25, 2006	PUBLISHED FOR OPPOSITION	
Jul. 05, 2006	NOTICE OF PUBLICATION	
Jun. 03, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	77975
May 31, 2006	ASSIGNED TO LIE	77975
May 31, 2006	ASSIGNED TO LIE	74189
May 25, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 27, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 25, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 25, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 17, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2006	NON-FINAL ACTION WRITTEN	76137
Feb. 17, 2006	NON-FINAL ACTION E-MAILED	6325

Feb. 17, 2006 NON-FINAL ACTION WRITTEN  
Feb. 08, 2006 ASSIGNED TO EXAMINER  
Jul. 26, 2005 NEW APPLICATION ENTERED IN TRAM

76137

76137

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jun. 10, 2017

Duke University's Notice of Opposition

Exhibit 13:

TSDR website printout of Reg. No. 3,780,204

**DUKEENGAGE**

Generated on: This page was generated by TSDR on 2022-08-25 14:40:29 EDT

Mark: DUKEENGAGE

DUKEENGAGE

US Serial Number: 77700792

Application Filing Date: Mar. 27, 2009

US Registration Number: 3780204

Registration Date: Apr. 27, 2010

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 05, 2020

Publication Date: Feb. 09, 2010

## Mark Information

Mark Literal Elements: DUKEENGAGE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 2203764, 2317603, 2415817 and others

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service

**International Class(es):** 035 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Feb. 01, 2007

**Use in Commerce:** Feb. 01, 2007

**For:** charitable fundraising services

**International Class(es):** 036 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Feb. 01, 2007

**Use in Commerce:** Feb. 01, 2007

**For:** Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Feb. 01, 2007

**Use in Commerce:** Feb. 01, 2007

**For:** Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Feb. 01, 2007

**Use in Commerce:** Feb. 01, 2007

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** 310 Blackwell Street  
4th floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0457

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
Olive and Olive, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
May 05, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 05, 2020	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77074
May 05, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	77074

May 05, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77074
Mar. 02, 2020	TEAS SECTION 8 & 9 RECEIVED	
Apr. 27, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 23, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jun. 23, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	82094
Jun. 23, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	82094
Apr. 19, 2016	TEAS SECTION 8 & 15 RECEIVED	
Apr. 27, 2010	REGISTERED-PRINCIPAL REGISTER	
Feb. 09, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 09, 2010	PUBLISHED FOR OPPOSITION	
Jan. 07, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 07, 2010	ASSIGNED TO LIE	74221
Dec. 17, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 16, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 16, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 17, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2009	NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2009	NON-FINAL ACTION WRITTEN	81097
Jun. 17, 2009	ASSIGNED TO EXAMINER	81097
Apr. 01, 2009	NOTICE OF PSEUDO MARK MAILED	
Mar. 31, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 31, 2009	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** May 05, 2020

Duke University's Notice of Opposition

Exhibit 14

TSDR website printout of Reg. No. 3,878,213

**DUKE with Devil Design**



Generated on: This page was generated by TSDR on 2022-08-25 14:41:19 EDT

Mark: DUKE



US Serial Number: 78944344

Application Filing Date: Aug. 03, 2006

US Registration Number: 3878213

Registration Date: Nov. 16, 2010

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Feb. 24, 2021

Publication Date: Oct. 20, 2009 Notice of Allowance Date: Apr. 20, 2010

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## Mark Information

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Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 04.01.05 - Heads of devils or horned personages, with or without wings, and devil's tail; Heads with horns (persons)

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## Related Properties Information

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Claimed Ownership of US Registrations: 1703446, 1737968, 1742734 and others

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

For: Decals, note pads, note cards, writing paper, and binders

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2010

Use in Commerce: Feb. 01, 2010

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## Basis Information (Case Level)

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**Filed Use:** No  
**Filed ITU:** Yes  
**Filed 44D:** No  
**Filed 44E:** No  
**Filed 66A:** No  
**Filed No Basis:** No

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University  
**Owner Address:** 310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701  
**Legal Entity Type:** NON-PROFIT CORPORATION  
**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Docket Number:** DUKU0444  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
Olive & Olive, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701  
**Phone:** (919) 683-5514  
**Fax:** (919) 688-3781  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 24, 2021	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 24, 2021	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70187
Feb. 24, 2021	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70187
Feb. 24, 2021	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70187
Nov. 16, 2020	TEAS SECTION 8 & 9 RECEIVED	
Apr. 21, 2020	NOTICE OF SUIT	
Apr. 02, 2020	NOTICE OF SUIT	
Nov. 16, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jan. 21, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jan. 21, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Jan. 21, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Nov. 14, 2016	TEAS SECTION 8 & 15 RECEIVED	
Dec. 17, 2010	CORRECTION UNDER SECTION 7 Â- PROCESSED	76293
Dec. 17, 2010	ASSIGNED TO PARALEGAL	76293
Nov. 16, 2010	REGISTERED-PRINCIPAL REGISTER	
Oct. 14, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 13, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Oct. 13, 2010	ASSIGNED TO LIE	70884
Sep. 30, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 28, 2010	STATEMENT OF USE PROCESSING COMPLETE	76874
Aug. 30, 2010	USE AMENDMENT FILED	76874
Sep. 27, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Aug. 30, 2010	TEAS STATEMENT OF USE RECEIVED	

Apr. 20, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 05, 2010	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Nov. 18, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 20, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 20, 2009	PUBLISHED FOR OPPOSITION	
Sep. 16, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Sep. 15, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 26, 2009	SUSPENSION CHECKED Å- TO ATTORNEY FOR ACTION	76243
Feb. 21, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 29, 2009	SUSPENSION CHECKED Å- TO ATTORNEY FOR ACTION	76243
Jul. 24, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76243
Jan. 23, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jul. 23, 2007	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jul. 23, 2007	LETTER OF SUSPENSION E-MAILED	6332
Jul. 23, 2007	SUSPENSION LETTER WRITTEN	76635
Jun. 30, 2007	SUSPENSION CHECKED Å- TO ATTORNEY FOR ACTION	76243
Jun. 30, 2007	ASSIGNED TO LIE	76243
Dec. 28, 2006	LETTER OF SUSPENSION E-MAILED	6332
Dec. 28, 2006	SUSPENSION LETTER WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Aug. 09, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 08, 2006	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Feb. 24, 2021

Duke University's Notice of Opposition

Exhibit 15:

TSDR website printout of Reg. No. 3,936,096

**DUKE**

Generated on: This page was generated by TSDR on 2022-08-25 14:42:05 EDT

Mark: DUKE

US Serial Number: 75567914

Application Filing Date: Oct. 08, 1998

US Registration Number: 3936096

Registration Date: Mar. 29, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jul. 08, 2021

Publication Date: Jul. 07, 2009

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## Mark Information

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Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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## Related Properties Information

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Claimed Ownership of US Registrations: 1702830, 1707827, 2026492

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

**For:** clothing for men, women and children, namely, cloth and plastic bibs, booties, cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, nightshirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1926

Use in Commerce: 1926

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## Basis Information (Case Level)

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**Filed Use:** Yes  
**Filed ITU:** No  
**Filed 44D:** No  
**Filed 44E:** No  
**Filed 66A:** No  
**Filed No Basis:** No

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University  
**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27710  
**Legal Entity Type:** NON-PROFIT CORPORATION  
**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Docket Number:** DUKU0433  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701  
**Phone:** 919-683-5514  
**Fax:** 919-688-3781  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 08, 2021	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 08, 2021	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Jul. 08, 2021	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Jul. 08, 2021	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Apr. 01, 2021	TEAS SECTION 8 & 9 RECEIVED	
Apr. 21, 2020	NOTICE OF SUIT	
Apr. 02, 2020	NOTICE OF SUIT	
Mar. 29, 2020	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
May 18, 2017	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	75184
May 18, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75184
Jan. 27, 2017	TEAS SECTION 15 RECEIVED	
Jan. 23, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jan. 23, 2017	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	74704
Jan. 23, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74704
Jan. 19, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74704
Dec. 06, 2016	TEAS SECTION 15 RECEIVED	
Dec. 01, 2016	TTAB RELEASE CASE TO TRADEMARKS	63474
Dec. 01, 2016	CANCELLATION TERMINATED NO. 999999	63474
Nov. 30, 2016	CANCELLATION DENIED NO. 999999	63474
Apr. 07, 2016	CANCELLATION INSTITUTED NO. 999999	63474
Mar. 29, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 29, 2011	REGISTERED-PRINCIPAL REGISTER	

Feb. 18, 2011	TTAB RELEASE CASE TO TRADEMARKS	193267
Feb. 18, 2011	OPPOSITION TERMINATED NO. 999999	193267
Feb. 18, 2011	OPPOSITION DISMISSED NO. 999999	193267
Jan. 05, 2010	OPPOSITION INSTITUTED NO. 999999	193267
Jul. 27, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 07, 2009	PUBLISHED FOR OPPOSITION	
Jun. 17, 2009	NOTICE OF PUBLICATION	
Jun. 04, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 03, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 02, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 02, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 08, 2008	FINAL REFUSAL MAILED	
Dec. 08, 2008	FINAL REFUSAL WRITTEN	76145
Nov. 17, 2008	SUSPENSION CHECKED Â- TO ATTORNEY FOR ACTION	68171
May 14, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
May 14, 2008	SUSPENSION CHECKED Â- TO ATTORNEY FOR ACTION	68171
Nov. 13, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
May 09, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Apr. 26, 2007	SUSPENSION CHECKED Â- TO ATTORNEY FOR ACTION	68171
Apr. 26, 2007	ASSIGNED TO LIE	68171
Oct. 10, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Apr. 05, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	78145
Oct. 04, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Mar. 29, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76532
Sep. 20, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Aug. 12, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70138
May 29, 2003	CASE FILE IN TICRS	
Apr. 26, 2000	LETTER OF SUSPENSION MAILED	
Apr. 25, 2000	ASSIGNED TO EXAMINER	76145
Dec. 27, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 21, 1999	NON-FINAL ACTION MAILED	
Jun. 04, 1999	ASSIGNED TO EXAMINER	74301
May 14, 1999	ASSIGNED TO EXAMINER	69817
May 11, 1999	ASSIGNED TO EXAMINER	74301
May 06, 1999	ASSIGNED TO EXAMINER	73712

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jul. 08, 2021

# Duke University's Notice of Opposition

## Exhibit 16:

TSDR website printout of Reg. No. 3,995,015

DUKE UNIVERSITY ATHLETICS EXCELLENCE  
LOYALTY DIVERSITY EDUCATION  
ACCOUNTABILITY SPORTSMANSHIP  
COMMITMENT INTEGRITY RESPECT D



**Generated on:** This page was generated by TSDR on 2022-08-25 14:43:01 EDT

**Mark:** DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY  
EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT  
INTEGRITY RESPECT D



**US Serial Number:** 85049335

**Application Filing Date:** May 27, 2010

**US Registration Number:** 3995015

**Registration Date:** Jul. 12, 2011

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** The registration has been renewed.

**Status Date:** Mar. 01, 2022

**Publication Date:** Nov. 16, 2010 **Notice of Allowance Date:** Jan. 11, 2011

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## Mark Information

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**Mark Literal Elements:** DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.

**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Disclaimer:** "UNIVERSITY", "ATHLETICS", "EXCELLENCE", "LOYALTY", "DIVERSITY", "EDUCATION", "ACCOUNTABILITY", "SPORTSMANSHIP", "COMMITMENT", "INTEGRITY" AND "RESPECT"

**Design Search Code(s):** 24.07.04 - Medals

24.09.07 - Banners; Advertising, banners

26.01.07 - Circles with a decorative border, including scalloped, ruffled and zig-zag edges

26.01.17 - Two concentric circles; Concentric circles, two; Circles, two concentric

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## Related Properties Information

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**Claimed Ownership of US Registrations:** 2203764, 2317603, 2415817 and others

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

**For:** Clothing, namely, shirts

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 11, 2006

**Use in Commerce:** Sep. 11, 2006

**For:** Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 11, 2006

**Use in Commerce:** Sep. 11, 2006

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of University Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27710

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0455

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 9196835514

**Fax:** 9196883781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Mar. 01, 2022	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 01, 2022	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Mar. 01, 2022	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Feb. 26, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Sep. 30, 2021	TEAS SECTION 8 & 9 RECEIVED	

Jul. 12, 2020	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Aug. 16, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Aug. 16, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76985
Aug. 16, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Jul. 11, 2017	TEAS SECTION 8 & 15 RECEIVED	
Sep. 13, 2011	REPRINTING REGISTRATION CERTIFICATE	
Sep. 13, 2011	CORRECTION UNDER SECTION 7 Â- PROCESSED	70132
Aug. 28, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Aug. 25, 2011	TEAS SECTION 7 REQUEST RECEIVED	
Jul. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Jun. 07, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 06, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	69712
May 24, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 24, 2011	STATEMENT OF USE PROCESSING COMPLETE	61813
May 19, 2011	USE AMENDMENT FILED	61813
May 24, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
May 19, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 11, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 16, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 16, 2010	PUBLISHED FOR OPPOSITION	
Oct. 08, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Oct. 08, 2010	ASSIGNED TO LIE	69712
Sep. 24, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 24, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2010	EXAMINERS AMENDMENT -WRITTEN	73363
Sep. 14, 2010	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Sep. 14, 2010	PRIORITY ACTION E-MAILED	6326
Sep. 14, 2010	PRIORITY ACTION WRITTEN	73363
Sep. 09, 2010	ASSIGNED TO EXAMINER	73363
Jun. 02, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Jun. 01, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 31, 2010	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Mar. 01, 2022

Duke University's Notice of Opposition

Exhibit 17:

TSDR website printout of Reg. No. 4,108,223

**IRON DUKES**

Generated on: This page was generated by TSDR on 2022-08-25 14:43:51 EDT

Mark: IRON DUKES



US Serial Number: 85356737

Application Filing Date: Jun. 27, 2011

US Registration Number: 4108223

Registration Date: Mar. 06, 2012

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Section 8 declaration has been accepted.

Status Date: Apr. 13, 2018

Publication Date: Dec. 20, 2011

## Mark Information

Mark Literal Elements: IRON DUKES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 1003662

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Decals

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Drinking vessels

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

**First Use:** May 12, 2011

**Use in Commerce:** May 12, 2011

**For:** Blankets for outdoor use

**International Class(es):** 024 - Primary Class

**U.S Class(es):** 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 12, 2011

**Use in Commerce:** May 12, 2011

**For:** Shirts and hats for non-industrial uses

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 12, 2011

**Use in Commerce:** May 12, 2011

**For:** Golf balls

**International Class(es):** 028 - Primary Class

**U.S Class(es):** 022, 023, 038, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 12, 2011

**Use in Commerce:** May 12, 2011

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0902

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Mar. 07, 2022	TEAS SECTION 8 & 9 RECEIVED	
Mar. 06, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Apr. 13, 2018	SEC. 15 ACKNOWLEDGEMENT - E-MAILED	
Apr. 13, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Apr. 13, 2018	REGISTERED - SEC. 15 ACKNOWLEDGED	76873
Mar. 07, 2018	REGISTERED - SEC. 15 AFFIDAVIT FILED	76873
Apr. 13, 2018	REGISTERED - SEC. 8 (6-YR) ACCEPTED	76873
Mar. 06, 2018	REGISTERED - SEC. 8 (6-YR) FILED	76873
Apr. 12, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76873
Mar. 07, 2018	TEAS SECTION 15 RECEIVED	
Mar. 06, 2018	TEAS SECTION 8 RECEIVED	
Mar. 06, 2017	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 06, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 20, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 20, 2011	PUBLISHED FOR OPPOSITION	
Nov. 30, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 16, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Nov. 09, 2011	ASSIGNED TO LIE	70633
Oct. 19, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 19, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 19, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 19, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 19, 2011	EXAMINERS AMENDMENT -WRITTEN	82436
Oct. 12, 2011	ASSIGNED TO EXAMINER	82436
Jul. 01, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 30, 2011	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** TMO LAW OFFICE 117

**Date in Location:** Apr. 13, 2018

Duke University's Notice of Opposition

Exhibit 18:

TSDR website printout of Reg. No. 4,172,132

DUKE with Devil Head Design



Generated on: This page was generated by TSDR on 2022-08-25 14:44:44 EDT

Mark: DUKE



US Serial Number: 78944306

Application Filing Date: Aug. 03, 2006

US Registration Number: 4172132

Registration Date: Jul. 10, 2012

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Aug. 23, 2022

Publication Date: Feb. 21, 2012 Notice of Allowance Date: Apr. 17, 2012

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## Mark Information

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Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the stylized wording "DUKE". A design of the side of a devil's head appears between the letters "U" and "K" in "DUKE".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 04.01.05 - Heads of devils or horned personages, with or without wings, and devil's tail; Heads with horns (persons)

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## Related Properties Information

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Claimed Ownership of US Registrations: 1703446, 1737968, 1742734 and others

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Clothing for men and women, namely, tops [ and sweatshirts ]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 2009

Use in Commerce: Oct. 2009

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## Basis Information (Case Level)

**Filed Use:** No  
**Filed ITU:** Yes  
**Filed 44D:** No  
**Filed 44E:** No  
**Filed 66A:** No  
**Filed No Basis:** No

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University  
**Owner Address:** 310 Blackwell Street, 4th Floor  
Office of Counsel  
Durham, NORTH CAROLINA UNITED STATES 27701  
**Legal Entity Type:** NON-PROFIT CORPORATION  
**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Docket Number:** DUKU0445  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE PA  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701  
**Phone:** 919-683-5514  
**Fax:** (919) 688-3781  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 23, 2022	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 23, 2022	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	81927
Aug. 23, 2022	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	81927
Aug. 23, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	81927
Mar. 04, 2022	TEAS SECTION 8 & 9 RECEIVED	
Jul. 10, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Apr. 21, 2020	NOTICE OF SUIT	
Apr. 02, 2020	NOTICE OF SUIT	
Jul. 26, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 26, 2018	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Jul. 20, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Jul. 10, 2018	TEAS SECTION 8 & 15 RECEIVED	
Jul. 10, 2017	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 10, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 07, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 06, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Jun. 06, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 04, 2012	STATEMENT OF USE PROCESSING COMPLETE	76538
May 09, 2012	USE AMENDMENT FILED	76538

Jun. 01, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
May 09, 2012	TEAS STATEMENT OF USE RECEIVED	
Apr. 17, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 21, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 21, 2012	PUBLISHED FOR OPPOSITION	
Feb. 01, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 19, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 19, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 19, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 19, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 19, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 19, 2012	EXAMINERS AMENDMENT -WRITTEN	76635
Dec. 27, 2011	SUSPENSION CHECKED Â- TO ATTORNEY FOR ACTION	74221
Jun. 24, 2011	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	74221
Dec. 23, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Dec. 03, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 03, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 03, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Sep. 29, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	74221
Sep. 29, 2010	ASSIGNED TO LIE	74221
Mar. 26, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Mar. 16, 2010	SUSPENSION CHECKED Â- TO ATTORNEY FOR ACTION	76243
Sep. 15, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Aug. 26, 2009	SUSPENSION CHECKED Â- TO ATTORNEY FOR ACTION	76243
Feb. 21, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 29, 2009	SUSPENSION CHECKED Â- TO ATTORNEY FOR ACTION	76243
Jul. 18, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 18, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jun. 30, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76243
Jun. 30, 2007	ASSIGNED TO LIE	76243
Dec. 28, 2006	LETTER OF SUSPENSION E-MAILED	6332
Dec. 28, 2006	SUSPENSION LETTER WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Aug. 09, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 08, 2006	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Aug. 23, 2022

Duke University's Notice of Opposition

Exhibit 19:

TSDR website printout of Reg. No. 4,323,346

**DUKE CHILDREN'S**

**Generated on:** This page was generated by TSDR on 2022-08-25 14:45:35 EDT

**Mark:** DUKE CHILDREN'S

DUKE CHILDREN'S

**US Serial Number:** 85658564

**Application Filing Date:** Jun. 21, 2012

**US Registration Number:** 4323346

**Registration Date:** Apr. 23, 2013

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Status Date:** Nov. 22, 2019

**Publication Date:** Feb. 05, 2013

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## Mark Information

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**Mark Literal Elements:** DUKE CHILDREN'S

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "CHILDREN'S"

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## Related Properties Information

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**Claimed Ownership of US Registrations:** 2317603

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Downloadable electronic publications in the nature of bulletins in the field of healthcare

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 17, 2009

**Use in Commerce:** Jun. 17, 2009

**For:** Bulletins concerning healthcare

**International Class(es):** 016 - Primary Class

**U.S Class(es):** 002, 005, 022, 023, 029, 037, 038, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 17, 2009

**Use in Commerce:** Jun. 17, 2009

**For:** Retail pharmacy services; retail gift shop services

**International Class(es):** 035 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1974

**Use in Commerce:** 1974

**For:** Charitable fundraising services

**International Class(es):** 036 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1974

**Use in Commerce:** 1974

**For:** Educational services, namely, conducting programs and training in the fields of medicine and healthcare; charitable services, namely, providing recreational activities for children suffering from illness in the nature of swimming, hiking, fishing, climbing, tennis, dance, photography, arts and crafts, and boating, and conducting field trips in the fields of arts, culture and science

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1996

**Use in Commerce:** 1996

**For:** Scientific research

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1996

**Use in Commerce:** 1996

**For:** Healthcare; providing information in the field of healthcare

**International Class(es):** 044 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1990

**Use in Commerce:** 1990

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

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**Attorney of Record**

**Attorney Name:** Vedia Jones-Richardson **Docket Number:** DUKU0484  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com) **Attorney Email Authorized:** Yes

**Correspondent**

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27702  
**Phone:** 919-683-5514 **Fax:** 919-688-3781  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com) **Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

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**Prosecution History**

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Date	Description	Proceeding Number
Apr. 23, 2022	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Nov. 22, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 22, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Nov. 08, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Oct. 01, 2019	TEAS SECTION 8 & 15 RECEIVED	
Apr. 23, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Apr. 23, 2013	REGISTERED-PRINCIPAL REGISTER	
Feb. 05, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 05, 2013	PUBLISHED FOR OPPOSITION	
Jan. 16, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 28, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Dec. 28, 2012	ASSIGNED TO LIE	68552
Dec. 11, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 10, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 10, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 10, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 15, 2012	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Oct. 15, 2012	PRIORITY ACTION E-MAILED	6326
Oct. 15, 2012	PRIORITY ACTION WRITTEN	81089
Oct. 08, 2012	ASSIGNED TO EXAMINER	81089
Jul. 06, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 25, 2012	NEW APPLICATION ENTERED IN TRAM	

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**TM Staff and Location Information**

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**TM Staff Information - None****File Location****Current Location:** TMEG LAW OFFICE 101**Date in Location:** Nov. 22, 2019

Duke University's Notice of Opposition

Exhibit 20:

TSDR website printout of Reg. No. 4,342,645

**WASHINGTON DUKE INN &  
GOLF CLUB**

Generated on: This page was generated by TSDR on 2022-08-25 14:46:22 EDT

Mark: WASHINGTON DUKE INN & GOLF CLUB

WASHINGTON DUKE INN & GOLF CLUB

US Serial Number: 85756810

Application Filing Date: Oct. 17, 2012

US Registration Number: 4342645

Registration Date: May 28, 2013

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jul. 09, 2019

Publication Date: Mar. 12, 2013

## Mark Information

Mark Literal Elements: WASHINGTON DUKE INN & GOLF CLUB

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "INN & GOLF CLUB"

Name Portrait Consent: The name "WASHINGTON DUKE" does not identify a living individual.

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Retail gift shop; retail sporting goods store

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1988

Use in Commerce: Oct. 1988

For: Providing sports facilities

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1988

Use in Commerce: Oct. 1988

For: Hotel services; restaurant services; provision of banquet and social function facilities for special occasions; provision of conference.

exhibition and meeting facilities

**International Class(es):** 043 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Oct. 1988

**Use in Commerce:** Oct. 1988

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU2309

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
PO BOX 2049  
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 28, 2022	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jul. 09, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 09, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Jul. 09, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
May 28, 2019	TEAS SECTION 8 & 15 RECEIVED	
May 28, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
May 28, 2013	REGISTERED-PRINCIPAL REGISTER	
Mar. 12, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 12, 2013	PUBLISHED FOR OPPOSITION	
Feb. 20, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 06, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Feb. 05, 2013	ASSIGNED TO LIE	77312
Jan. 23, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	

Jan. 23, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 23, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT -WRITTEN	83698
Jan. 23, 2013	ASSIGNED TO EXAMINER	83698
Oct. 23, 2012	NOTICE OF PSEUDO MARK MAILED	
Oct. 22, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 20, 2012	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** TMEG LAW OFFICE 105

**Date in Location:** Jul. 09, 2019

Duke University's Notice of Opposition

Exhibit 21:

TSDR website printout of Reg. No. 4,372,828

**DUKE MEDICINE**

Generated on: This page was generated by TSDR on 2022-08-25 14:47:07 EDT

Mark: DUKE MEDICINE

DUKE MEDICINE

US Serial Number: 78933450

Application Filing Date: Jul. 20, 2006

US Registration Number: 4372828

Registration Date: Jul. 23, 2013

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Mar. 01, 2020

Publication Date: Sep. 18, 2007 Notice of Allowance Date: Mar. 12, 2013

## Mark Information

Mark Literal Elements: DUKE MEDICINE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "MEDICINE"

## Related Properties Information

Claimed Ownership of US Registrations: 2203764, 2317603

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Arranging and conducting educational conferences; medical and scientific training and teaching; arranging of exhibitions, seminars, conferences, professional workshops, training courses; organization of seminars, working groups, research groups and conventions, in the fields of medicine and science; production of radio or television programs; children's entertainment and amusement centers, namely, interactive play areas; entertainment in the nature of golf or tennis tournaments; awards programs for major corporations and individuals who have made significant charitable contributions; publishing documents, books, journals and reports in the fields of science and medicine; providing fitness and exercise facilities; educational research; providing instruction in the field of health and wellness

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 21, 2005

Use in Commerce: Jul. 21, 2005

**For:** Clinical research; design of medical, optical, and scientific apparatus and instruments; design or development of information and databases; design and testing for new product development; design or testing of new products for others; licensing of intellectual property; medical research; medical and optical laboratories; scientific research and development

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jul. 21, 2005

**Use in Commerce:** Jul. 21, 2005

**For:** Blood bank; charitable services, namely, providing medical services, medical equipment, and medical supplies to those in need; charitable services, namely, patient assistance programs to provide drugs, drug counseling, and assistance in obtaining drugs for senior citizens and others in need; dentist services; emergency medical response services; health care; hospitals; hospices; medical, dental, optical, pharmaceutical, wellness and nursing care, consultation, and advice; medical information; nursing care; optician and optometry services; medical clinics; medical services; nutrition counseling; pharmaceutical dispensing; providing health information; providing medical information; rental of medical equipment; home health care and wellness counseling and psychotherapy with individuals, families, and groups; providing information in the field of health and wellness; social work services, namely, assisting patients and their families to obtain appropriate support services in the nature of home health care and wellness counseling; providing medical equipment to individuals

**International Class(es):** 044 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jul. 21, 2005

**Use in Commerce:** Jul. 21, 2005

**For:** Grief and bereavement counseling; ministerial services; providing personal support services for families of patients, namely, companionship, help with medical forms, counseling and emotional support

**International Class(es):** 045 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jul. 21, 2005

**Use in Commerce:** Jul. 21, 2005

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** NON-PROFIT CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0446

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
Olive & Olive, P.A.  
500 Memorial Street  
Durham, NORTH CAROLINA UNITED STATES 27702

Phone: 919-683-5514

Fax: (919) 688-3781

Correspondent e-mail: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 23, 2022	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Mar. 01, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 01, 2020	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74704
Feb. 24, 2020	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Aug. 23, 2019	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	74704
Aug. 23, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74704
Jul. 23, 2019	TEAS SECTION 8 & 15 RECEIVED	
Jul. 23, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 23, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 21, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 20, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Jun. 19, 2013	ASSIGNED TO LIE	67287
Jun. 05, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 04, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
May 07, 2013	USE AMENDMENT FILED	65362
Jun. 04, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
May 07, 2013	TEAS STATEMENT OF USE RECEIVED	
May 01, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 12, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 02, 2013	TTAB RELEASE CASE TO TRADEMARKS	183030
Jan. 02, 2013	OPPOSITION TERMINATED NO. 999999	183030
Jan. 02, 2013	OPPOSITION DISMISSED NO. 999999	183030
Mar. 18, 2008	OPPOSITION INSTITUTED NO. 999999	183030
Oct. 18, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 18, 2007	PUBLISHED FOR OPPOSITION	
Aug. 29, 2007	NOTICE OF PUBLICATION	
Aug. 13, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Aug. 13, 2007	ASSIGNED TO LIE	78289
Jun. 27, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 26, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 26, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 26, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 28, 2006	NON-FINAL ACTION E-MAILED	6325
Dec. 28, 2006	NON-FINAL ACTION WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Jul. 25, 2006	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: Mar. 01, 2020

# Duke University's Notice of Opposition

Exhibit 22:

TSDR website printout of Reg. No. 4,397,703

**DUKE FORWARD**

Generated on: This page was generated by TSDR on 2022-08-25 14:47:48 EDT

Mark: DUKE FORWARD

DUKE FORWARD

US Serial Number: 85738029

Application Filing Date: Sep. 25, 2012

US Registration Number: 4397703

Registration Date: Sep. 03, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Oct. 03, 2019

Publication Date: Mar. 12, 2013 Notice of Allowance Date: May 07, 2013

## Mark Information

Mark Literal Elements: DUKE FORWARD

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 2317603, 3780204, 3995015 and others

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Accepting and administering monetary charitable contributions; Charitable fundraising services

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 29, 2012

Use in Commerce: Sep. 29, 2012

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of University Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Docket Number:** DUKU0494

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27702

**Phone:** 9196835514

**Fax:** 919-688-3781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com) [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 03, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Oct. 03, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70187
Oct. 03, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70187
Aug. 26, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 26, 2019	TEAS SECTION 8 & 15 RECEIVED	
Sep. 03, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Sep. 03, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 30, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 29, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Jul. 26, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 26, 2013	STATEMENT OF USE PROCESSING COMPLETE	66530
Jul. 01, 2013	USE AMENDMENT FILED	66530
Jul. 26, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Jul. 01, 2013	TEAS STATEMENT OF USE RECEIVED	
Jun. 25, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 07, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 12, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 12, 2013	PUBLISHED FOR OPPOSITION	
Feb. 20, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 06, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Feb. 05, 2013	ASSIGNED TO LIE	66213
Jan. 23, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 23, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 23, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT E-MAILED	6328

Jan. 23, 2013	EXAMINERS AMENDMENT -WRITTEN	83698
Jan. 23, 2013	ASSIGNED TO EXAMINER	83698
Sep. 28, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 28, 2012	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** TMEG LAW OFFICE 105

**Date in Location:** Oct. 03, 2019

Duke University's Notice of Opposition

Exhibit 23:

TSDR website printout of Reg. No. 4,481,331

**DUKE CONNECTED CARE**

**Generated on:** This page was generated by TSDR on 2022-08-25 14:50:28 EDT

**Mark:** DUKE CONNECTED CARE

DUKE CONNECTED CARE

**US Serial Number:** 77771298

**Application Filing Date:** Jun. 30, 2009

**US Registration Number:** 4481331

**Registration Date:** Feb. 11, 2014

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Status Date:** Mar. 30, 2020

**Publication Date:** Nov. 17, 2009 **Notice of Allowance Date:** May 18, 2010

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## Mark Information

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**Mark Literal Elements:** DUKE CONNECTED CARE

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "CONNECTED CARE"

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## Related Properties Information

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**Claimed Ownership of US Registrations:** 2203764, 2317603, 2415817

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** health care

**International Class(es):** 044 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 03, 2012

**Use in Commerce:** Dec. 03, 2012

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## Basis Information (Case Level)

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**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0482

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Mar. 30, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 30, 2020	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76874
Mar. 30, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874
Feb. 04, 2020	TEAS SECTION 8 & 15 RECEIVED	
Feb. 11, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Feb. 11, 2014	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 07, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	73296
Jan. 03, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 31, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 30, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 30, 2013	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 20, 2013	NOTIFICATION OF FINAL REFUSAL EMAILED	
Dec. 20, 2013	FINAL REFUSAL E-MAILED	
Dec. 20, 2013	SU - FINAL REFUSAL - WRITTEN	82429
Dec. 03, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	73296
Dec. 03, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	73296
Nov. 25, 2013	ASSIGNED TO LIE	73296
Nov. 20, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 28, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
May 28, 2013	NON-FINAL ACTION E-MAILED	
May 28, 2013	SU - NON-FINAL ACTION - WRITTEN	82429
May 20, 2013	STATEMENT OF USE PROCESSING COMPLETE	76538
May 16, 2013	USE AMENDMENT FILED	76538

May 16, 2013	TEAS STATEMENT OF USE RECEIVED	
May 16, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 17, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 16, 2012	SOU EXTENSION 5 GRANTED	76538
Nov. 13, 2012	SOU EXTENSION 5 FILED	76538
Nov. 13, 2012	TEAS EXTENSION RECEIVED	
Nov. 12, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 03, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 02, 2012	SOU EXTENSION 4 GRANTED	76538
Apr. 30, 2012	SOU EXTENSION 4 FILED	76538
Apr. 30, 2012	TEAS EXTENSION RECEIVED	
Nov. 23, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 22, 2011	SOU EXTENSION 3 GRANTED	76538
Nov. 17, 2011	SOU EXTENSION 3 FILED	76538
Nov. 17, 2011	TEAS EXTENSION RECEIVED	
May 17, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 16, 2011	SOU EXTENSION 2 GRANTED	76538
May 13, 2011	SOU EXTENSION 2 FILED	76538
May 13, 2011	TEAS EXTENSION RECEIVED	
Nov. 11, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 10, 2010	SOU EXTENSION 1 GRANTED	76538
Nov. 01, 2010	SOU EXTENSION 1 FILED	76538
Nov. 10, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Nov. 01, 2010	TEAS EXTENSION RECEIVED	
May 18, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 02, 2010	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Dec. 16, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Nov. 17, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 17, 2009	PUBLISHED FOR OPPOSITION	
Oct. 14, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Oct. 14, 2009	ASSIGNED TO LIE	77075
Sep. 28, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 28, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 28, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 28, 2009	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 28, 2009	EXAMINERS AMENDMENT -WRITTEN	82429
Sep. 26, 2009	ASSIGNED TO EXAMINER	82429
Jul. 06, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 03, 2009	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

---

### TM Staff Information - None

#### File Location

**Current Location:** TMO LAW OFFICE 110

**Date in Location:** Mar. 30, 2020

Duke University's Notice of Opposition

Exhibit 24:

TSDR website printout of Reg. No. 4,760,204

**IRON DUKES**

Generated on: This page was generated by TSDR on 2022-08-25 14:48:32 EDT

Mark: IRON DUKES



US Serial Number: 86445421

Application Filing Date: Nov. 05, 2014

US Registration Number: 4760204

Registration Date: Jun. 23, 2015

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Oct. 01, 2021

Publication Date: Apr. 07, 2015

## Mark Information

Mark Literal Elements: IRON DUKES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 1003662, 2317603, 4108223 and others

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Charitable services, namely, promoting public awareness of the need for supporting athletic activities, facilities and events; Club services, namely, promoting the interests of supporters of athletic activities, facilities and events

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1971

Use in Commerce: Jul. 01, 1971

For: Charitable fundraising to support athletic activities, facilities and events

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1971

Use in Commerce: Jul. 01, 1971

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Vedia Jones-Richardson

Docket Number: DUKU0904

Attorney Primary Email Address: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 01, 2021	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Oct. 01, 2021	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68973
Oct. 01, 2021	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Jun. 21, 2021	TEAS SECTION 8 & 15 RECEIVED	
Jun. 23, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jun. 23, 2015	REGISTERED-PRINCIPAL REGISTER	
Apr. 07, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 07, 2015	PUBLISHED FOR OPPOSITION	
Mar. 18, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 26, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2015	ASSIGNED TO EXAMINER	89013
Nov. 14, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 08, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 113

Date in Location: Oct. 01, 2021



# Duke University's Notice of Opposition

## Exhibit 25:

TSDR website printout of Reg. No. 5,053,273

**DUKE TIP**

Generated on: This page was generated by TSDR on 2022-08-25 14:48:32 EDT

Mark: IRON DUKES



US Serial Number: 86445421

Application Filing Date: Nov. 05, 2014

US Registration Number: 4760204

Registration Date: Jun. 23, 2015

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Oct. 01, 2021

Publication Date: Apr. 07, 2015

## Mark Information

Mark Literal Elements: IRON DUKES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 1003662, 2317603, 4108223 and others

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Charitable services, namely, promoting public awareness of the need for supporting athletic activities, facilities and events; Club services, namely, promoting the interests of supporters of athletic activities, facilities and events

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1971

Use in Commerce: Jul. 01, 1971

For: Charitable fundraising to support athletic activities, facilities and events

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1971

Use in Commerce: Jul. 01, 1971

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Vedia Jones-Richardson

Docket Number: DUKU0904

Attorney Primary Email Address: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
500 Memorial Street  
DURHAM, NORTH CAROLINA UNITED STATES 27701

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 01, 2021	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Oct. 01, 2021	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68973
Oct. 01, 2021	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Jun. 21, 2021	TEAS SECTION 8 & 15 RECEIVED	
Jun. 23, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jun. 23, 2015	REGISTERED-PRINCIPAL REGISTER	
Apr. 07, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 07, 2015	PUBLISHED FOR OPPOSITION	
Mar. 18, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 26, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2015	ASSIGNED TO EXAMINER	89013
Nov. 14, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 08, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: TMO LAW OFFICE 113

Date in Location: Oct. 01, 2021



Duke University's Notice of Opposition

Exhibit 26:

TSDR website printout of Reg. No. 5,054,186

DUKE HEALTH

**Generated on:** This page was generated by TSDR on 2022-08-25 14:51:17 EDT

**Mark:** DUKE HEALTH

DUKE HEALTH

**US Serial Number:** 86919362

**Application Filing Date:** Feb. 25, 2016

**US Registration Number:** 5054186

**Registration Date:** Oct. 04, 2016

**Filed as TEAS RF:** Yes

**Currently TEAS RF:** Yes

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Oct. 04, 2016

**Publication Date:** Jul. 19, 2016

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## Mark Information

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**Mark Literal Elements:** DUKE HEALTH

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "HEALTH"

---

## Related Properties Information

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**Claimed Ownership of US Registrations:** 4372828 and others

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Arranging and conducting educational conferences; medical and scientific training and teaching; education services, namely, providing exhibitions, seminars, and training in the fields of health and wellness, medicine and science; audio recording and production; video production services; children's entertainment and amusement centers, namely, interactive play areas; entertainment in the nature of golf and tennis tournaments; awards programs for corporations and individuals who have made significant charitable contributions; publication of documents, books, brochures, journals and reports in the fields of science and medicine; providing fitness and exercise facilities; research in the field of education

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1996

**Use in Commerce:** 1996

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**For:** medical research; conducting clinical trials for others; database design and development; design and testing for new product development; medical and optical laboratories; scientific research and development

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1996

**Use in Commerce:** 1996

**For:** Health care; Blood bank; Charitable services, namely, providing medical services, medical equipment, and medical supplies; Charitable services, namely, patient assistance programs to provide drugs and medical care free of charge to low-income patients without prescription drug or healthcare coverage; Dentist services; Emergency medical response services; Hospital services; Hospice services; Consulting services in the fields of medical, dental, optical, pharmaceutical, wellness and nursing care; Nursing care; Optician and optometry services; Medical services; Counseling in the fields of mental health, nutrition and wellness; Dispensing of pharmaceuticals; Providing health and medical information; Rental of medical equipment; Home health care services; Providing wellness services, namely, personal assessments, personalized routines, maintenance schedules, and counseling

**International Class(es):** 044 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1996

**Use in Commerce:** 1996

**For:** Grief and bereavement counseling; licensing of intellectual property; ministerial services; providing personal support services for families of patients, namely, companionship, help with medical forms, emotional counseling and emotional support

**International Class(es):** 045 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1996

**Use in Commerce:** 1996

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0423

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Vedia Jones-Richardson  
OLIVE & OLIVE, P.A.  
P.O. Box 2049  
DURHAM, NORTH CAROLINA UNITED STATES 27702

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-:** Yes

mail:

mail Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 12, 2022	TEAS SECTION 8 & 15 RECEIVED	
Oct. 04, 2021	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Oct. 04, 2016	REGISTERED-PRINCIPAL REGISTER	
Jul. 19, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 19, 2016	PUBLISHED FOR OPPOSITION	
Jun. 29, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 13, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 06, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 17, 2016	EXAMINER'S AMENDMENT ENTERED	68171
May 17, 2016	ASSIGNED TO LIE	68171
May 16, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 16, 2016	EXAMINERS AMENDMENT E-MAILED	6328
May 16, 2016	EXAMINERS AMENDMENT -WRITTEN	76508
May 12, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 12, 2016	NON-FINAL ACTION E-MAILED	6325
May 12, 2016	NON-FINAL ACTION WRITTEN	76508
Apr. 27, 2016	ASSIGNED TO EXAMINER	76508
Mar. 04, 2016	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	88889
Mar. 04, 2016	TEAS VOLUNTARY AMENDMENT RECEIVED	
Mar. 01, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 29, 2016	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 04, 2016

# Duke University's Notice of Opposition

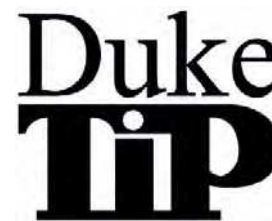
Exhibit 27:

TSDR website printout of Reg. No. 5,054,699

**Duke  
TIP**

Generated on: This page was generated by TSDR on 2022-08-25 14:51:54 EDT

Mark: DUKE TIP



US Serial Number: 86934342

Application Filing Date: Mar. 09, 2016

US Registration Number: 5054699

Registration Date: Oct. 04, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Oct. 04, 2016

Publication Date: Jul. 19, 2016

## Mark Information

Mark Literal Elements: DUKE TIP

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of the word "Duke" written on top of the stylized "TiP" mark.

Color(s) Claimed: Color is not claimed as a feature of the mark.

## Related Properties Information

Claimed Ownership of US Registrations: 1636391

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Head wear, tops, gloves, scarves, hooded sweatshirts, jackets, mittens, ties, bottoms, ponchos, sashes, singlets, hosiery, sweaters, uniforms

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1980

Use in Commerce: 1980

For: Education services, namely, classroom, laboratory, correspondence and home study instruction, vocational instruction, mentoring,

tutoring, classes, seminars and workshops for intellectually gifted students at the primary level and distribution of curricula course materials in connection therewith; Providing a website featuring information in the field of teaching academically gifted students; Research in the field of education; Education services, namely, training educators to teach academically gifted students and providing curricula in connection therewith

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 1980

**Use in Commerce:** Sep. 1980

**For:** Scientific research in the field of intellectual giftedness; Scientific research and development for identifying academically gifted students

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 1980

**Use in Commerce:** Sep. 1980

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0499-006

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** VEDIA JONES-RICHARDSON  
OLIVE AND OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 9196835514

**Fax:** 9196883781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Oct. 04, 2021	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Oct. 04, 2016	REGISTERED-PRINCIPAL REGISTER	
Jul. 19, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 19, 2016	PUBLISHED FOR OPPOSITION	

Jun. 29, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 13, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 08, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 17, 2016	EXAMINER'S AMENDMENT ENTERED	68171
May 17, 2016	ASSIGNED TO LIE	68171
May 16, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 16, 2016	EXAMINERS AMENDMENT E-MAILED	6328
May 16, 2016	EXAMINERS AMENDMENT -WRITTEN	76508
May 12, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 12, 2016	NON-FINAL ACTION E-MAILED	6325
May 12, 2016	NON-FINAL ACTION WRITTEN	76508
Apr. 27, 2016	ASSIGNED TO EXAMINER	76508
Mar. 14, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 12, 2016	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Oct. 04, 2016

# Duke University's Notice of Opposition

Exhibit 28:

TSDR website printout of Reg. No. 5,071,698

**Duke TIP**

Generated on: This page was generated by TSDR on 2022-08-25 14:52:36 EDT

Mark: DUKE TIP



US Serial Number: 86872488

Application Filing Date: Jan. 12, 2016

US Registration Number: 5071698

Registration Date: Nov. 01, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 01, 2016

Publication Date: Aug. 16, 2016

## Mark Information

Mark Literal Elements: DUKE TIP

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of Literal elements: "DUKE TIP". The word "Duke" written in-line with the "TIP" stylized mark. The "i" in "TIP" is lowercase and the dot on the "i" is inverse coloring. The letters in "TIP" are connected via the serifs.

Color(s) Claimed: Color is not claimed as a feature of the mark.

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: head wear, tops, gloves, scarves, hooded sweatshirts, jackets, mittens, ties, bottoms, ponchos, sashes, singlets, hosiery, sweaters, uniforms

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1980

Use in Commerce: Dec. 31, 1980

For: Education services, namely, classroom, laboratory, correspondence and home study instruction, vocational instruction, mentoring, tutoring, classes, seminars and workshops for intellectually gifted students at the primary level and distribution of curricula course materials in connection therewith; Providing a website featuring information in the field of teaching academically gifted students; Research in the field of education; Education services, namely, training educators to teach academically gifted students and providing curricula in connection therewith

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 30, 1980

**Use in Commerce:** Sep. 30, 1980

**For:** Scientific research in the field of intellectual giftedness; Scientific research and development for identifying academically gifted students

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 30, 1980

**Use in Commerce:** Sep. 30, 1980

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0499-005

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** VEDIA JONES-RICHARDSON  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
P.O. BOX 2049  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 9196835514

**Fax:** 9196883781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Nov. 01, 2021	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Nov. 01, 2016	REGISTERED-PRINCIPAL REGISTER	
Aug. 16, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 16, 2016	PUBLISHED FOR OPPOSITION	
Jul. 27, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 11, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Jul. 01, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 09, 2016	PRELIMINARY/VOLUNTARY AMENDMENT - ENTERED	88889
Jun. 09, 2016	TEAS VOLUNTARY AMENDMENT RECEIVED	

May 17, 2016	EXAMINER'S AMENDMENT ENTERED	70997
May 17, 2016	ASSIGNED TO LIE	70997
May 16, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 16, 2016	EXAMINERS AMENDMENT E-MAILED	6328
May 16, 2016	EXAMINERS AMENDMENT -WRITTEN	76508
May 12, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 12, 2016	NON-FINAL ACTION E-MAILED	6325
May 12, 2016	NON-FINAL ACTION WRITTEN	76508
Apr. 27, 2016	ASSIGNED TO EXAMINER	76508
Jan. 19, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 15, 2016	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

---

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 01, 2016

Duke University's Notice of Opposition

Exhibit 29

TSDR website printout of Reg. No. 5,189,149

DUKES AND DUCHESES

Generated on: This page was generated by TSDR on 2022-08-25 14:54:47 EDT

Mark: DUKES AND DUCHESES

DUKES AND DUCHESES

US Serial Number: 86888034

Application Filing Date: Jan. 27, 2016

US Registration Number: 5189149

Registration Date: Apr. 25, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 25, 2017

Publication Date: Feb. 07, 2017

## Mark Information

Mark Literal Elements: DUKES AND DUCHESES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Tops

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 1979

Use in Commerce: Jan. 01, 1979

For: Membership club services, namely, membership in a student organization serving as social event hosts and tour guides for visitors to Duke University

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 1979

Use in Commerce: Jan. 01, 1979

## Basis Information (Case Level)

**Filed Use:** Yes  
**Filed ITU:** No  
**Filed 44D:** No  
**Filed 44E:** No  
**Filed 66A:** No  
**Filed No Basis:** No

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

---

## Current Owner(s) Information

---

**Owner Name:** Duke University  
**Owner Address:** Office of Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** NORTH CAROLINA

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## Attorney/Correspondence Information

---

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson  
**Docket Number:** DUKU0499-001  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** VEDIA JONES-RICHARDSON  
OLIVE AND OLIVE, P.A.  
500 MEMORIAL STREET  
P.O. BOX 2049  
DURHAM, NORTH CAROLINA UNITED STATES 27701  
**Phone:** 9196835514  
**Fax:** 9196883781  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

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## Prosecution History

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Date	Description	Proceeding Number
Apr. 25, 2022	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Apr. 25, 2017	REGISTERED-PRINCIPAL REGISTER	
Feb. 07, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 07, 2017	PUBLISHED FOR OPPOSITION	
Jan. 18, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 04, 2017	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Jan. 04, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 2016	EXAMINER'S AMENDMENT ENTERED	70468
Dec. 19, 2016	ASSIGNED TO LIE	70468
Dec. 19, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 19, 2016	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 19, 2016	EXAMINERS AMENDMENT -WRITTEN	76508
Dec. 05, 2016	NOTIFICATION OF FINAL REFUSAL EMAILED	
Dec. 05, 2016	FINAL REFUSAL E-MAILED	
Dec. 05, 2016	FINAL REFUSAL WRITTEN	76508
Nov. 14, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 14, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 14, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 12, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 12, 2016	NON-FINAL ACTION E-MAILED	6325
May 12, 2016	NON-FINAL ACTION WRITTEN	76508

Apr. 27, 2016 ASSIGNED TO EXAMINER  
Feb. 01, 2016 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM  
Jan. 30, 2016 NEW APPLICATION ENTERED IN TRAM

76508

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## TM Staff and Location Information

---

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Apr. 25, 2017

Duke University's Notice of Opposition

Exhibit 30:

TSDR website printout of Reg. No. 5,335,576

DUKE

Generated on: This page was generated by TSDR on 2022-08-25 14:53:12 EDT

Mark: DUKE

# DUKE

US Serial Number: 87975498

Application Filing Date: Dec. 12, 2016

US Registration Number: 5335576

Registration Date: Nov. 14, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 14, 2017

Publication Date: Aug. 29, 2017

## Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 2026492, 2122067, 3936096

Child Of: 87265122

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Metal novelty license plates; metal key holders

International Class(es): 006 - Primary Class

U.S Class(es): 002, 012, 013, 014, 023, 025, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: Knives; hammers

International Class(es): 008 - Primary Class

U.S Class(es): 023, 028, 044

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1984

**Use in Commerce:** 1984

---

**For:** Decorative magnets; electric switch plates; computer cases; cases for telephones; headphones; computer storage devices, namely, blank flash drives; tape measures

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 2002

**Use in Commerce:** 2002

---

**For:** Lamps; refrigerators

**International Class(es):** 011 - Primary Class

**U.S Class(es):** 013, 021, 023, 031, 034

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1984

**Use in Commerce:** 1984

---

**For:** License plate holders; automobile windshield sunshades

**International Class(es):** 012 - Primary Class

**U.S Class(es):** 019, 021, 023, 031, 035, 044

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1988

**Use in Commerce:** 1988

---

**For:** Jewelry; watches; clocks; ornamental pins

**International Class(es):** 014 - Primary Class

**U.S Class(es):** 002, 027, 028, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1984

**Use in Commerce:** 1984

---

**For:** Writing implements; letter openers; decals; temporary tattoo transfers; paper; calendars; clipboards; notebooks; correspondence cards; note cards; art pictures

**International Class(es):** 016 - Primary Class

**U.S Class(es):** 002, 005, 022, 023, 029, 037, 038, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1965

**Use in Commerce:** 1965

---

**For:** Luggage; luggage tags; key cases of leather or imitation leather; umbrellas; tote bags; backpacks; briefcases

**International Class(es):** 018 - Primary Class

**U.S Class(es):** 001, 002, 003, 022, 041

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1965

**Use in Commerce:** 1965

---

**For:** Chairs; non-metal novelty license plates; non-metal key holders; picture frames; pillows; wall plaques made of plastic or wood

**International Class(es):** 020 - Primary Class

**U.S Class(es):** 002, 013, 022, 025, 032, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1984

**Use in Commerce:** 1984

---

**For:** Cups; drinking glasses; wall plaques made of crystal or glass; coasters, not of paper and other than table linen; insulating sleeve holders for jars, bottles, or cans; bottle openers; bottle stoppers specially adapted for use with wine bottles

**International Class(es):** 021 - Primary Class

**U.S Class(es):** 002, 013, 023, 029, 030, 033, 040, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1965

**Use in Commerce:** 1965

**For:** Laundry bags; tents

**International Class(es):** 022 - Primary Class

**U.S Class(es):** 001, 002, 007, 019, 022, 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 2002

**Use in Commerce:** 2002

**For:** Buttons; ribbons; appliques

**International Class(es):** 026 - Primary Class

**U.S Class(es):** 037, 039, 040, 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1987

**Use in Commerce:** 1987

**For:** Floor mats; rugs

**International Class(es):** 027 - Primary Class

**U.S Class(es):** 019, 020, 037, 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 2003

**Use in Commerce:** 2003

**For:** Balls for sports; play balls; backboards for basketball; golf club covers; golf club bags; cheerleading pom-poms; Christmas tree ornaments

**International Class(es):** 028 - Primary Class

**U.S Class(es):** 022, 023, 038, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1984

**Use in Commerce:** 1984

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of University Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** non-profit corporation

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0499-017

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** VEDIA JONES-RICHARDSON  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 9196835514

**Fax:** 9196883781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Apr. 21, 2020	NOTICE OF SUIT	
Apr. 02, 2020	NOTICE OF SUIT	
Nov. 14, 2017	REGISTERED-PRINCIPAL REGISTER	
Aug. 29, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 29, 2017	PUBLISHED FOR OPPOSITION	
Aug. 09, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 23, 2017	ASSIGNED TO LIE	68171
Jul. 07, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 09, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 30, 2017	DIVISIONAL PROCESSING COMPLETE	
May 31, 2017	DIVISIONAL REQUEST RECEIVED	
Jun. 28, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
May 31, 2017	TEAS REQUEST TO DIVIDE RECEIVED	
Mar. 17, 2017	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 17, 2017	LETTER OF SUSPENSION E-MAILED	6332
Mar. 17, 2017	SUSPENSION LETTER WRITTEN	81095
Mar. 14, 2017	ASSIGNED TO EXAMINER	81095
Dec. 15, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 15, 2016	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 14, 2017

# Duke University's Notice of Opposition

## Exhibit 31:

TSDR website printout of Reg. No. 5,472,647

DUKE

Generated on: This page was generated by TSDR on 2022-08-29 15:21:39 EDT

Mark: DUKE

DUKE

US Serial Number: 87265122

Application Filing Date: Dec. 12, 2016

US Registration Number: 5472647

Registration Date: May 22, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 22, 2018

Publication Date: Mar. 06, 2018

## Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 2026492, 2122067, 3936096

Parent Of: 87975498

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Table cloths not of paper; blanket throws; banners and flags of textile; felt pennants

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No  
Filed 44D: No  
Filed 44E: No  
Filed 66A: No  
Filed No Basis: No

Currently ITU: No  
Currently 44E: No  
Currently 66A: No  
Currently No Basis: No

## Current Owner(s) Information

**Owner Name:** Duke University  
**Owner Address:** Office of University Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701  
**Legal Entity Type:** non-profit corporation  
**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson  
**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Docket Number:** DUKU0499-011  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** VEDIA JONES-RICHARDSON  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701  
**Phone:** 9196835514  
**Fax:** 9196883781  
**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 21, 2020	NOTICE OF SUIT	
Apr. 02, 2020	NOTICE OF SUIT	
May 22, 2018	REGISTERED-PRINCIPAL REGISTER	
Mar. 06, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 06, 2018	PUBLISHED FOR OPPOSITION	
Feb. 14, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 27, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 24, 2018	SUSPENSION CHECKED - TO ATTORNEY FOR ACTION	69712
Jan. 23, 2018	ASSIGNED TO LIE	69712
Jul. 09, 2017	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jul. 09, 2017	LETTER OF SUSPENSION E-MAILED	6332
Jul. 09, 2017	SUSPENSION LETTER WRITTEN	81095
Jun. 30, 2017	DIVISIONAL PROCESSING COMPLETE	
May 31, 2017	DIVISIONAL REQUEST RECEIVED	
Jun. 28, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
May 31, 2017	TEAS REQUEST TO DIVIDE RECEIVED	
Mar. 17, 2017	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 17, 2017	LETTER OF SUSPENSION E-MAILED	6332
Mar. 17, 2017	SUSPENSION LETTER WRITTEN	81095
Mar. 14, 2017	ASSIGNED TO EXAMINER	81095
Dec. 15, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 15, 2016	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

---

**TM Staff Information - None**  
**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** May 22, 2018

# Duke University's Notice of Opposition

## Exhibit 32:

TSDR website printout of Reg. No. 5,568,287

**DUKE**

Generated on: This page was generated by TSDR on 2022-08-25 14:54:06 EDT

Mark: DUKE

DUKE

US Serial Number: 87530381

Application Filing Date: Jul. 17, 2017

US Registration Number: 5568287

Registration Date: Sep. 25, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 25, 2018

Publication Date: Jul. 10, 2018

## Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 2026492, 2122067, 3936096 and others

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Retail store services, mail order services, and online retail store services featuring clothing, furniture, toys, sports equipment, housewares, jewelry, prints, decals, and memorabilia; Retail pharmacy services; Concession stands featuring food, drinks, and souvenirs; Forest management; Association services, namely, promoting interests of the alumni of a university

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: 1924

Use in Commerce: 1924

**For:** Financial services, namely, checking account services, savings account services, and issuing of credit cards; Financial services, namely, processing of transactions related to debit and stored value cards, and issuing statements of account; electronic banking; ATM banking; charitable fundraising

**International Class(es):** 036 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1968

**Use in Commerce:** 1968

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**For:** Transportation services, namely, providing shuttle services by bus; provision of car parking facilities

**International Class(es):** 039 - Primary Class

**U.S Class(es):** 100, 105

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1993

**Use in Commerce:** 1993

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**For:** Educational services, namely, providing courses of instruction and distance learning at the undergraduate, graduate and professional levels and distribution of course material in connection therewith; Educating at university or colleges; Medical training and teaching; Developing, arranging, and conducting educational conferences in the fields of science and the liberal arts; Providing speakers and lecturers in the fields of science and the liberal arts, live performances, fine art exhibitions, and live dramatic theater productions; Museum services; Promoting and administering amateur athletic programs and activities; Providing amusement, recreation, fitness and sports facilities; Operation of recreational and sports camps; Publishing of books, journals, magazines, and scientific papers; Library services; On-line academic library services; Providing a website featuring information in the fields of education and entertainment; Production of radio or television programs; Entertainment in the nature of football, baseball, golf, basketball, soccer, swimming, tennis, track, softball, volleyball, cross country, fencing, and lacrosse sports tournaments; Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; On-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs; providing an on-line computer database in the field of university sports, social activities, educational events, entertainment, current events, arts, history; Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices; Education services, namely, classroom, laboratory, correspondence and home study instruction, vocational instruction, mentoring, tutoring, classes, seminars and workshops for intellectually gifted pre-college students in the fields of language arts, math and science and distribution of curricula course materials in connection therewith; Providing a website featuring information in the field of teaching academically gifted students; Research in the field of education; Education services, namely, training educators to teach academically gifted students and providing curricula in connection therewith; Entertainment services, namely, providing non-downloadable films and movies via a video-on-demand service; Botanical gardens

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1925

**Use in Commerce:** 1925

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**For:** medical research; conducting clinical trials for others; database design and development; design and testing for new product development; medical and optical laboratories; scientific research and development

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1996

**Use in Commerce:** 1996

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**For:** Hotel services; restaurant services; providing banquet and social function facilities for special occasions; provision of conference, exhibition and meeting facilities

**International Class(es):** 043 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1933

**Use in Commerce:** 1933

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**For:** Health care; hospital services; medical services; nursing care; optician and optometry services; dispensing of pharmaceuticals; providing health and medical information

**International Class(es):** 044 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1930

**Use in Commerce:** 1930

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**For:** Ministerial services; providing personal support services for families of patients, namely, companionship, help with medical forms, counseling and emotional support

**International Class(es):** 045 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1935

**Use in Commerce:** 1935

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** Office of University Counsel  
310 Blackwell Street, 4th Floor  
Durham, NORTH CAROLINA UNITED STATES 27701

**Legal Entity Type:** non-profit corporation

**State or Country Where Organized:** NORTH CAROLINA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0499-013

**Attorney Primary Email Address:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** VEDIA JONES-RICHARDSON  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
DURHAM, NORTH CAROLINA UNITED STATES 27701

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-mail:** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Sep. 25, 2018	REGISTERED-PRINCIPAL REGISTER	
Jul. 10, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 10, 2018	PUBLISHED FOR OPPOSITION	
Jun. 20, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 06, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 06, 2018	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 06, 2018	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 06, 2018	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 06, 2018	EXAMINERS AMENDMENT -WRITTEN	80815
Feb. 13, 2018	NOTIFICATION OF FINAL REFUSAL EMAILED	
Feb. 13, 2018	FINAL REFUSAL E-MAILED	
Feb. 13, 2018	FINAL REFUSAL WRITTEN	80815

Jan. 12, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 11, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 11, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 26, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 26, 2017	NON-FINAL ACTION E-MAILED	6325
Oct. 26, 2017	NON-FINAL ACTION WRITTEN	80815
Oct. 16, 2017	ASSIGNED TO EXAMINER	80815
Jul. 22, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 20, 2017	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Sep. 25, 2018

Duke University's Notice of Opposition

Exhibit 33:

TSDR website printout of Reg. No. 5,670,646

DUKE TRUE

Generated on: This page was generated by TSDR on 2022-08-29 15:32:28 EDT

Mark: DUKE TRUE

DUKE TRUE

US Serial Number: 88125473

Application Filing Date: Sep. 20, 2018

US Registration Number: 5670646

Registration Date: Feb. 05, 2019

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 05, 2019

Publication Date: Nov. 20, 2018

## Mark Information

Mark Literal Elements: DUKE TRUE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 3878213, 3936096, 4172132

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Organizing and conducting college sport competitions and athletic events; Providing sports facilities; Sports instruction services

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 25, 2017

Use in Commerce: Sep. 25, 2017

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Duke University

**Owner Address:** PO BOX 3024  
DURHAM, NORTH CAROLINA UNITED STATES 27710

**Legal Entity Type:** NON-PROFIT CORPORATION

**State or Country** NORTH CAROLINA  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Vedia Jones-Richardson

**Docket Number:** DUKU0499-022

**Attorney Primary** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Email Address:**

**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent** Vedia Jones-Richardson  
**Name/Address:** 500 Memorial Street  
Durham, NORTH CAROLINA UNITED STATES 27702

**Phone:** 919-683-5514

**Fax:** 919-688-3781

**Correspondent e-** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com) [emailboxtm@oliv](mailto:emailboxtm@oliv)  
**mail:** [eandolive.com](mailto:eandolive.com)

**Correspondent e-** No  
**mail Authorized:**

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 01, 2019	CORRECTION UNDER SECTION 7 Â- PROCESSED	69471
Jun. 28, 2019	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Apr. 08, 2019	POST REGISTRATION ACTION MAILED - SEC. 7	69471
Apr. 01, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Mar. 04, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 04, 2019	TEAS SECTION 7 REQUEST RECEIVED	
Feb. 05, 2019	REGISTERED-PRINCIPAL REGISTER	
Nov. 20, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 20, 2018	PUBLISHED FOR OPPOSITION	
Oct. 31, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 26, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 06, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 06, 2018	ASSIGNED TO EXAMINER	92986
Sep. 26, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 24, 2018	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** TMO LAW OFFICE 117

**Date in Location:** Jul. 01, 2019

# Duke University's Notice of Opposition

## Exhibit 34:

TSDR website printout of Reg. No. 5,831,850

**DUKE ROBOTICS**

**Generated on:** This page was generated by TSDR on 2022-08-29 15:36:50 EDT

**Mark:** DUKE ROBOTICS

DUKE ROBOTICS

**US Serial Number:** 88125465

**Application Filing Date:** Sep. 20, 2018

**US Registration Number:** 5831850

**Registration Date:** Aug. 13, 2019

**Filed as TEAS Plus:** Yes

**Currently TEAS Plus:** Yes

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Aug. 13, 2019

**Publication Date:** May 28, 2019

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## Mark Information

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**Mark Literal Elements:** DUKE ROBOTICS

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "ROBOTICS"

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## Related Properties Information

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**Claimed Ownership of US Registrations:** 3878213, 3936096, 4172132

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Educational services, namely, providing classes in the fields of engineering, science and computer systems

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Oct. 01, 2014

**Use in Commerce:** Oct. 01, 2014

**For:** Scientific research

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class(es):****Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Oct. 01, 2014**Use in Commerce:** Oct. 01, 2014**Basis Information (Case Level)****Filed Use:** Yes**Currently Use:** Yes**Filed ITU:** No**Currently ITU:** No**Filed 44D:** No**Currently 44E:** No**Filed 44E:** No**Currently 66A:** No**Filed 66A:** No**Currently No Basis:** No**Filed No Basis:** No**Current Owner(s) Information****Owner Name:** Duke University**Owner Address:** PO BOX 3024  
DURHAM, NORTH CAROLINA UNITED STATES 27710**Legal Entity Type:** non-profit corporation**State or Country** UNITED STATES  
**Where Organized:****Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Vedia Jones-Richardson**Docket Number:** DUKU0499-021**Attorney Primary** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**Email Address:****Attorney Email** Yes  
**Authorized:****Correspondent****Correspondent** VEDIA JONES-RICHARDSON  
**Name/Address:** OLIVE & OLIVE PA  
PO BOX 2049  
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049**Phone:** 919-683-5514**Fax:** 919-688-3781**Correspondent e-** [emailboxtm@oliveandolive.com](mailto:emailboxtm@oliveandolive.com)  
**mail:****Correspondent e-** Yes  
**mail Authorized:****Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Aug. 13, 2019	REGISTERED-PRINCIPAL REGISTER	
May 28, 2019	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 28, 2019	PUBLISHED FOR OPPOSITION	
May 08, 2019	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 24, 2019	ASSIGNED TO LIE	70884
Apr. 10, 2019	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 09, 2019	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 08, 2019	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 08, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 06, 2018	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 06, 2018	NON-FINAL ACTION E-MAILED	6325
Oct. 06, 2018	NON-FINAL ACTION WRITTEN	92986
Oct. 06, 2018	ASSIGNED TO EXAMINER	92986
Sep. 26, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 24, 2018	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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TM Staff Information - None  
File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Aug. 13, 2019

Duke University's Notice of Opposition

Exhibit 35:

COMMON LAW MARKS

## **DUKE**

Used as a trademark to identify a wide range of products sold and licensed by Duke University, in virtually all areas of endeavor, to men, women, and children of all ages. For purposes of this proceeding, Opposer asserts its use of this mark on or in connection with goods classified:

- In International Class 3. Such goods include, by way of example, nail art, temporary tattoos, and toiletry bags.
- In International Class 8. Such goods include, by way of example, nail files.
- In International Class 9. Such goods include, by way of example, cell cases, compact discs, computers accessories, dvds, and sunglasses.
- In International Class 11. Such goods include, by way of example, fans, lighting, and refrigerators.
- In International Class 12. Such goods include, by way of example, vehicle headrest and seat covers, vehicle floor mats, license plate frames, and ornamental license plates.
- In International Class 14. Such goods include, by way of example, jewelry and time-keeping instruments, including clocks and watches.
- In International Class 16. Such goods include, by way of example, books, business card holders, calendars, decals, paperweights, pens, and stationary.
- In International Class 18. Such goods include, by way of example, bags, journals, luggage, pet items, umbrellas, and writing pads.
- In International Class 20. Such goods include, by way of example, cushions, furniture, and pet beds.
- In International Class 21. Such goods include, by way of example, dinnerware, drinkware, grooming ware, home décor items, kitchenware, and pet ware.
- In International Class 22. Such goods include, by way of example, lanyards and laundry bags.
- In International Class 24. Such goods include, by way of example, banners, bedding, blankets, flags, shower curtains, towels, and window treatments.
- In International Class 25: clothing of all types for infants, children, women, and men, including, by way of example, belts and suspenders, bibs, bottoms, footwear, headwear, loungewear, nightwear, outerwear, and tops.
- In International Class 26. Such goods include, by way of example, dog collar charms, fancy goods for sewing, and hair accessories.
- In International Class 27. Such goods include, by way of example, mats and rugs.
- In International Class 28. Such goods include, by way of example, balls, dolls, games, golf items, pet toys, sports bags, and stuffed toys.
- In International Class 30. Such goods include, by way of example, snacks.
- In International Class 32. Such goods include, by way of example, beverages.
- In International Class 34. Such goods include, by way of example, lighters.

## **DUKE**

Used as a service mark to identify a wide range of services provided and licensed by Duke University. For purposes of this proceeding, Opposer asserts its use of this mark in connection with services classified:

- In International Class 35. Such services include, by way of example, advertising, association services, forest management, hotel management services, mail order services, online retail store services, retail pharmacy services, and retail store services.
- In International Class 36. Such services include, by way of example, charitable fundraising, financial services, insurances services, and real estate services.
- In International Class 37. Such services include, by way of example, building maintenance, computer maintenance and repair services, and vehicles maintenance services.
- In International Class 38. Such services include, by way of example, broadcasting services, computer communication and internet services, and telecommunication services.
- In International Class 39. Such services include, by way of example, vehicle parking services, and transportation services.
- In International Class 41. Such services include education and entertainment services for men, women, and children, including, by way of example, the following:
  - coaching
  - developing, arranging, and conducting educational conferences, seminars, symposiums, and workshops
  - providing courses of instruction and distant learning at the pre-collegiate, undergraduate, graduate, professional levels, and for continuing education and distribution of course materials in connection therewith
  - arranging, conducting, and presenting collegiate athletic events, band and cheerleading performances, dance performances, music performances, and theatrical performances
  - film, video, television, audio, and radio production services
  - library services
  - garden services
  - health and wellness training and teaching
  - museum services
  - online information and entertainment
  - publishing services
  - sports camp, sports club, sports rehabilitation, and sports training services

- In International Class 42. Such services include, by way of example, conducting clinical trials, database design and development, medical and optical laboratories, medical, health, and wellness research, providing online information regarding science and technology, and scientific research and development.
- In International Class 43. Such services include, by way of example, day care services for children, hotel services, restaurant services, providing banquet and social function facilities, provision of conference, exhibition, and meeting facilities, and provision of food and drink.
- In International Class 44. Such services include, by way of example, dental services, health and wellness services, pharmaceutical services, providing health and medical information, and veterinary services.
- In International Class 45. Such services include, by way of example, counselling services, legal services, and ministerial and religious services.

#### **DUKE UNIVERSITY**

Substantially the same goods as provided herein with respect to DUKE; substantially the same services as provided herein with respect to DUKE