

ESTTA Tracking number: **ESTTA1051624**

Filing date: **04/27/2020**

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

Proceeding	92071172
Party	Defendant Mark Sankovich
Correspondence Address	CHRISTOPHER J DAY DAY LAW FIRM 9977 NORTH 90TH STREET, SUITE 155 SCOTTSDALE, AZ 85258 UNITED STATES chris@daylawfirm.com 602-258-4440
Submission	Opposition/Response to Motion
Filer's Name	Christopher J. Day
Filer's email	chris@daylawfirm.com
Signature	/Christopher J. Day/
Date	04/27/2020
Attachments	Response to MSJ.pdf(3075790 bytes )

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

*In re:*

Marks: 806, 806 and design  
Reg. Nos.: 5579623, 5658200  
TTAB No.: 92071172

FarmGirl Frosting, LLC,

**Petitioner,**

v.

Mark Sankovich,

**Registrant.**

**REGISTRANT'S RESPONSE TO  
PETITIONER'S MOTION FOR SUMMARY JUDGMENT**

Petitioner has moved for summary judgment on the grounds of priority and likelihood of confusion. Because there remain significant genuine issues of material fact regarding these issues, Petitioner's motion must be denied.

**I. Summary Judgment Standard.**

Summary judgment is appropriate only where there are no genuine disputes as to any material facts, thus allowing the case to be resolved as a matter of law. Fed. R. Civ. P. 56(a). The party seeking summary judgment bears the burden of demonstrating the absence of any genuine dispute of material fact, and that it is entitled to a judgment under the applicable law. *See Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986); *Sweats Fashions, Inc. v. Pannill Knitting*, 833 F.2d 1560, 4 USPQ2d 1793, 1796 (Fed. Cir. 1987). A factual dispute is genuine if, on the evidence of record, a

reasonable fact finder could resolve the matter in favor of the non-moving party. *See Opryland USA Inc. v. Great Am. Music Show Inc.*, 970 F.2d 847, 23 USPQ2d 1471, 1472 (Fed. Cir. 1992); *Olde Tyme Foods, Inc. v. Roundy's, Inc.*, 961 F.2d 200, 22 Opposition No. 91238589 7 USPQ2d 1542, 1544 (Fed. Cir. 1992). Evidence on summary judgment must be viewed in a light most favorable to the non-movant, and all justifiable inferences are to be drawn in the non-movant's favor. *Lloyd's Food Prods., Inc. v. Eli's, Inc.*, 987 F.2d 766, 25 USPQ2d 2027, 2029 (Fed. Cir. 1993); *Opryland USA*, 23 USPQ2d at 1472. The Board may not resolve genuine disputes as to material facts; it may only ascertain whether genuine disputes as to material facts exist. *See Lloyd's Food Prods.*, 25 USPQ2d at 2029; *Olde Tyme Foods*, 22 USPQ2d at 1544.

## **II. Genuine Disputes of Material Fact Exist Regarding Priority.**

Proof of a prior proprietary right is a requirement for Petitioner to prevail. Petitioner's assertion of prior trademark rights raises two separate but related inquiries. The first question is one of priority – whether or not petitioner has shown with competent evidence use of the number 806 on the claimed goods prior to the earliest dates on which Registrant can rely. However, in determining priority in this case, the Board must also consider the issue of the distinctiveness of the use of the number 806 claimed by Petitioner to be its mark.

### **A. Petitioner Has Not Used 806 as a Trademark.**

The critical question to be determined in this Cancellation proceeding is whether Petitioner's use of the number 806 functions as a trademark—meaning whether it has acquired distinctiveness such that it identifies a single commercial source. *See Otto Roth & Company, Inc. v. Universal Foods Corporation*, 640 F.2d 1317, 209 USPQ 40, 44 (CCPA 1981); see also *Towers v. Advent Software Inc.*, 913 F.2d 942, 17 USPQ2d 1471 (Fed. Cir. 1990). This is indisputably a question of fact. Based on the evidence of record, the Board must determine whether Petitioner has established acquired distinctiveness as required by *Wal-Mart Stores, Inc. v. Samara Brothers, Inc.*, 529 U.S.

205, 54 USPQ2d 1065 (S.Ct. 2000).

**a. 806 is a Geographically Descriptive Indicator.**

Petitioner's use of the number 806 is primarily geographically descriptive of the origin of its goods and/or services. Trademark Act Section 2(e)(2), 15 U.S.C. §1052(e)(2); *see* TMEP §§1210, 1210.01(a). The number 806 is the "area code" encompassing the Amarillo, Texas, area, including Claude, Texas, where Petitioner's boutique store is located. *See Exhibits A and B*. Given that Petitioner's use of the 806 area code is primarily geographically descriptive of its goods, Petitioner cannot provide evidence that its use of the 806 area code serves as a source indicator. To the contrary, it is extremely common for parties to use area codes as ornamentation on clothing and related items. *See Exhibit C*. Additionally, there is also evidence in such websites as [www.the806.com](http://www.the806.com) and [www.crossfit806.com](http://www.crossfit806.com) that show that the area code/number 806 is commonly used by businesses in the Texas Panhandle and South Plains to indicate the location of businesses in that area. Petitioner has failed to provide evidence that consumers would connect seeing the use of the area code 806 on goods as emanating from Petitioner. *See Exhibit D*.

**b. 806 is Ornamental/Decorative/Informational Material.**

Section 45 of the Trademark Act, 15 U.S.C. § 1127, defines a "trademark" as "any word, name, symbol, or device, or any combination thereof ... used by a person ... to identify and distinguish his or her goods ... from those manufactured or sold by others *and to indicate the source of the goods*, even if that source is unknown (emphasis added)." It is well settled that not every designation that is placed or used on a product necessarily functions as a trademark and not every designation adopted with the intention that it perform a trademark function necessarily does so. *In re Hulting*, 107 USPQ2d 1175, 1177 (TTAB 2013) (*citing Am. Velcro, Inc. v. Charles Mayer Studios, Inc.*, 177 USPQ2d 149, 154 (TTAB 1973)). A term that does not function as a trademark or service mark to indicate the source of the goods and to identify and distinguish them from others does not function as a

trademark. Trademark Act Sections 1, 2, 3, and 45, 15 U.S.C. §§1051-1053, 1127.

Slogans and terms that are merely informational in nature, such as statements or laudatory phrases about goods and/or services ordinarily used in business or in a particular trade or industry, are not registrable. The critical inquiry in determining whether a designation functions as a mark is how the designation would be perceived by the relevant public. Trademark Manual of Examining Procedure (“TMEP”) § 1202.03-04 (Oct. 2018) and cases cited therein. To make this determination, the Board must consider evidence of record showing how the designation is actually used. *In re Eagle Crest, Inc.*, 96 USPQ2d 1227, 1229 (TTAB Opposition No. 91238589 8 2010) (*citing In re Volvo Cars of N. Am. Inc.*, 46 USPQ2d 1455 (TTAB 1998)). The manner in which the mark is actually used is the determinative factor. *See Michael S. Sachs Inc. v. Cordon Art B.V.*, 56 USPQ2d 1132, 1135 (TTAB 2000).

Websites such as [www.the806.com](http://www.the806.com), and [www.crossfit806.com](http://www.crossfit806.com) show that the area code/number 806 is commonly used by businesses in the Texas Panhandle and South Plains to indicate the location of businesses in that area, including the cities of Amarillo and Lubbock. Because consumers are accustomed to seeing the area code/number 806 used in this manner, when that number is applied to Petitioner’s goods, consumers would perceive it merely as informational matter indicating the origin of Petitioner’s goods and they would not perceive the area code/number 806 as a mark that identifies the source of Petitioner’s goods.

The record contains no evidence that Petitioner has used the number 806 *as a trademark*. Petitioner’s motion alleges that “[a]t least as early as October 31, 2016, Petitioner started to sell, in commerce, its line of apparel with the ‘806’ mark.” [8 TTABVUE at 1]. Petitioner then cites to its Exhibit A [8 TTTABVUE at 12-17], which contains a series of unauthenticated (by testimony or otherwise) photographs or perhaps screen captures purporting to show the number 806 on the front of apparel. To the extent these unauthenticated exhibits tend to establish anything, it is simply that

Petitioner has used the number '806' as purely ornamental decoration and not as a source indicator of Petitioner's goods. Indeed, in its Motion, Petitioner states that Petitioner used the 806 "in commerce **on** clothing, caps, mugs, door mats, and luggage tags (emphasis added)." Petitioner further states that "Petitioner has even used the mark as signage in its store" [8 TTABVUE at 5]. In its Exhibit A [8 TTABVUE at 12-17], Petitioner's unauthenticated photograph purports to show a display of clothing for sale alongside a decorative sign featuring the number 806. Again, rather than serving a source indicator, the 806 sign featured in what appears to be the interior of Petitioner's store serves as "décor" and is merely ornamental or information, just as it is in the case of the use of the number 806 on Petitioner's clothing items.

Petitioner's attempt to provide evidence of acquired distinctiveness/source origination of its goods falls far short. The customer Declarations submitted by Petitioner [8 TTABVUE at 38-58] are insufficient evidence to show that Petitioner's use of the number 806 has acquired distinctiveness or indicate the origin of the goods. One would naturally expect Petitioner's own customers to be familiar with the products that they purchased from Petitioner; these customer declarations about their past purchases provides no probative value in showing whether Petitioner's use of the number 806 has resulted in acquired distinctiveness or indicates the origin of the goods. Petitioner provided no evidence that a consumer would see Farm Girl Frosting's clothing and other goods using the number 806 that would identify them as emanating from a particular source. The same holds true for the many other types of clothing offered for sale by Farm Girl Frosting that are simply "ornamental decoration" featuring words or phrases, such as 'Hola,' "Mama Needs a Margarita," or "Chip Dippin' & Maragarita Sippin.'" None of Petitioner's ornamental uses of numbers, letters, or phrases solely used ornamentally on the fronts of t-shirts rise to the level having acquired distinctiveness and indicating the single origin of the goods.

Significant fact issues remain regarding 1) the nature of Petitioner's use of the number 806

*i.e.* whether the number 806 is only used as printed on clothing or similar merchandise; 2) how consumers other than those who have already purchased Farm Girl Frosting’s clothing would perceive the number 806 as printed on Petitioner’s clothing; 3) the use of Farm Girl Frosting’s logo accompanying the number 806 on the printed clothing advertised for sale on Petitioner’s website, which presumably functions as Petitioner brand/source indicator (as opposed to the number 806); the number and types of other words or number used ornamentally on Petitioner’s clothing; and 4) the timing of Petitioner’s addition of the 806 logo mark to Petitioner’s FarmGirlFrosting website.

**III. Petitioner Has Not Proved It Has Prior Trademark Rights and Thus Has Not Met the Burden of Proof for Summary Judgment.**

Petitioner has failed to prove that its use of the number 806 has met the required elements to function as a trademark—Petitioner has failed to show that its use of the number 806 has acquired distinctiveness such that it identifies a single commercial source. This critical issue is a genuine dispute of genuine material fact and accordingly, necessitates that the Board deny Petitioner’s Motion for Summary Judgment.

Dated April 27, 2020.

\_\_\_\_\_  
/Christopher J. Day/

Christopher J. Day, Attorney for Registrant  
Day Law Firm  
9977 North 90th Street, Suite 155  
Scottsdale, AZ 85258  
Telephone: (602) 258-4440  
Facsimile: (602) 258-4441

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of this paper has been served upon all parties the following email address of record on April 27, 2020: andrea@andreasager.com



# Exhibit A



**WIKIPEDIA**  
The Free Encyclopedia

Not logged in | Talk | Contributions | Create account | Log in

Article | **Talk**

Read | Edit | View history

Search Wikipedia

## Area code 806

From Wikipedia, the free encyclopedia

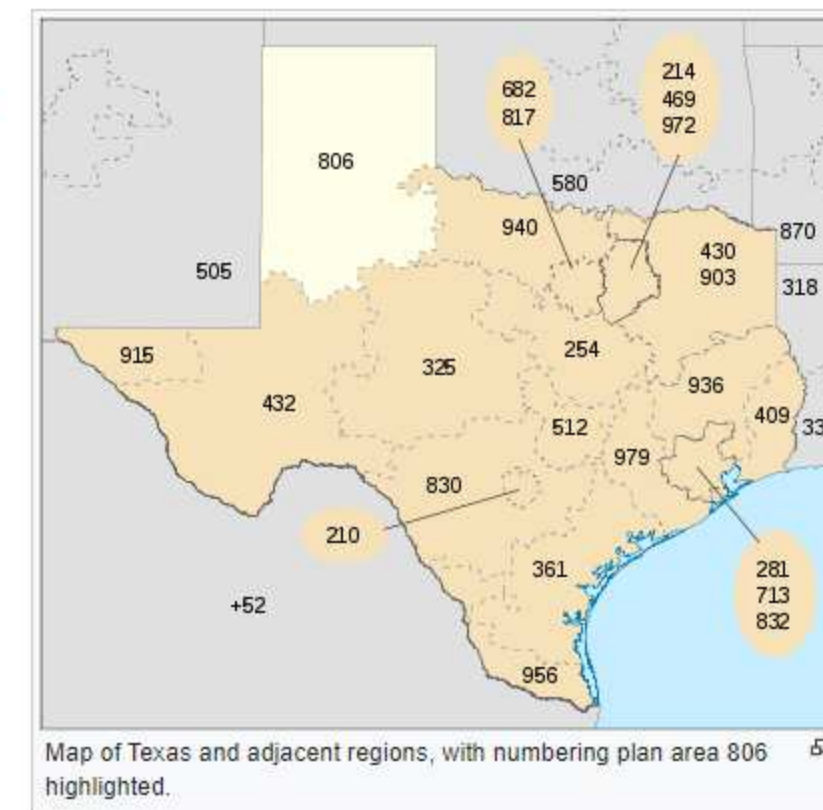
North American **area code 806** is a state of Texas telephone area code for numbers in the Texas Panhandle and South Plains, including the cities of Amarillo and Lubbock. 806 was created as a flash-cut sometime during 1957, but available databases do not indicate from which area code it was split, as all original area codes were created in October 1947. Based on proximity, however, it was probably split from the 915 area code. In a [message](#) posted to the [Telecom Digest](#) mailing list and newsgroup [comp.dcom.telecom](#), Carl Moore reports that this area code was created mostly in part from area code 915 as well as a small part from area code 817. Of the six area codes serving Texas from 1957 to 1983, this is currently the only one that has yet to need any type of relief through division or an overlay.

Counties served by this area code:

Armstrong, Bailey, Borden, Briscoe, Carson, Castro, Cochran, Collingsworth, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Floyd, Gaines, Garza, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Hutchinson, Kent, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Terry, Wheeler and Yoakum

Towns and cities served by this area code:

Abernathy, Adrian, Afton, Aiken, Alanreed, Allison, Amarillo, Amherst, Anton, Bledsoe, Booker, Borger, Bovina, Boys Ranch, Briscoe, Brownfield, Bula, Bushland, Cactus, Canadian, Canyon, Channing, Clarendon, Claude, Cotton Center, Crosbyton, Dalhart, Darrouzett, Dawn, Dickens, Dimmitt, Dodson, Dougherty, Dumas, Earth, Edmonson, Enochs, Estelline, Farnsworth, Farwell, Fieldton, Flomot, Floydada, Follett, Friona, Fritch, Gail, Girard, Groom, Gruver, Guthrie, Hale Center, Happy, Hart, Hartley, Hedley, Hereford, Higgins, Idalou, Jayton, Justiceburg, Kerrick, Kress, Lakeview, Lamesa, Lazbuddie, Lefors, Lelia Lake, Levelland, Lipscomb, Littlefield, Lockney, Loop, Lorenzo, Lubbock, Maple, Masterson, Matador, McAdoo, McLean, Meadow, Memphis, Miami, Mobeetie, Morse, Morton, Muleshoe, Nazareth, New Deal, New Home, O'Donnell, Olton, Paducah, Pampa, Panhandle, Pep, Perryton, Petersburg, Plains, Plainview, Posey, Post, Quail, Quitaque, Ralls, Ransom Canyon, Roaring Springs, Ropesville, Samnorwood, Sanford, Seagraves, Shallowater, Shamrock, Silverton, Skellytown, Slaton, Smyer, South Plains, Spade, Spearman, Springlake, Spur, Stinnett, Stratford, Sudan, Summerfield, Sundown, Sunray, Tahoka, Texline, Tokio, Tulia, Turkey, Umbarger, Vega, Waka, Wayside, Welch, Wellington, Wellman, Wheeler, White Deer, Whiteface, Whitharral, Wildorado, Wilson, and Wolfforth



### See also  [ [edit](#) ]

- List of Texas area codes

### External links  [ [edit](#) ]

- NANPA area code map of Texas
- List of exchanges from AreaCodeDownload.com, 806 Area Code

<b>Texas area codes: 210/726, 214/469/972, 254, 281/346/713/832, 325, 361, 409, 430/903, 432, 512/737, 682/817, 806, 830, 915, 936, 940, 956, 979</b>		
	<b>North: 580</b>	
<b>West: 575</b>	<b>area code 806</b>	<b>East: 580, 940</b>
	<b>South: 325, 432</b>	
<b>New Mexico area codes: 505, 575</b>		

Main page  
Contents  
Featured content  
Current events  
Random article  
Donate to Wikipedia  
Wikipedia store

Interaction

Help  
About Wikipedia  
Community portal  
Recent changes  
Contact page

Tools  
What links here  
Related changes  
Upload file  
Special pages  
Permanent link  
Page information  
Wikidata item  
Cite this page

Print/export  
Download as PDF  
Printable version

Languages   
Français  
[Edit links](#)

# Exhibit B



Our Story



Hi! I'm Tessa!

# Welcome to FarmGirl Frosting!

FarmGirl Frosting was born for fashionistas like you. This life-long dream of mine began in 2010 as a traveling boutique, and in 2016, I settled my store on the cornerstone of the town square in Claude, TX. I opened my doors with just me, my merchandise, and a vision for how this dream could flourish.

Since then, my brick-and-mortar storefront expanded into a larger space for customers to enjoy. We've also gone online with this fabulous website as well as a new mobile app for shopping on the go. What began with just me and my merchandise made way for team of wonderful employees whose mission is to encourage and uplift fellow women.

We are 100% woman owned and operated. Our goal is to make you look and feel FarmGirl Fabulous, and our mission is to serve you. We are here for anything from styling services, to helping you pick out the perfect outfit and accessories, to helping you pick the best gift — we have everything you need. We offer free gift wrapping and local delivery, and our gift cards are always the perfect fit!

We are located at 101 Goodnight on the Historic Courthouse Square in Claude, Texas — stop by and visit us!

FarmGirl Frosting  
101 Goodnight St.  
Claude, TX 79019  
806.402.1129

## Meet the Team



**Bailee**  
Fashion Lover  
Dog mom  
Social Media  
Maven  
-----  
Marketing Major



**Callie**  
Born leader  
Details darling  
Web guru  
Numbers gal.  
-----  
Accounting Major



**Jade**  
Go-getter  
Inventory Intake +  
Customer Service  
Specialist  
-----  
Nursing Major



**Millie**  
Sweet Soul  
Music +  
outdoors lover  
Quality control  
queen  
-----  
2020 Senior

OUR COMPANY

Our Story  
Shop our FREE App!  
Holler at us!

POLICIES

Shipping & Returns  
Shop Now + Pay Later with SEZZLE!  
Privacy  
Terms

YOUR ACCOUNT

Account Sign In  
Return Items  
Order Status  
Cart

CONNECT

Join our mailing list for updates on all the fun things at FGF!

Enter Email Address



# Exhibit C



MADE TO BENEFIT THE UMC CHILDREN'S HOSPITAL SERVING THE CHILDREN OF LUBBOCK, AMARILLO AND THE TEXAS PANHANDLE.

To Donate Directly  
click here

100% OF PROCEEDS FROM THIS COLLECTION WILL BE DONATED TO THE FEEDING AMERICA FOOD BANKS THROUGHOUT THE STATE. [CLICK HERE](#) TO SEE LIST OR DONATE DIRECTLY.

COLLECTIONS

The Hat That Gives Back  
The Shirt That Gives Back  
Area Codes  
(Code)words

FILTER BY AREA (CODE)

806

INFORMATION

Codeword is excited to not only provide a way to **rep hometowns**, but most importantly a way to **support hometowns** as well. Since our launch in 2017 we have been flooded with stories of customers meeting new friends, and even future spouses, because they were wearing our "conversation starter" of a cap!

SHOP AREA CODES

SHOP STATE CODES

SHOP CITY CODES



Showing: 2 Sort ▾



806 - TX (Black/Red Cap)  
\$35.00

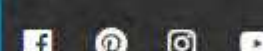


806 - TX (Grey Cap)  
\$35.00

SIGN UP FOR  
NEWSLETTER

Email address

SUBSCRIBE



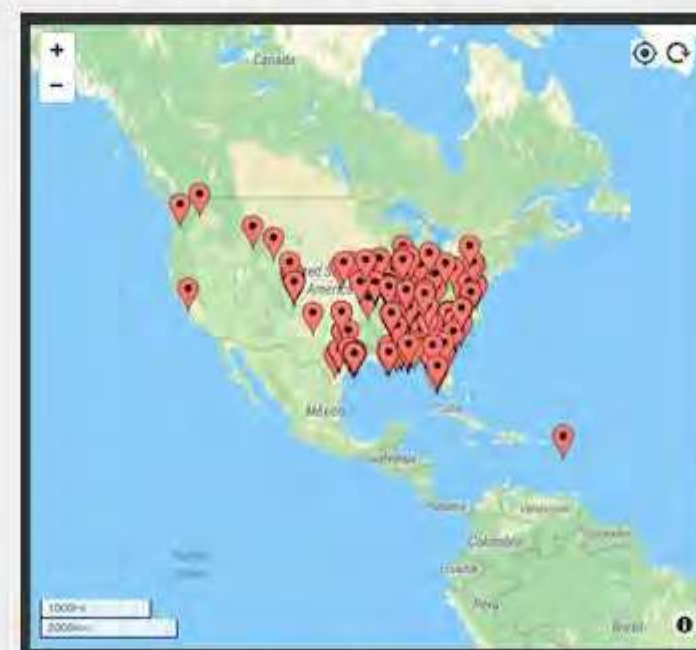
(code)word  
Garments That Give™

Codeword is excited to not only provide a way to **rep hometowns** but, most importantly, a way to **support hometowns** as well. Since our launch in 2017 we have been flooded with stories of customers meeting new friends, and even future spouses, because they were wearing our "conversation starter" of a cap!

Quick Shop

Returns  
Contact Us  
Request a new area code  
Wholesale Inquiry  
Privacy Policy

Find A Store Near You



[View Local Stores](#)

Contact Us

📍 1539A Battlefield Dr  
Nashville, TN 37215  
✉ [contact@shopcodeword.com](mailto:contact@shopcodeword.com)



100% OF PROCEEDS FROM THIS COLLECTION WILL BE DONATED TO THE FEEDING AMERICA FOOD BANKS THROUGHOUT THE STATE. [CLICK HERE](#) TO SEE LIST OR DONATE DIRECTLY.

COLLECTIONS

- The Hat That Gives Back
- The Shirt That Gives Back
- Area Codes
- (Code)words

FILTER BY AREA (CODE)

- 209
- 213
- 310
- 323
- 408
- 415
- 424
- 510
- 530
- 559
- 562
- 619
- 626
- 650
- 661
- 707
- 714
- 760
- 818
- 831
- 858
- 909
- 916
- 925
- 949
- 951

INFORMATION

Codeword is excited to not only provide a way to **rep hometowns**, but most importantly a way to **support hometowns** as well. Since our launch in 2017 we have been flooded with stories of customers meeting new friends, and even future spouses, because they were wearing our "conversation starter" of a cap!

SHOP AREA CODES

SHOP STATE CODES

SHOP CITY CODES

Showing: 267 Sort ▾



209 - CA (Black/White Cap)  
\$35.00



209 - California - Crop Lightweight Hoodie  
\$40.00



209 - California - Fleece Crew Sweater  
\$55.00



209 - California - St.Paddy's Day Shirt  
\$32.00



209 - California - Women's Crop Racer Tank  
\$35.00



209 - California - Women's Crop Tee  
\$32.00



209 - California Crop Fleece Crew  
\$60.00



209 - California Crop Fleece Hoodie  
\$60.00



209 - California Shirt  
\$32.00



209 California Baseball Shirt  
\$35.00



213 - Los Angeles - Crop Lightweight Hoodie  
\$40.00



213 - Los Angeles - Fleece Crew Sweater  
\$55.00



213 - Los Angeles - St.Paddy's Day Shirt  
\$32.00



213 - Los Angeles - Women's Crop Racer Tank  
\$35.00



213 - Los Angeles - Women's Crop Tee  
\$32.00



213 - Los Angeles Crop Fleece Crew  
\$60.00



213 - Los Angeles Crop Fleece Hoodie  
\$60.00



213 - Los Angeles Long Sleeve Tee  
\$35.00



213 - Los Angeles Shirt  
\$32.00



213 Los Angeles Baseball Shirt  
\$35.00



310 - LAX (Grey Cap)  
\$35.00



310 - Santa Monica - Crop Lightweight Hoodie  
\$40.00



310 - Santa Monica - Fleece Crew Sweater  
\$55.00



310 - Santa Monica - St.Paddy's Day Shirt  
\$32.00



310 - Santa Monica - Women's Crop Racer Tank  
\$35.00



310 - Santa Monica - Women's Crop Tee  
\$32.00



310 - Santa Monica Crop Fleece Crew  
\$60.00



310 - Santa Monica Crop Fleece Hoodie  
\$60.00



310 - Santa Monica Long Sleeve Tee  
\$35.00



310 - Santa Monica Shirt  
\$32.00



310 Santa Monica Baseball Shirt  
\$35.00



323 - Los Angeles - Baseball Shirt  
\$35.00



323 - Los Angeles - Crop Fleece Crew  
\$60.00



323 - Los Angeles - Crop Fleece Hoodie  
\$60.00



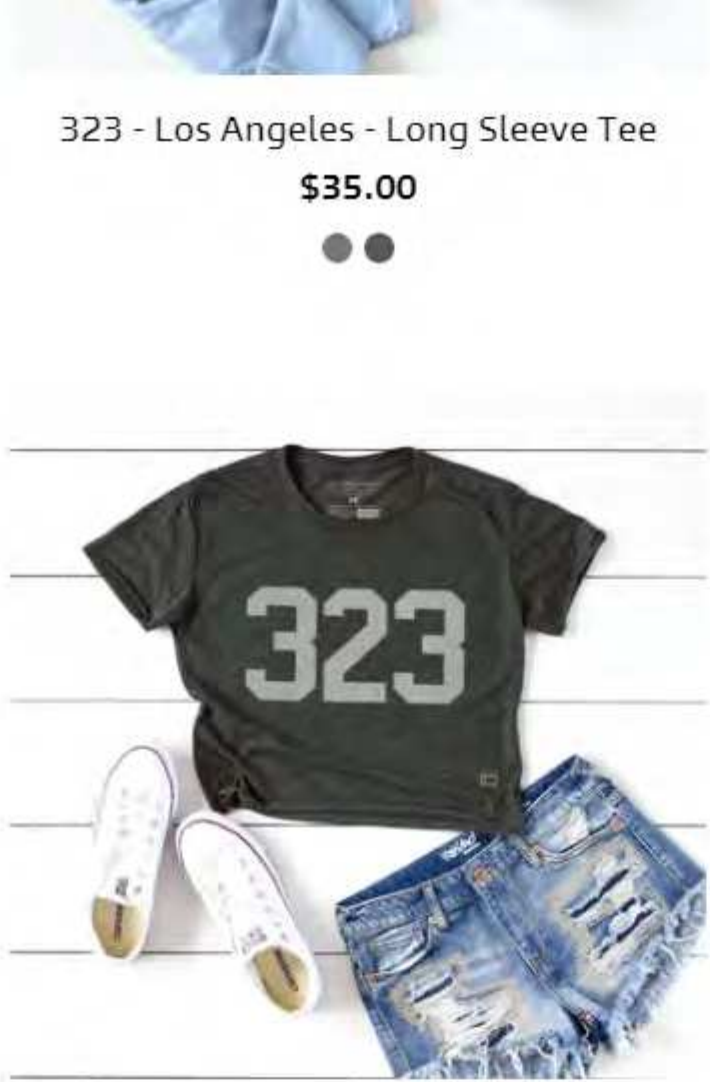
323 - Los Angeles - Crop Lightweight Hoodie  
\$40.00



323 - Los Angeles - Fleece Crew Sweater  
\$55.00







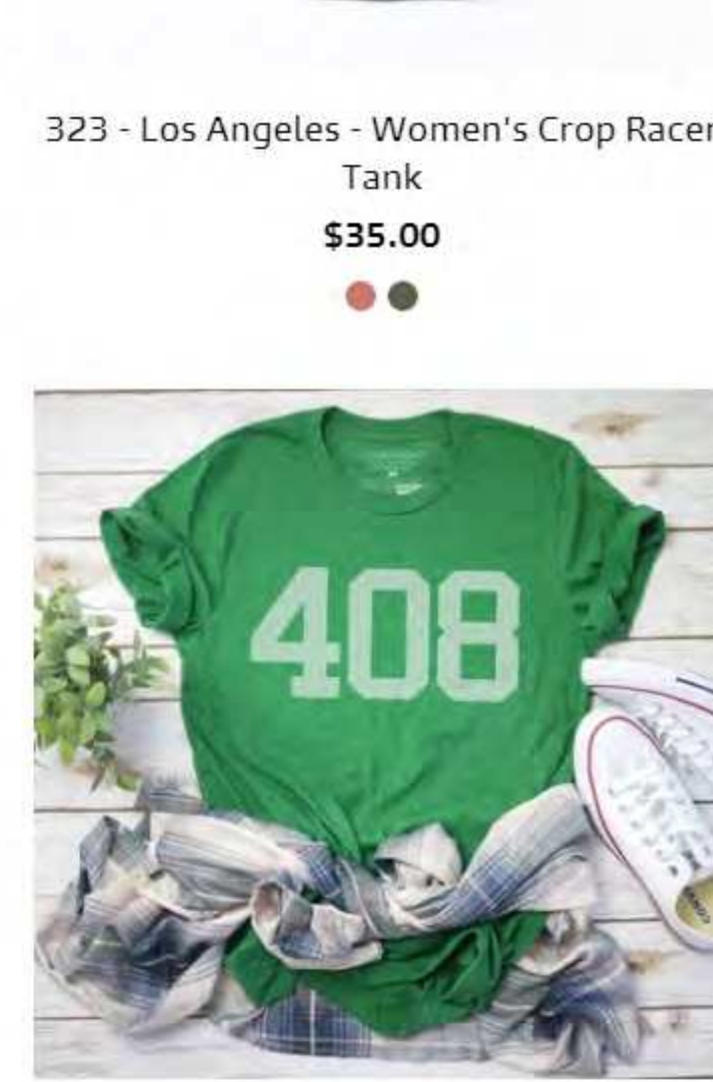
323 - Los Angeles - Long Sleeve Tee  
\$35.00



323 - Los Angeles - Shirt  
\$32.00



323 - Los Angeles - St.Paddy's Day Shirt  
\$32.00



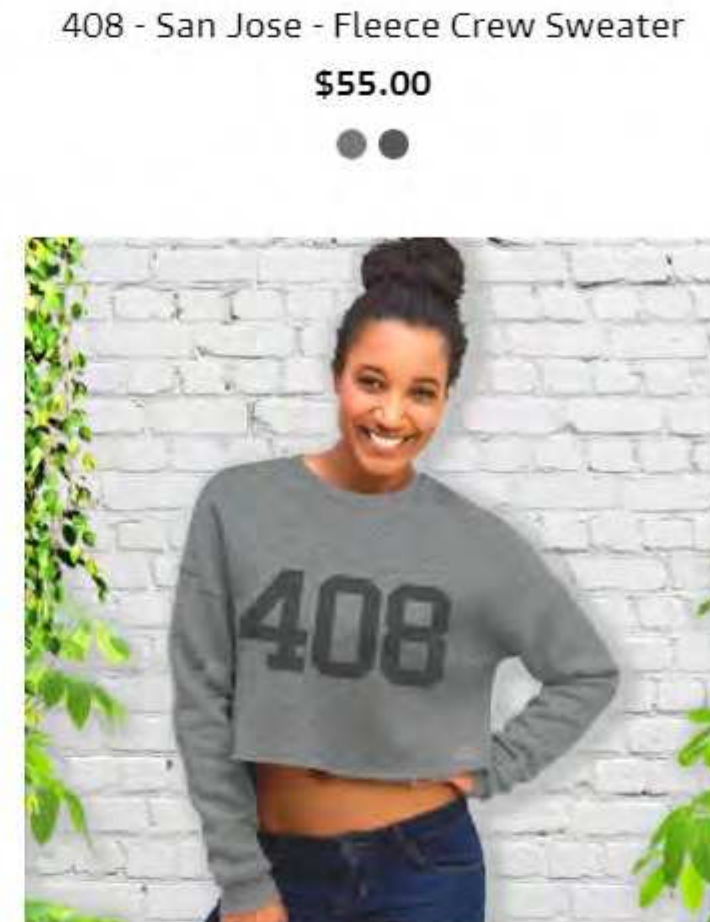
323 - Los Angeles - Women's Crop Racer Tank  
\$35.00



323 - Los Angeles - Women's Crop Tee  
\$32.00



408 - San Jose - Crop Lightweight Hoodie  
\$40.00



408 - San Jose - Fleece Crew Sweater  
\$55.00



408 - San Jose - St.Paddy's Day Shirt  
\$32.00



408 - San Jose - Women's Crop Racer Tank  
\$35.00



408 - San Jose - Women's Crop Tee  
\$32.00



408 - San Jose Crop Fleece Crew  
\$60.00



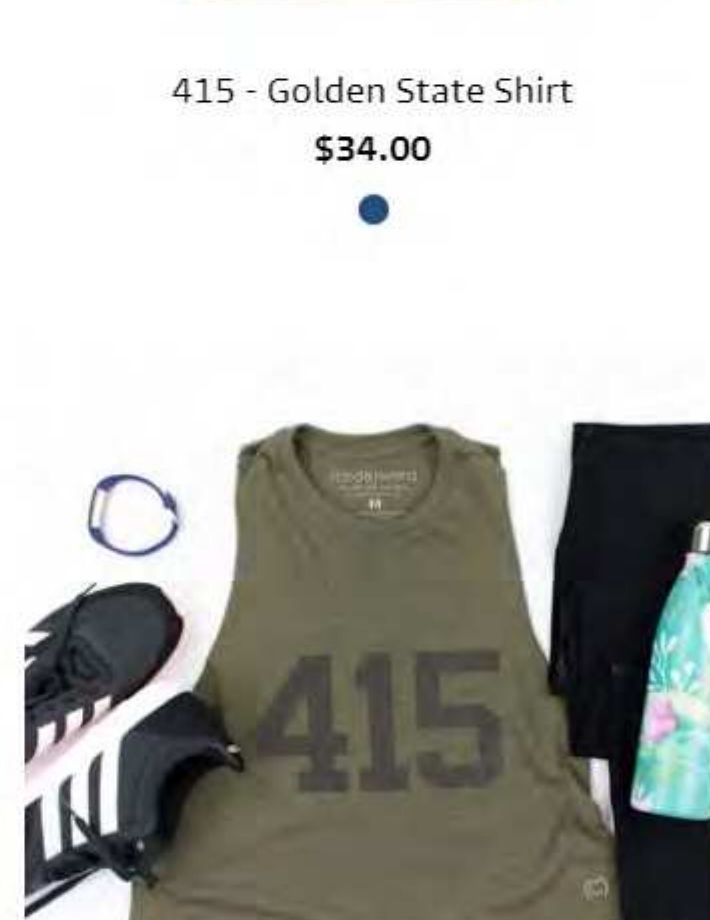
408 - San Jose Crop Fleece Hoodie  
\$60.00



408 - San Jose Long Sleeve Tee  
\$35.00



408 - San Jose Shirt  
\$32.00



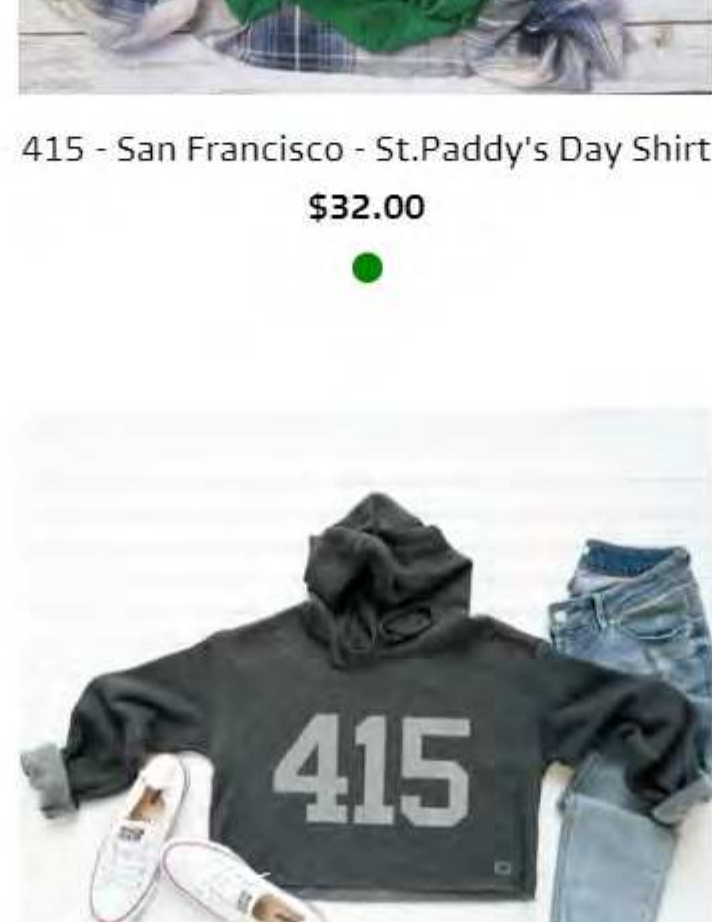
415 - Golden State Shirt  
\$34.00



415 - San Francisco - Crop Lightweight Hoodie  
\$40.00



415 - San Francisco - Fleece Crew Sweater  
\$55.00



415 - San Francisco - St.Paddy's Day Shirt  
\$32.00



415 - San Francisco - Women's Crop Racer Tank  
\$35.00



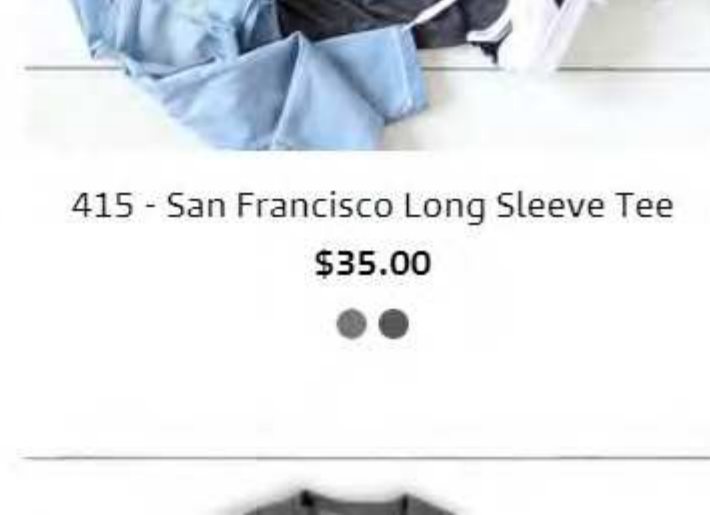
415 - San Francisco - Women's Crop Tee  
\$32.00



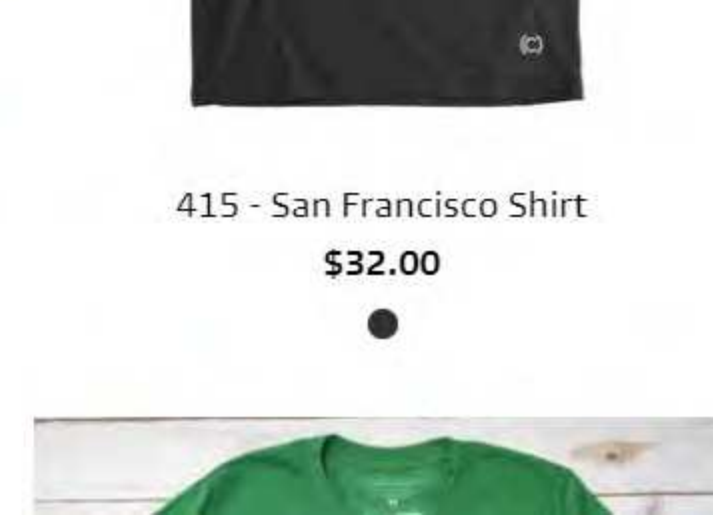
415 - San Francisco Crop Fleece Crew  
\$60.00



415 - San Francisco Crop Fleece Hoodie  
\$60.00



415 - San Francisco Long Sleeve Tee  
\$35.00



415 - San Francisco Shirt  
\$32.00





415 - San Francisco Shirt  
**\$32.00**  
● ● ●



415 - San Francisco - Crop Lightweight Hoodie  
**\$40.00**  
●



415 - San Francisco - Fleece Crew Sweater  
**\$55.00**  
● ●



415 - San Francisco - St.Paddy's Day Shirt  
**\$32.00**  
●



415 - San Francisco - Women's Crop Racer Tank  
**\$35.00**  
● ●



415 - San Francisco - Women's Crop Tee  
**\$32.00**  
●



415 - San Francisco Crop Fleece Crew  
**\$60.00**  
● ●



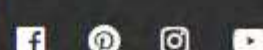
415 - San Francisco Crop Fleece Hoodie  
**\$60.00**  
● ●

  
Loading...

SIGN UP FOR  
NEWSLETTER

Email address

SUBSCRIBE



Quick Shop

Find A Store Near You

Contact Us

# (code)word

## Garments That Give™

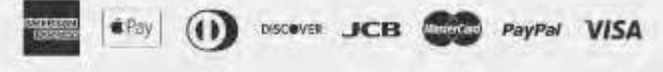
Codeword is excited to not only provide a way to **rep hometowns** but, most importantly, a way to **support hometowns** as well. Since our launch in 2017 we have been flooded with stories of customers meeting new friends, and even future spouses, because they were wearing our "conversation starter" of a cap!

- [Returns](#)
- [Contact Us](#)
- [Request a new area code](#)
- [Wholesale Inquiry](#)
- [Privacy Policy](#)



[View Local Stores](#)

1539A Battlefield Dr  
Nashville, TN 37215  
[contact@shopcodeword.com](mailto:contact@shopcodeword.com)





### 806 - TEXAS CROP FLEECE HOODIE

☆☆☆☆ No reviews

**\$60.00**

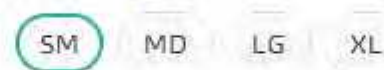
2 sold in last 5 hours

Ultra-Soft 60 Cotton/40 Poly Fleece Blend - 100% OF PROFIT FROM THIS SALE WILL BE DONATED TO THE%00»\_FEEDING AMERICA FOOD BANKS THROUGHOUT THE STATE.

COLOR: **MILITARY GREEN**



SIZE: **SM**



PRINT: **BLACK INK**



[SIZE GUIDE](#) [ASK ABOUT THIS PRODUCT](#)



ADD TO CART

Share Pin It Email

89 Persons looking for this product

#### SHIPPING & RETURNS

##### Shipping

All orders are processed within 2-3 business days. Orders are not shipped or delivered on weekends or holidays. If we are experiencing a high volume of orders, shipments may be delayed by a few days. Please allow additional days in transit for delivery. If there will be a significant delay in shipment of your order, we will contact you via email or telephone.

##### Returns Policy

###### 30-DAY SATISFACTION GUARANTEE

If you are unsatisfied with your purchase from Codeword LLC, for any reason, you have thirty (30) days from the date of purchase to request a refund. To qualify for a replacement or refund, all the following conditions must be met: A Return Merchandise Authorization (RMA) must be requested from our customer service team within thirty (30) days of your purchase date. Returned Product must be in good physical condition (not physically broken or damaged) and in original packaging. All tags originally included with your Product must be included with your return. The Product must be shipped with a Codeword LLC 30-Day Satisfaction Guarantee RMA shipping label. Codeword LLC shall bear the cost of return shipping to Codeword LLC, only if the Product is shipped with the 30-Day Satisfaction Guarantee RMA shipping label and only if the above required conditions are met. Codeword LLC will offer the Consumer one of the following options upon receipt and verification of returned product: A replacement item. Codeword LLC shall bear the cost of shipping a replacement item to the Consumer. A refund for the original purchase price plus applicable taxes (minus original shipping & handling costs). Refunds can only be credited to Visa, MasterCard or American Express credit/debit cards and only in US dollars. **GUARANTEE TERMS & CONDITIONS:** Shipping and handling charges are not refundable unless Codeword LLC determines that: (1) the charges requested are legitimate and reasonable; and (2) the Product is defective in accordance with the accompanying documentation through no fault of the original purchaser or through no fault of a third person, including the limitations and/or disqualifying actions expressed in the Codeword LLC 1-Year Limited Warranty. If you return Product to Codeword LLC (a) without an RMA request or (b) without all items included in the original package or (c) without the Codeword LLC RMA shipping label; Codeword LLC retains the right to either refuse delivery of such return or refuse replacement or refund. Refunds will be processed and paid within two (2) weeks of Codeword LLC receipt and verification of return product.

#### RECENTLY VIEWED

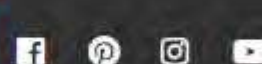


806 - TX (Black/Red Cap)

SIGN UP FOR NEWSLETTER

Email address

SUBSCRIBE



(code)word  
Garments That Give™

Codeword is excited to not only provide a way to **rep hometowns** but, most importantly, a way to **support hometowns** as well. Since our launch in 2017 we have been flooded with stories of customers meeting new friends, and even future spouses, because they were wearing our "conversation starter" of a cap!

Quick Shop

Returns

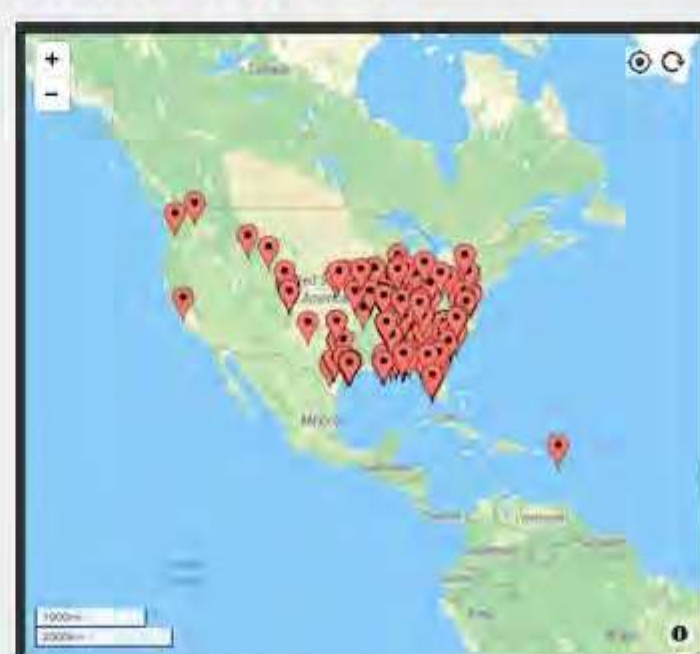
Contact Us

Request a new area code

Wholesale Inquiry

Privacy Policy

Find A Store Near You



View Local Stores

Contact Us

1539A Battlefield Dr  
Nashville, TN 37215

contact@shopcodeword.com

Share your Alexa Shopping List with friends and family Learn more

Clothing, Shoes & Jewelry Novelty & More Clothing Novelty Men Shirts T-Shirts



### Texas Area Code Shirts and Gifts

## 806 Area Code Fun T-shirt Amarillo Lubbock West Texas

- Solid colors: 100% Cotton; Heather Grey: 90% Cotton, 10% Polyester; All Other Heathers: 50% Cotton, 50% Polyester
- Imported
- Machine wash cold with like colors, dry low heat
- Funny unique tee for Texan men and women in the West Texas area. Guys, Girls, and Kids will smile wearing this matching shirt in a memorable photo.
- Great Texas gift for anyone moving to Lubbock or Amarillo. Perfect souvenir tee to celebrate your Texas vacation.
- Lightweight, Classic fit, Double-needle sleeve and bottom hem

Report incorrect product information.

Build your grocery list with Alexa.  
"Alexa, add peanut butter to my shopping list." Learn more about Alexa lists.

To buy, select

Add to Cart

Add to List

Share

Official NASA Logo Shirt

GunShowTees Men's Official NASA Logo Shirt

★★★★☆ 60

\$14.99 prime

Ad feedback

### Customers also shopped for



ARIAT Men's Rambler Wide Square Toe Western Cowboy Boot

★★★★☆ 2,131

\$146.90 - \$508.62

### Have a question?

Find answers in product info, Q&As, reviews

Type your question or keyword

### Product description

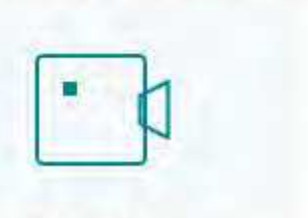
Package Dimensions: 10 x 8 x 1 inches  
Shipping Weight: 4.8 ounces  
ASIN: B07NC6G1LS  
Date first listed on Amazon: February 1, 2019  
Amazon Best Sellers Rank: #12,244,122 in Clothing, Shoes & Jewelry (See Top 100 in Clothing, Shoes & Jewelry)  
#1838242 in Men's Novelty T-Shirts  
#4486294 in Men's Shops  
If you are a seller for this product, would you like to suggest updates through seller support?

How would you rate your experience shopping for clothing and shoes on Amazon today?

Very Poor Poor Average Good Great

Submit

### Related video shorts (0) Upload your video



Be the first video  
Your name here

See the New  
2020 Ram 1500

vehicles Learn more

Ad feedback

### Customer Questions & Answers

See questions and answers

Customer reviews

5 star		0%
4 star		0%
3 star		0%
2 star		0%
1 star		0%

How does Amazon calculate star ratings?

No customer reviews



Ad feedback



Ad feedback



Back to top

Get to Know Us

- Careers
- Blog
- About Amazon
- Press Center
- Investor Relations
- Amazon Devices
- Amazon Tours

Make Money with Us

- Sell on Amazon
- Sell Under Amazon Accelerator
- Sell on Amazon Handmade
- Sell Your Services on Amazon
- Sell on Amazon Business
- Sell Your Apps on Amazon
- Become an Affiliate
- Advertise Your Products
- Self-Publish with Us
- See More

Amazon Payment Products

- Amazon Rewards Visa Signature Cards
- Amazon.com Store Card
- Amazon Business Card
- Amazon.com Corporate Credit Line
- Shop with Points
- Credit Card Marketplace
- Reload Your Balance
- Amazon Currency Converter

Let Us Help You

- Your Account
- Your Orders
- Shipping Rates & Policies
- Amazon Prime
- Returns & Replacements
- Manage Your Content and Devices
- Amazon Assistant
- Help



English

United States

Amazon Music

Stream millions of songs

Amazon Advertising

Find, attract, and engage customers

Amazon Drive

Cloud storage from Amazon

6pm

Score deals on fashion brands

AbeBooks

Books, art & collectibles

ACX

Audiobook Publishing Made Easy

Alexa

Actionable Analytics for the Web

Sell on Amazon

Start a Selling Account

Amazon Business

Everything For Your Business

Amazon Fresh

Groceries & More Right To Your Door

AmazonGlobal

Ship Orders Internationally

Home Services

Handpicked Pros Happiness Guarantee

Amazon Ignite

Sell your original Digital Educational Resources

Amazon Rapids

Fun stories for kids on the go

Amazon Web Services

Scale up your Cloud Computing Services

Audible

Listen to Books & Original Audio Performances

Book Depository

Books With Free Delivery Worldwide

Box Office Mojo

Find Movie Box Office Data

ComiXology

Thousands of Digital Comics

CreateSpace

Indie Print Publishing Made Easy

DPRReview

Digital Photography



Search CafePress



Men Women Accessories Kids & Baby Home & Decor Drinkware Stationery Stickers & Signs Occasions Deals

Some items may have longer delivery times due to labs closing per local guidance. Read our [FAQ](#) for more info about COVID-19 impacts.

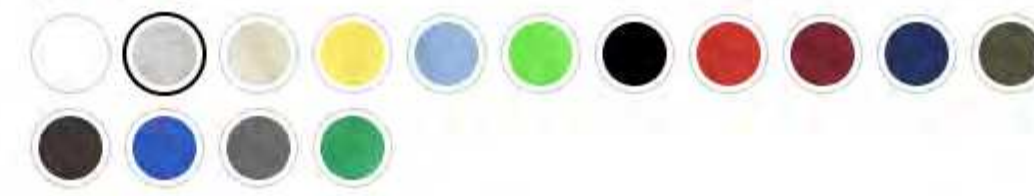
Classic > 806 Ash Grey Light T-Shirt



### Men's Classic T-Shirts

806 Ash Grey Light T-Shirt

Color: Ash Grey



Size: Select Size

Size Chart



Quantity



~~\$32.99~~

**\$18.50**

Add to cart

Other styles Bought together About product Size Chart You may also like

### Other styles

Men's T-Shirts

Women's T-Shirts



Men's Fitted T-Shirts



Men's Long Sleeve T-Shirts



Men's Baseball Tees



Men's Ringer Tees



Men's Polo Shirts



Men's Football Tees

### Bought together



Pajama Bottom Lumberjack Red Plaid



Pajama Bottom Democratic Party



Pajama Bottom Republican Party



Blue Stripes Pajama Bottom



Pajama Bottom Grey Camo



Pink Plaid Pajama Bottom

### About product

Men's Classic T-Shirts

Product ID: **81005786**

- Heavy weight fabric
- Short-sleeve and crewneck with a tagless neck label
- Classic unisex style
- Size up if you need something roomier
- Features a sharp and vivid printed design
- All colors are 100% Pre-Shrunk Cotton; Gray colors are Cotton/Polyester Blend
- Machine wash cold inside out with like colors, tumble dry low for easy care
- Imported; processed and printed in the U.S.A.



806 Ash Grey Light T-Shirt

Designed by [Greatplaceshop](#)

[See this design on other products](#)

### Size chart

	Small	Medium	Large	X-Large	2X-Large	X-Large Tall	2X-Large Tall	3X-Large	3X-Large Tall	4X-Large
Chest (in)	34-36	38-40	42-44	46-48	50-52	46-48	50-52	54-56	54-56	58-60
Width (in)	18	20	22	24	26	24	26	28	28	30
Length (in)	28	29	30	31	33	34	36	34	37	35

### You may also like



Men's Crew Neck Sweatshirts



Men's Hoodies



Women's Cap Sleeve T-Shirts



Junior Ringer Tees



Junior Spaghetti Tanks



Cotton Baby Bibs

Get Exclusive Offers:

Email Address

Subscribe

Follow CafePress:



By checking this box I certify that as of today I am at least 13 years of age

I agree to use the CafePress.com service in accordance with the [Terms of Service](#) and [Content Usage Policy](#).

#### HELP

- Contact Us
- FAQs
- Returns
- Shipping
- Track Order
- Affiliate Program
- Start Selling
- Coupons
- Become a Brand Ambassador

#### ABOUT

- About CafePress
- Fan Portals
- Report an Alleged Infringement
- Terms & Conditions
- Privacy Notice
- Web Accessibility
- California Supply Chain Act
- Mobile App

#### INTERNATIONAL

- Australia
- Canada
- United Kingdom
- United States & Worldwide

# Exhibit D





## ABOUT The 806 Coffee + Lounge

Established in 2007 in the Historic Route 66 District, we offer the best coffee, espresso, tea, vegetarian/vegan foodies, beers, and wines!  
We're proud to host an eclectic mix of local and traveling music acts, as well as Amarillo's longest-running Open Mic Night!



## DAILY Specials

**The Happy Hours : 3-7p Daily!**  
[alcohol & espresso drinks]  
**Morning Good:** Weekdays, 7:15a-10a!  
**Monday** - the Happy Hours all day!  
**Tuesday** - Student Discount Day!  
**Saturday** - Brunch 11a-2p!  
**Sunday** - Brunch 10a-2p // \$5-off Bottles of Wine + \$3.25 Drafts after 7p!

## MUSIC + ART EVENTS

We host a wide variety of live music, as well as Open Mic every 2nd and 4th Wednesday each month!

**First Thursday Art + Music:** Art opening / reception w/ featured artist @ 7p, live music @ 9p, and the Happy Hours drink specials all night on the first Thursday of every month!

Check out the [Event Calendar](#) for more info!





## MUSIC BOOKING

Please note that we specialize in just about any genre, aside from country, red dirt, heavy metal, or christian music.

### Booking Email

Band Name \*

Email \*

Date Requested

Message. Music links.

Send

