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Filing date: **07/31/2014**

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

Proceeding	91205948
Party	Plaintiff PayPal, Inc.
Correspondence Address	JAMES R CADY HOGAN LOVELLS US LLP 4085 CAMPBELL AVENUE, SUITE 100 MENLO PARK, CA 94025 UNITED STATES jennifer.lantz@hoganlovells.com, ebay@hoganlovells.com, ariana.sandoval@hoganlovells.com
Submission	Motion to Amend Pleading/Amended Pleading
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Signature	/Jennifer M. Lantz/
Date	07/31/2014
Attachments	2014 07 31 FINAL PayPal - PLAYPAL - Amended Notice of Opposition.pdf(953401 bytes)

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

In re Application of:	§	International Class: 35
Waatoodoo, Inc.	§	
	§	Published: March 6, 2012
Serial No.: 85/467,122	§	
	§	
Filed: November 8, 2011	§	
	§	
Mark: PLAYPAL	§	

Commissioner for Trademarks
P. O. Box 1451
Alexandria, VA 22313-1451

PAYPAL INC.'S AMENDED NOTICE OF OPPOSITION

Madam:

Opposer PayPal, Inc. (“PayPal”) is a Delaware corporation with its principal place of business at 2211 North First Street, San Jose, California (“Opposer” or “PayPal”). PayPal believes that it will be damaged by the registration of the mark shown in Application Serial No. 85/467,122, filed November 8, 2011 by Waatoodoo, Inc. (“Applicant”) and hereby opposes this application under the provisions of 15 U.S.C. § 1063 (as amended).

The Commissioner for Trademarks is hereby authorized to draw on the deposit account No. 03-3975, Ref. 073364.0000029/Cady for any necessary fees.

Application Serial No. 85/467,122 was filed on November 8, 2011 for the mark PLAYPAL (hereinafter “the PLAYPAL Mark”) for “Advertisement for others on the Internet; Advertising and commercial information services, via the Internet; Advertising and marketing services provided by means of indirect methods of marketing communications, namely, social media, search engine marketing, inquiry marketing, Internet marketing, mobile marketing,

blogging and other forms of passive, sharable or viral communications channels; Advertising on the Internet for others; Advertising services, namely, promoting properties for sale by owner via the Internet; Advice and information about customer services and product management and prices on Internet sites in connection with purchases made over the Internet; An interactive web site for users to review and rate Internet content, people, companies, products and/or services utilizing a software application to award points whereby web site users are eligible to exchange points earned for promotional items consisting of coupons, rebates, discounts or special offerings on goods and/or service provided by web site sponsors; Auctioneering provided on the Internet; Business administration services for processing sales made on the Internet; Business management consultancy, also via the Internet; Compilation of advertisements for use as web pages on the Internet; Computer services, namely, address change notification services in the nature of posting notifications of changes of addresses for businesses via the Internet; Consulting services in the field of Internet marketing; Design of Internet advertising; Dissemination of advertising for others via the Internet; Facilitating the exchange of needed information for financial compensation via the Internet. Information management services, namely, shipment processing, preparing shipping documents and invoices, tracking documents, packages and freight over computer networks, intranets and internets; Information, advisory and consultancy services relating to business and management or business administration, including such services provided on line or via the Internet; Insurance lead collection and matching services, namely, matching consumer requests for insurance policy quotes collected over the Internet to pre-qualified insurance brokers, agents and agencies interested in those requests; Internet advertising services; Management of advertising through a command and control center for both movie theatre on-screen advertising and over the Internet; Market manipulation research and analysis,

whether or not via the Internet; On-line auctioneering services via the Internet; On-line business research service that allows the user to analyze opinion trends contained in documents on the Internet; On-line trading services in which seller posts products to be auctioned and bidding is done via the Internet; Online media monitoring services using computer software to automatically monitor Internet websites and online publications for customer-specified topics and to capture relevant content on those topics, and providing documentation and analysis of that online content to others for business purposes; Organisation of Internet auctions; Promoting the goods and services of others by means of distributing advertising on the Internet; Promoting visual and performing arts events by means of providing an online events calendar, original articles, interviews, and information about art, artists and arts events via an Internet web site, all for promotional purposes. Providing a searchable Internet database of potential home buyers with the purpose of matching home buyers with home sellers; Providing a searchable on-line advertising website and guide featuring the goods and services of other vendors via the Internet; Providing a searchable online advertising website and informational guide featuring the goods and services of other vendors via the Internet in the field of social networking; Providing a secured access database via the Internet through which documents and images can be viewed, copied, and printed for purposes of conducting corporate transactions; Providing an Internet website featuring news and information in the field of national and international politics; Providing an Internet website featuring news and information in the field of natural resource management relating to the environment and public lands; Providing an Internet website portal featuring links to music-related merchandise for retail purposes; Providing an Internet website portal featuring promotion and advertising for home service providers and product manufacturers; Providing an internet-based database of patient medical information designed to

facilitate patient-authorized, HIPAA-compliant sharing and maintenance of patient medical information amongst a patient's doctors such that this information can be directly inserted into the doctor's medical reports as a means of increasing medical record generation efficiency and accuracy; Providing and rental of advertising space on the Internet; Providing business information, also via Internet, the cable network or other forms of data transfer; Providing consumer product information via the Internet; Providing information about automobiles for sale by means of the Internet. Providing information in the field of aviation fuel management via the Internet, namely, the amount of fuel loaded onto aircraft and maintaining operational control of fuel available and delivered to aircraft; Providing information in the field of nursing careers via the Internet; Providing information pertaining to procurement, buying, selling and tendering information and opportunities relating to goods, services, and construction via computer, computer networks, telephone, the Internet or electronic mail; Providing price comparison services in the field of live sporting events, live entertainment, museums and trade shows and live concerts, via the Internet; The bringing together of consumers and providers of a variety of goods and services in the field of athletics for commercial purposes via the Internet; The bringing together, for the benefit of others, of a variety of goods and services, enabling customers to conveniently view and purchase those goods and services from an Internet web site particularly specializing in the marketing of the sale of goods and services of others” in International Class 35. The application was published for opposition on March 6, 2012.

A request for extension of time was filed through July 4, 2012, which was a national holiday. Therefore, this Notice of Opposition is timely filed on July 5, 2012. *See* TBMP §112; 37 CFR §2.196.

As grounds for the opposition, it is alleged that:

PAYPAL'S BUSINESS

1. Founded in 1998, PayPal, Inc. is one of the world's top online payment processing service companies. PayPal prides itself in being the more secure, safer, easier way to pay and get paid online. In most countries around the world, PayPal's customers can pay through credit cards or account balances, and in some countries, through bank accounts or buyer credit – without exposing their financial information to merchants. In addition to providing a globally leading means of paying for goods and services online, PayPal also engages in the promotion of the goods of others by providing online information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others, as well as providing a web page that promotes and features links to the online retail services and websites of others.

2. PayPal's primary website, which it has operated since July 1999, is located at www.paypal.com. The www.paypal.com website generates, on average, nearly 900,000 unique page views per day.

3. PayPal users have opened more than 230 million accounts with approximately 110 million active accounts worldwide, servicing 190 markets in 25 currencies. Many of the top online retailers accept PayPal as a method of payment, alongside Visa[®], American Express[®], and MasterCard[®].

4. PayPal has devoted substantial resources to advertise and promote its services and products under the PAYPAL mark, which embodies the substantial goodwill that PayPal has earned as a result of providing high quality services and products. PayPal's advertisements and promotions have appeared on many global sites on the Internet, including the world-famous eBay.com website.

5. PayPal's services enjoy widespread reputation as high-quality, secure, reliable, and user-friendly online payment options and well as providing credit and debit card services and insurance for financial transactions, both in the United States and internationally. PayPal is featured as an online payment solution by countless top names in online retail and ticket sales.

6. PayPal has received numerous awards for excellence from the internet industry and the business community, including awards from Time Magazine (Best Cybertech 2000), U.S. News & World Report (Best of the Web), PC Magazine (Top 100 Web Sites) and Fast Company (Top Innovator in Finance, 2011), as well as multiple awards from the Webby Awards (Best Financial Services Site and the Webby People's Voice Awards for Best Financial Services Site) and the CNET Webware 100 (in the categories of commerce and productivity).

PAYPAL'S MARKS

7. Since its financial payment services were launched in October 1999, PayPal has continuously, prominently, and conspicuously used the coined and distinctive mark PAYPAL in interstate commerce in the United States in connection with its goods and services.

8. PayPal is the owner of numerous United States registrations for the mark PAYPAL and variations thereof on the Principal Register (in word mark form and in stylized or design form). These registrations cover a variety of goods and services. Each of these registrations is valid and subsisting, and in some cases they are now incontestable under the provisions of 15 U.S.C. §1065. These registrations include the following:



EXHIBIT	TRADEMARK	REG. NO.	REG. DATE	CLASS(ES)
A	PAYPAL	2,646,490	November 5, 2002	36
B	PAYPAL	2,879,561	August 31, 2004	25
C	PAYPAL	2,959,971	June 7, 2005	9
D	PAYPAL	3,069,209	March 14, 2006	9
E	PAYPAL (Stylized, Two-Tone) 	3,680,256	September 8, 2009	9, 16, 21, 25, 36 and 45
F	PAYPAL X &	4,013,014	August 16, 2011	9 and 42

EXHIBIT	TRADEMARK	REG. NO.	REG. DATE	CLASS(ES)
	Design 			

9. PayPal also has extensive common law rights in the PAYPAL Marks, and it uses these marks extensively with its financial services and related goods and services, including its services of promoting the goods and services of others, throughout the United States and around the world.

10. PayPal has used the PAYPAL Marks to reach customers throughout the United States and the world. The PayPal service is offered in numerous languages, currently supports payments in twenty-five currencies including U.S. Dollars, Canadian Dollars, Mexican Pesos , British Pounds Sterling, Czech Koruny, Danish Kroner, Euros, Hungarian Forints, Norwegian Kroner, Polish Zlotys, Swedish Kronor, Swiss Francs, Turkish Lira Brazilian reals, Israeli Shekels, Australian Dollars, Chinese RMB, Hong Kong Dollars, Japanese Yen, Malaysian Ringgits, New Zealand Dollars, Philippine Pesos, Singapore Dollars, Taiwan New Dollars and Thai Bhat, and is accessible from virtually any location around the globe using the Internet. In addition, PayPal users in 65 countries can receive funds quickly from anyone with an email address and a Visa or MasterCard payment card in 190 countries and regions around the world.

11. As a result of PayPal’s widespread use of the PAYPAL Marks in the United States and around the world, its extensive advertising and promotion, continuous and unsolicited media coverage, the high degree of consumer recognition of the PAYPAL mark, PayPal’s vast customer base, and the uniqueness of the PAYPAL mark in its field, among other factors, the PAYPAL mark is famous within the meaning of Section 43(c) of the United States Trademark Act, 15 U.S.C. 1125(c).

12. PAYPAL is an invented, fanciful mark that is highly distinctive. The term PAYPAL has no descriptive meaning as applied to financial services, or to any of the other

goods and services covered by PayPal's registrations or in connection with which it uses the PAYPAL Marks.

13. PayPal has expended considerable effort and expense in promoting the PAYPAL Marks, and goods and services offered in connection with these marks, both in the United States and internationally.

14. In addition to its own advertising efforts, PayPal has been the subject of thousands of unsolicited stories in television, radio, and print media, highlighting PayPal's innovative and successful efforts in online person-to-person trading.

15. As a result of PayPal's widespread use of the PAYPAL Marks worldwide, extensive Internet, television, and print advertising and promotion, continuous and unsolicited media coverage, the high degree of consumer recognition of the PAYPAL Marks, the strong and loyal base of customers that PayPal enjoys for its services, numerous trademark registrations, and the absence of any material use of any highly similar mark by others, among other factors, the PAYPAL Marks are famous within the meaning of Section 43(c) of the United States Trademark Act, 15 U.S.C. §1125(c).

APPLICANT AND ITS PENDING APPLICATION

16. Applicant seeks to register the mark PLAYPAL in connection with "Advertisement for others on the Internet; Advertising and commercial information services, via the Internet; Advertising and marketing services provided by means of indirect methods of marketing communications, namely, social media, search engine marketing, inquiry marketing, Internet marketing, mobile marketing, blogging and other forms of passive, sharable or viral communications channels; Advertising on the Internet for others; Advertising services, namely, promoting properties for sale by owner via the Internet; Advice and information about customer services and product management and prices on Internet sites in connection with purchases made over the Internet; An interactive web site for users to review and rate Internet content, people,

companies, products and/or services utilizing a software application to award points whereby web site users are eligible to exchange points earned for promotional items consisting of coupons, rebates, discounts or special offerings on goods and/or service provided by web site sponsors; Auctioneering provided on the Internet; Business administration services for processing sales made on the Internet; Business management consultancy, also via the Internet; Compilation of advertisements for use as web pages on the Internet; Computer services, namely, address change notification services in the nature of posting notifications of changes of addresses for businesses via the Internet; Consulting services in the field of Internet marketing; Design of Internet advertising; Dissemination of advertising for others via the Internet; Facilitating the exchange of needed information for financial compensation via the Internet. Information management services, namely, shipment processing, preparing shipping documents and invoices, tracking documents, packages and freight over computer networks, intranets and internets; Information, advisory and consultancy services relating to business and management or business administration, including such services provided on line or via the Internet; Insurance lead collection and matching services, namely, matching consumer requests for insurance policy quotes collected over the Internet to pre-qualified insurance brokers, agents and agencies interested in those requests; Internet advertising services; Management of advertising through a command and control center for both movie theatre on-screen advertising and over the Internet; Market manipulation research and analysis, whether or not via the Internet; On-line auctioneering services via the Internet; On-line business research service that allows the user to analyze opinion trends contained in documents on the Internet; On-line trading services in which seller posts products to be auctioned and bidding is done via the Internet; Online media monitoring services using computer software to automatically monitor Internet websites and online publications for customer-specified topics and to capture relevant content on those topics, and providing documentation and analysis of that online content to others for business purposes; Organisation of Internet auctions; Promoting the goods and services of others by means of

distributing advertising on the Internet; Promoting visual and performing arts events by means of providing an online events calendar, original articles, interviews, and information about art, artists and arts events via an Internet web site, all for promotional purposes. Providing a searchable Internet database of potential home buyers with the purpose of matching home buyers with home sellers; Providing a searchable on-line advertising website and guide featuring the goods and services of other vendors via the Internet; Providing a searchable online advertising website and informational guide featuring the goods and services of other vendors via the Internet in the field of social networking; Providing a secured access database via the Internet through which documents and images can be viewed, copied, and printed for purposes of conducting corporate transactions; Providing an Internet website featuring news and information in the field of national and international politics; Providing an Internet website featuring news and information in the field of natural resource management relating to the environment and public lands; Providing an Internet website portal featuring links to music-related merchandise for retail purposes; Providing an Internet website portal featuring promotion and advertising for home service providers and product manufacturers; Providing an internet-based database of patient medical information designed to facilitate patient-authorized, HIPAA-compliant sharing and maintenance of patient medical information amongst a patient's doctors such that this information can be directly inserted into the doctor's medical reports as a means of increasing medical record generation efficiency and accuracy; Providing and rental of advertising space on the Internet; Providing business information, also via Internet, the cable network or other forms of data transfer; Providing consumer product information via the Internet; Providing information about automobiles for sale by means of the Internet. Providing information in the field of aviation fuel management via the Internet, namely, the amount of fuel loaded onto aircraft and maintaining operational control of fuel available and delivered to aircraft; Providing information in the field of nursing careers via the Internet; Providing information pertaining to procurement, buying, selling and tendering information and opportunities relating to goods, services, and

construction via computer, computer networks, telephone, the Internet or electronic mail; Providing price comparison services in the field of live sporting events, live entertainment, museums and trade shows and live concerts, via the Internet; The bringing together of consumers and providers of a variety of goods and services in the field of athletics for commercial purposes via the Internet; The bringing together, for the benefit of others, of a variety of goods and services, enabling customers to conveniently view and purchase those goods and services from an Internet web site particularly specializing in the marketing of the sale of goods and services of others” in International Class 35. The application was published for opposition on March 6, 2012.

17. Applicant’s PLAYPAL Mark is nearly identical in sound and appearance to the PAYPAL Marks. The two marks differ only by one letter: the additional letter “L” in Applicant’s mark. Applicant’s PLAYPAL Mark copies the pattern and sound of PAYPAL’s mark by substituting the descriptive and rhyming word “PLAY” for the word “PAY,” combining it with the completely arbitrary term PAL, and applying it to various advertising and promotional services and other services related to those of PayPal. Applicant has created a mark dominated by the arbitrary suffix PAL. Applicant’s mark emulates and calls to mind PayPal.

18. The services in offered under the PLAYPAL Mark are highly related to those provided by PayPal. Specifically, PayPal provides various online payment and payment processing services, provides insurance for financial transactions and promotes the goods and services of others under the PAYPAL Marks. PayPal enables its users to purchase various goods and services via online auction, retail and wholesale marketplace websites; to send and receive money; to make payments; to insure purchases made online; and to obtain advertising, promotional and other information about online auction sites and retailers and the goods available on those sites. Upon information and belief, Applicant provides or intends to provide

online social networking services that involve the advertising and promotion of the goods and services of others as well as the online auctioning and sale of goods and services of others.

19. Upon information and belief, Applicant selected the PLAYPAL Mark with knowledge of and intent to cause confusion with the PAYPAL Marks.

20. PayPal is not affiliated or connected with Applicant or its services; nor has PayPal endorsed or sponsored Applicant or its services.

21. Upon information and belief, PayPal began using its PAYPAL Marks, and enjoys priority as a result of the filing dates of its trademark registrations, well prior to the filing date of the application for the PLAYPAL Mark.

**FIRST GROUND FOR OPPOSITION:
LIKELIHOOD OF CONFUSION**

22. PayPal incorporates by reference paragraphs 1 through 21, inclusive, as if fully set forth here.

23. Registration of Applicant's mark will injure PayPal by causing the public to be confused or mistaken into believing that the services provided by Applicant are endorsed, licensed, or sponsored by PayPal, or that Applicant's services are affiliated with PayPal. PayPal has no control over the nature and quality of the services offered by Applicant under the confusingly similar PLAYPAL Mark, and PayPal's reputation and goodwill will be damaged and the value of the PAYPAL Marks jeopardized, all to PayPal's detriment.

24. Any defect, objection or fault found with Applicant's services marketed under the PLAYPAL Mark would necessarily reflect upon and seriously injure the reputation that PayPal has established for the goods and services it offers in connection with the PAYPAL Marks.

25. Accordingly, registration of the mark herein opposed will damage PayPal because Applicant's mark is likely, when used on or in connection with the services described in the opposed application, to cause confusion, or to cause mistake or to deceive. Thus, Applicant's

mark is unregistrable under Sections 2(d) and 3 of the United States Trademark Act, as amended, 15 U.S.C. §§1052 and 1053, and should be refused registration.

**SECOND GROUND FOR OPPOSITION:
DILUTION OF A FAMOUS MARK**

26. PayPal incorporates by reference paragraphs 1 through 25, inclusive, as if fully set forth here.

27. Applicant intends to use the PLAYPAL Mark in commerce in the United States, as stated in the application herein opposed.

28. PAYPAL is a fanciful mark and is thus highly distinctive of PayPal's goods and services.

29. PayPal has used the PAYPAL Marks since at least October 1999 for online payment processing and money transfer services, and has expanded use of the PAYPAL Marks to other related goods and services, as alleged. PayPal has used the PAYPAL Marks throughout the United States and around the world.

30. PayPal has advertised and promoted the PAYPAL Marks through extensive internet advertising and promotion. PayPal and the PAYPAL Marks have enjoyed extensive media attention. As a result of the considerable publicity afforded the PAYPAL Marks, and the strong and loyal base of customers that PayPal enjoys for its goods and services, the PAYPAL Marks have a high degree of consumer recognition.

31. Apart from unauthorized infringing uses of such marks, which PayPal actively and diligently polices through its enforcement program, there is no material use of any highly similar mark by others.

32. Accordingly, when the public encounters the term PAYPAL, it immediately associates the term with PayPal, and thus the PAYPAL Marks are famous.

33. Upon information and belief, the PAYPAL Marks became famous before Applicant filed its application to register the PLAYPAL Mark on November 8, 2011.

34. The PLAYPAL Mark is highly similar to the PAYPAL Marks, and if Applicant and others are permitted to register marks similar to the PAYPAL Marks, the proliferation of such marks will blur and weaken the connection in consumers' minds between the PAYPAL Marks and PayPal's goods and services.

35. Upon information and belief, Applicant intended to create an association between its PLAYPAL Mark and PayPal's PAYPAL Marks and trade name.

36. Accordingly, registration of the mark herein opposed is likely to dilute the distinctive quality of PayPal's famous PAYPAL Marks. Thus Applicant's mark is unregistrable pursuant to Sections 2(a)(d), 3, 13, and 43(c) of the United States Trademark Act, as amended, 15 U.S.C. §§1052(a)(d), 1053, 1063, 1125, and should be refused registration.

**THIRD GROUND FOR OPPOSITION:
LACK OF BONA FIDE INTENT TO USE MARK IN COMMERCE**

37. PayPal incorporates by reference paragraphs 1 through 25, inclusive, as if fully set forth here.

38. Upon information and belief, Applicant did not have a *bona fide* intent to use the PLAYPAL mark in commerce on the services specified in Application No. 85/467,122 when it filed this application for the PLAYPAL mark and Applicant does not have documents to establish a *bona fide* intention to use the PLAYPAL mark in commerce on the services specified in the application to register the PLAYPAL mark.

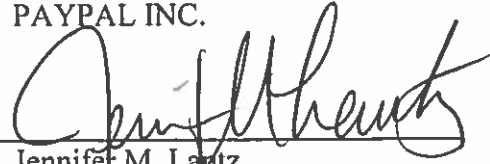
WHEREFORE, PayPal requests that Application Serial No. 85/467,122 be rejected, and that no registration be issued in connection with this application, and that this opposition be sustained in favor of PayPal.

Respectfully submitted,

PAYPAL INC.

Date: July 31, 2014

By: _____



Jennifer M. Lantz

James R. Cady

Steven M. Levitan

Hogan Lovells US LLP

4085 Campbell Avenue

Suite 100

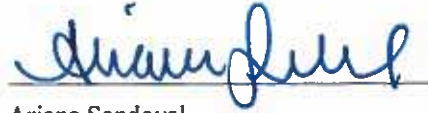
Menlo Park, California 94025

(650) 463-4000

Attorneys for Opposer

CERTIFICATE OF SERVICE VIA MAIL

I, Ariana Sandoval, of Hogan Lovells US LLP, attorneys for Opposer PayPal Inc., hereby certify that a true and correct copy of the foregoing PAYPAL, INC.'S AMENDED NOTICE OF OPPOSITION was served on Applicant's counsel of record, Eric P. Ashenberg, Esq., representative of record for Applicant, Waatoodoo, Inc. at 3000 Olympic Blvd, #2378, Santa Monica, CA 90404-5073 via postage prepaid by first-class mail on July 31, 2014.

A handwritten signature in blue ink, appearing to read "Ariana Sandoval", is written over a horizontal line.

Ariana Sandoval

EXHIBIT A

Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Corrected

Reg. No. 2,646,490

Registered Nov. 5, 2002

OG Date Aug. 12, 2003

SERVICE MARK
PRINCIPAL REGISTER

PAYPAL

PAYPAL, INC. (DELAWARE CORPORATION)
303 BRYANT STREET
MOUNTAIN VIEW, CA 94041, BY MER-
GER, BY CHANGE OF NAME CON-
FINITY, INC. (CALIFORNIA
CORPORATION) PALO ALTO, CA

FOR: CLEARING AND RECONCILING
FINANCIAL TRANSACTIONS VIA A
GLOBAL COMPUTER NETWORK; PRO-
VIDING A WIDE VARIETY OF BANK-

ING SERVICES AND PROVIDING
FINANCIAL SERVICES, NAMELY,
CREDIT CARD SERVICES, PROCESSING
AND TRANSMISSION OF BILLS AND
PAYMENTS THEREOF, AND INSUR-
ANCE FOR FINANCIAL TRANSACTIONS
CONDUCTED VIA GLOBAL COMPUTER
NETWORK, IN CLASS 36 (U.S. CLS. 100,
101 AND 102).

FIRST USE 10-0-1999; IN COMMERCE
10-0-1999.

SER. NO. 75-982,715, FILED 7-19-1999.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Aug. 12, 2003.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-07-02 21:31:38 ET

Serial Number: 75982715 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2646490

Mark (words only): PAYPAL

Standard Character claim: No

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

Date of Status: 2009-02-03

Filing Date: 1999-07-19

Transformed into a National Application: No

Registration Date: 2002-11-05

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2009-02-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PAYPAL, INC.

Address:

PAYPAL, INC.
2211 North First Street
San Jose, CA 95131
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Clearing and reconciling financial transactions via a global computer network; Providing a wide variety of banking services and providing financial services, namely, credit card services, processing and transmission of bills and payments thereof, and insurance for financial transactions conducted via global computer network

Basis: 1(a)

First Use Date: 1999-10-00

First Use in Commerce Date: 1999-10-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-03-24 - Attorney Revoked And/Or Appointed

2011-03-24 - TEAS Revoke/Appoint Attorney Received

2009-10-15 - Notice Of Suit

2009-05-26 - Attorney Revoked And/Or Appointed

2009-05-26 - TEAS Revoke/Appoint Attorney Received

2009-02-03 - Section 8 (6-year) accepted & Section 15 acknowledged

2009-02-03 - Assigned To Paralegal

2008-10-29 - TEAS Section 8 & 15 Received

2008-02-25 - Applicant/Correspondence Changes (Non-Responsive) Entered

2008-02-25 - TEAS Change Of Owner Address Received

2008-02-19 - Case File In TICRS

2008-02-13 - Attorney Revoked And/Or Appointed

2008-02-13 - TEAS Revoke/Appoint Attorney Received

2003-07-03 - Section 7 correction issued
2003-05-15 - Section 7 amendment filed
2003-05-15 - PAPER RECEIVED
2002-11-05 - Registered - Principal Register
2002-08-22 - Allowed for Registration - Principal Register (SOU accepted)
2002-07-07 - Statement Of Use Processing Complete
2002-06-07 - Use Amendment Filed
2002-07-07 - Divisional processing completed
2002-06-07 - Divisional request received
2002-07-07 - Extension 1 granted
2002-06-07 - Extension 1 filed
2002-06-07 - PAPER RECEIVED
2002-01-08 - NOA Mailed - SOU Required From Applicant
2001-10-16 - Published for opposition
2001-09-26 - Notice of publication
2001-08-17 - Approved For Pub - Principal Register
2001-08-16 - Examiner's amendment mailed
2001-08-15 - Assigned To Examiner
2001-08-14 - Assigned To Examiner
2001-08-08 - Petition To Revive-Granted
2000-11-16 - Petition To Revive-Received
2000-09-11 - Abandonment - Failure To Respond Or Late Response
2000-09-11 - Assigned To Examiner
2000-01-10 - Non-final action mailed
2000-01-04 - Assigned To Examiner

1999-12-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Bobby A. Ghajar and James R. Cady

Correspondent

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Palo Alto CA 94304-1114
Phone Number: (650) 233-4500
Fax Number: (650) 233-4545

EXHIBIT B

Int. Cls.: 9, 14, 21 and 25

**Prior U.S. Cls.: 2, 13, 21, 22, 23, 26, 27, 28, 29, 30, 33,
36, 38, 39, 40 and 50**

Reg. No. 2,879,561

United States Patent and Trademark Office

Registered Aug. 31, 2004

**TRADEMARK
PRINCIPAL REGISTER**

PAYPAL

PAYPAL, INC. (DELAWARE CORPORATION)
303 BRYANT STREET
MOUNTAIN VIEW, CA 94041

FOR: MOUSE PADS, IN CLASS 9 (U.S. CLS. 21, 23,
26, 36 AND 38).

FIRST USE 6-0-2001; IN COMMERCE 6-0-2001.

FOR: MONEY CLIPS MADE OF ANTIQUE SIL-
VER, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 6-0-2001; IN COMMERCE 6-0-2001.

FOR: MUGS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29,
30, 33, 40 AND 50).

FIRST USE 6-0-2001; IN COMMERCE 6-0-2001.

FOR: CLOTHING, NAMELY, SHIRTS, T-SHIRTS,
JACKETS AND HATS, IN CLASS 25 (U.S. CLS. 22
AND 39).

FIRST USE 6-0-2001; IN COMMERCE 6-0-2001.

OWNER OF U.S. REG. NOS. 2,588,408 AND
2,646,490.

SER. NO. 78-295,648, FILED 9-3-2003.

TRACY FLETCHER, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-07-02 21:28:14 ET

Serial Number: 78295648 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2879561

Mark (words only): PAYPAL

Standard Character claim: No

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

Date of Status: 2010-09-16

Filing Date: 2003-09-03

Transformed into a National Application: No

Registration Date: 2004-08-31

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: (NOT AVAILABLE)

Date In Location: 2010-09-16

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PayPal, Inc.

Address:

PayPal, Inc.
2211 North First Street
San Jose, CA 95132
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009
Class Status: Section 8 - Cancelled
Basis: 1(a)
First Use Date: 2001-06-00
First Use in Commerce Date: 2001-06-00

International Class: 014
Class Status: Section 8 - Cancelled
Basis: 1(a)
First Use Date: 2001-06-00
First Use in Commerce Date: 2001-06-00

International Class: 021
Class Status: Section 8 - Cancelled
Basis: 1(a)
First Use Date: 2001-06-00
First Use in Commerce Date: 2001-06-00

International Class: 025
Class Status: Active
Clothing, namely, shirts, T-shirts, jackets and hats
Basis: 1(a)
First Use Date: 2001-06-00
First Use in Commerce Date: 2001-06-00

ADDITIONAL INFORMATION

Prior Registration Number(s):
2588408
2646490

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-03-24 - Attorney Revoked And/Or Appointed

2011-03-24 - TEAS Revoke/Appoint Attorney Received

2010-09-16 - Partial Section 8 (6-year) accepted & Section 15 acknowledged

2010-08-26 - Section 8 (6-year) and Section 15 Filed

2010-09-11 - Case Assigned To Post Registration Paralegal
2010-08-26 - TEAS Section 8 & 15 Received
2009-10-15 - Notice Of Suit
2009-05-26 - Attorney Revoked And/Or Appointed
2009-05-26 - TEAS Revoke/Appoint Attorney Received
2008-02-13 - Attorney Revoked And/Or Appointed
2008-02-13 - TEAS Revoke/Appoint Attorney Received
2004-08-31 - Registered - Principal Register
2004-06-08 - Published for opposition
2004-05-19 - Notice of publication
2004-03-23 - Approved for Pub - Principal Register (Initial exam)
2004-03-20 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Bobby A. Ghajar and James R. Cady

Correspondent

Bobby A. Ghajar and James R. Cady
Pillsbury Winthrop Shaw Pittman LLP
2475 Hanover Street
Palo Alto CA 94304-1114
Phone Number: (650) 233-4500
Fax Number: (650) 233-4545

EXHIBIT C

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 2,959,971

Registered June 7, 2005

**TRADEMARK
PRINCIPAL REGISTER**

PAYPAL

PAYPAL, INC. (DELAWARE CORPORATION)
2211 N. FIRST ST.
SAN JOSE, CA 95131

FROM A GLOBAL COMPUTER NETWORK AND/
OR RECORDED ON COMPUTER MEDIA, IN CLASS
9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: COMPUTER SOFTWARE FOR PROCES-
SING ELECTRONIC PAYMENTS TO AND FROM
OTHERS THAT MAY BE DOWNLOADED FROM A
GLOBAL COMPUTER NETWORK AND/OR RE-
CORDED ON COMPUTER MEDIA; AUTHENTICA-
TION SOFTWARE THAT MAY BE DOWNLOADED

FIRST USE 8-21-2003; IN COMMERCE 8-21-2003.

SN 75-754,414, FILED 7-19-1999.

ROBIN CHOSID, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-07-02 21:35:10 ET

Serial Number: 75754414 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2959971

Mark (words only): PAYPAL

Standard Character claim: No

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

Date of Status: 2011-07-13

Filing Date: 1999-07-19

Transformed into a National Application: No

Registration Date: 2005-06-07

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: L20 -TMEG Law Office 102

Date In Location: 2011-07-13

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PAYPAL, INC.

Address:

PAYPAL, INC.
2211 N. First St.
San Jose, CA 95131
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for processing electronic payments to and from others that may be downloaded from a global computer network and/or recorded on computer media; authentication software that may be downloaded from a global computer network and/or recorded on computer media

Basis: 1(a)

First Use Date: 2003-08-21

First Use in Commerce Date: 2003-08-21

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-07-13 - Notice Of Acceptance Of Sec. 8 & 15 - E-Mailed

2011-07-13 - Section 8 (6-year) accepted & Section 15 acknowledged

2011-07-13 - Case Assigned To Post Registration Paralegal

2011-06-02 - TEAS Section 8 & 15 Received

2011-03-24 - Attorney Revoked And/Or Appointed

2011-03-24 - TEAS Revoke/Appoint Attorney Received

2009-10-15 - Notice Of Suit

2009-05-26 - Attorney Revoked And/Or Appointed

2009-05-26 - TEAS Revoke/Appoint Attorney Received

2008-02-13 - Attorney Revoked And/Or Appointed

2008-02-13 - TEAS Revoke/Appoint Attorney Received

2005-06-07 - Registered - Principal Register

2005-04-04 - Law Office Registration Review Completed

2005-04-01 - Assigned To LIE

2005-03-28 - Allowed for Registration - Principal Register (SOU accepted)

2005-03-18 - Amendment From Applicant Entered

2005-03-01 - Communication received from applicant

2005-03-01 - PAPER RECEIVED

2005-02-09 - Non-final action mailed

2005-02-08 - SU - Non-Final Action - Written

2005-01-06 - Statement Of Use Processing Complete

2005-01-06 - Use Amendment Filed

2005-01-10 - PAPER RECEIVED

2004-07-29 - Extension 5 granted

2004-06-28 - Extension 5 filed

2004-07-13 - Case File In TICRS

2004-07-01 - PAPER RECEIVED

2003-12-22 - Extension 4 granted

2003-12-22 - Extension 4 filed

2003-12-29 - PAPER RECEIVED

2003-09-11 - Extension 3 granted

2003-06-27 - Extension 3 filed

2003-06-30 - PAPER RECEIVED

2003-04-09 - Extension 2 granted

2003-01-08 - Extension 2 filed

2003-01-13 - PAPER RECEIVED

2002-07-07 - Divisional processing completed

2002-06-07 - Divisional request received

2002-07-07 - Extension 1 granted

2002-06-07 - Extension 1 filed
2002-06-07 - PAPER RECEIVED
2002-01-08 - NOA Mailed - SOU Required From Applicant
2001-10-16 - Published for opposition
2001-09-26 - Notice of publication
2001-08-17 - Approved For Pub - Principal Register
2001-08-16 - Examiner's amendment mailed
2001-08-15 - Assigned To Examiner
2001-08-14 - Assigned To Examiner
2001-08-08 - Petition To Revive-Granted
2000-11-16 - Petition To Revive-Received
2000-09-11 - Abandonment - Failure To Respond Or Late Response
2000-09-11 - Assigned To Examiner
2000-01-10 - Non-final action mailed
2000-01-04 - Assigned To Examiner
1999-12-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Bobby A. Ghajar and James R. Cady

Correspondent

Bobby A. Ghajar and James R. Cady
Pillsbury Winthrop Shaw Pittman LLP
2475 Hanover Street
Palo Alto CA 94304-1114
Phone Number: (650) 233-4500
Fax Number: (650) 233-4545

EXHIBIT D

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 3,069,209

United States Patent and Trademark Office

Registered Mar. 14, 2006

TRADEMARK
PRINCIPAL REGISTER

PAYPAL

PAYPAL, INC. (DELAWARE CORPORATION)
2211 NORTH FIRST STREET
SAN JOSE, CA 95131

FOR: MAGNETICALLY ENCODED CREDIT
CARDS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-0-2001; IN COMMERCE 6-0-2001.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,588,408, 2,646,490,
AND 2,866,665.

SN 78-387,008, FILED 3-18-2004.

DAVID MURRAY, EXAMINING ATTORNEY

EXHIBIT E

Int. Cls.: 9, 16, 21, 25, 36, and 45

Prior U.S. Cls.: 2, 5, 13, 21, 22, 23, 26, 29, 30, 33, 36,
37, 38, 39, 40, 50, 100, 101, and 102

Reg. No. 3,680,256

Registered Sep. 8, 2009

United States Patent and Trademark Office

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

The image shows the PayPal logo in a large, stylized, grey font. The letters are bold and have a slight shadow effect, giving them a three-dimensional appearance. The 'P' and 'y' are connected, and the 'a' and 'l' are also connected. The 'P' and 'y' are in a darker shade of grey, while the 'a' and 'l' are in a lighter shade.

PAYPAL, INC. (DELAWARE CORPORATION)
2211 NORTH FIRST STREET
SAN JOSE, CA 95131

FOR: COMPUTER SOFTWARE FOR PROCESSING ELECTRONIC PAYMENTS AND TRANSFERRING FUNDS TO AND FROM OTHERS; AUTHENTICATION SOFTWARE FOR CONTROLLING ACCESS TO AND COMMUNICATIONS WITH COMPUTERS THAT MAY BE DOWNLOADED FROM A GLOBAL COMPUTER NETWORK AND/OR RECORDED ON COMPUTER MEDIA; MAGNETICALLY ENCODED CREDIT CARDS AND PAYMENT CARDS; COMPUTER HARDWARE SECURITY DEVICE, NAMELY, A NON-PREDICTABLE CODE CALCULATOR FOR ACCESSING A HOST DATABASE COMPUTER, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-7-2008; IN COMMERCE 9-7-2008.

FOR: PAPER AND STATIONERY ITEMS, NAMELY, MEMO PADS AND PENS; PUBLICATIONS AND PRINTED MATERIALS, NAMELY, A SERIES OF INSTRUCTIONAL BOOKS AND TEACHING MATERIALS IN THE FIELD OF CLEARING AND RECONCILING FINANCIAL TRANSACTIONS VIA ELECTRONIC COMMUNICATIONS NETWORKS; CREDIT CARDS WITHOUT MAGNETIC CODING, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 11-0-2008; IN COMMERCE 11-0-2008.

FOR: CONTAINERS FOR FOOD OR BEVERAGES, NAMELY, TUMBLERS, AND PLASTIC WATER BOTTLES, ALL SOLD EMPTY, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 11-0-2008; IN COMMERCE 11-0-2008.

FOR: CLOTHING, NAMELY, SHIRTS, T-SHIRTS, JACKETS AND HEADGEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 11-0-2008; IN COMMERCE 11-0-2008.

FOR: FINANCIAL SERVICES, NAMELY, ELECTRONIC FUNDS TRANSFER VIA ELECTRONIC COMMUNICATIONS NETWORKS; CLEARING AND RECONCILING FINANCIAL TRANSACTIONS VIA ELECTRONIC COMMUNICATIONS NETWORKS; PROVIDING A WIDE VARIETY OF PAYMENT AND FINANCIAL SERVICES, NAMELY, CREDIT CARD SERVICES, ISSUING CREDIT CARDS AND LINES OF CREDIT, PROCESSING AND TRANSMISSION OF BILLS AND PAYMENTS THEREOF, BILL PAYMENT SERVICES WITH GUARANTEED PAYMENT DELIVERY, AND BROKERAGE OF MONEY MARKET FUNDS, ALL CONDUCTED VIA A GLOBAL COMMUNICATIONS NETWORK, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-7-2008; IN COMMERCE 9-7-2008.

FOR: DISPUTE RESOLUTION SERVICES; PROVIDING FINANCIAL FRAUD PROTECTION AND PREVENTION, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 9-7-2008; IN COMMERCE 9-7-2008.

OWNER OF U.S. REG. NOS. 2,588,408, 2,959,971, AND OTHERS.

SN 77-158,744, FILED 4-17-2007.

MICHAEL LITZAU, EXAMINING ATTORNEY

SN 77-158,744, FILED 4-17-2007.

MICHAEL LITZAU, EXAMINING ATTORNEY

EXHIBIT F

United States of America
United States Patent and Trademark Office

PayPal X

Reg. No. 4,013,014

Registered Aug. 16, 2011

Int. Cls.: 9 and 42

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

PAYPAL, INC. (DELAWARE CORPORATION)
2211 NORTH FIRST STREET
SAN JOSE, CA 95131

FOR: COMPUTER SOFTWARE FOR USE IN DEVELOPING OTHER COMPUTER SOFTWARE AND SOFTWARE APPLICATIONS; COMPUTER SOFTWARE DEVELOPMENT TOOLS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-4-2009; IN COMMERCE 11-4-2009.

FOR: DESIGN AND DEVELOPMENT OF COMPUTER SOFTWARE AND APPLICATION PROGRAMMING INTERFACES (API); PROVIDING INFORMATION IN THE FIELD OF COMPUTER SOFTWARE AND COMPUTER SOFTWARE DESIGN AND DEVELOPMENT; TECHNICAL SUPPORT SERVICES, NAMELY, TROUBLESHOOTING OF COMPUTER SOFTWARE PROBLEMS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 11-4-2009; IN COMMERCE 11-4-2009.

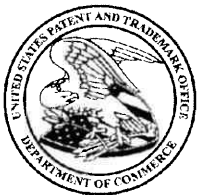
OWNER OF U.S. REG. NOS. 2,646,490, 3,680,256, AND OTHERS.

THE COLOR(S) BLUE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE TERM "PAYPAL" AND A STYLIZED BOX DESIGN ALL APPEARING IN VARYING SHADES OF BLUE. INSIDE OF THE BLUE STYLIZED BOX IS A VOID IN THE SHAPE OF THE LETTER "X".

SN 77-856,538, FILED 10-23-2009.

COLLEEN KEARNEY, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office