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ESTTA Tracking number: ESTTA909903 Filing date:

07/17/2018

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

Proceeding	92062400
Party	Plaintiff AvalonBay Communities, Inc.
Correspondence Address	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES, CA 90071 UNITED STATES Email: bdsokol@jonesday.com, aeraimer@jonesday.com, laprosecu- tion@jonesday.com, Irefinetti@jonesday.com, mwilliams@jonesday.com, nytef@jonesday.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Lauren Timmons
Filer's email	ltimmons@jonesday.com
Signature	/Lauren Timmons/
Date	07/17/2018
Attachments	Avalon Amended Petition for Cancellation 7-17-18 with Exhibit A.pdf(1689031 bytes )

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

AvalonBay Communities, Inc.,

Petitioner,

v.

Avalon IP Holding Co.,

Registrant.

Cancellation No. 92062400

Registration No.: 4043653 Registration Date: October 25, 2011 Trademark: AVALON International Class: 43

#### AMENDED PETITION FOR CANCELLATION

AvalonBay Communities, Inc. ("AvalonBay"), a Maryland corporation having its principal place of business at 671 N. Glebe Road, Suite 800, Arlington, VA 22203, believes that it is being damaged by U.S. Trademark Registration No. 4043653 for "Hotel and resort lodging services; provision of general purpose facilities for meetings, conferences and exhibitions; reservation services for hotel room accommodations; restaurant and bar services" in International Class 43, and, through its attorneys, hereby petitions to cancel the entire registration pursuant to 15 U.S.C. § 1064 and 37 CFR § 2.111(b). As grounds for this petition, it is alleged that:

1. AvalonBay, including through its predecessors in interest, has been in the business of developing, redeveloping, acquiring and managing high-quality residential communities in the United States since at least as early as 1978.

On information and belief, Registrant Avalon IP Holding Co.
 ("Registrant"), a California limited liability company with an address of 1729 Abbot

Kinney Boulevard, Venice, California 90291, is the owner of U.S. Trademark

Registration No. 4043653 for "Hotel and resort lodging services; provision of general purpose facilities for meetings, conferences and exhibitions; reservation services for hotel room accommodations; restaurant and bar services" in International Class 43 ("Registrant's Services"). This registration issued on October 25, 2011.

( Registrant's Services ). This registration issued on October 23, 2011.

3. Upon information and belief, Registrant operates a hotel that includes villastyle residences with full living rooms, dining rooms, and kitchens, as well as a pool and fitness area, much like many of AvalonBay's apartment communities.

4. AvalonBay is the owner of numerous incontestable registrations

incorporating AVALON (the "AVALON marks"), including the following<sup>1</sup>:

TRADEMARK	REG. NO.	REG. DATE	GOODS/SERVICES
AVALON PROPERTIES &	1,871,559	January 3, 1995	Class 36: Real estate investment trust services
Design			
AVALONBAY	2,618,414	September 10, 2002	Class 36: Managing, operating, leasing, appraising, brokering, investing in, and valuing real property; financial investment in the field of real property
AVALON & Design	2,799,153	December 23, 2003	Class 16: Paper, printed and cardboard articles, namely address labels, survey answer sheets on the subject of real property and residential services, printed charts; printed guides for real property; printed guides for residential services; periodical publications namely news letters, journals, and magazines relating to real property and residential services
AVALON &	2,887,466	September	Class 36: Real estate management,
Design		21, 2004	leasing, appraisal, investment, brokering,

<sup>1</sup> Copies of the registration certificates and TSDR records for the registrations listed in the following chart are attached hereto as **Exhibit A**.

TRADEMARK	REG. NO.	REG. DATE	GOODS/SERVICES
AVALON COMMUNITIES	2,931,998	March 8, 2005	and valuation, and providing information on residential services in the management and leasing of real estate via the Internet and e-mail; providing information on renter's insurance for residents and prospective residents Class 37: Real estate development, construction; residential building construction, repair and maintenance; planning and laying out of residential communities; real estate site selection; and providing information in the field of construction and development of residential buildings via the Internet Class 39: Providing information on storage space and moving for residents and prospective residents Class 36: Real estate management, leasing; providing information via the internet in the field of real estate management, leasing, appraisal, investment; providing information on rental insurance for residents and prospective residents of community properties Class 37: Real estate development, construction and repair of buildings; planning and laying out of residential communities; real estate site selection; providing information on real estate in development and construction via the internet Class 39: Providing information on storage and moving for residents and prospective residents of community properties
AVALONBAY	2,950,374	May 10, 2005	Class 16: Printed guides for real property Class 36: Providing online information in the field of real property, namely investment information, providing links to

TRADEMARK	REG. NO.	REG. DATE	GOODS/SERVICES
			other web sites concerning property management and property listings, renter's insurance, multi-family housing management and residential support services, and neighborhood guides Class 37: Providing online information in the field of residential services, namely residential property construction and the planning of residential communities
AVALON COMMUNITIES & Design	2,950,378	May 10, 2005	Class 36: Managing, operating, maintaining, leasing and investing in real property; financial investment in the field of real property; providing online information for renters and prospective renters Class 37: Real estate development, construction and repair of buildings; planning and laying out of residential communities, real estate site selection; providing online information in the field of residential services, namely, real estate development, construction, maintenance and repair of buildings Class 39: Providing information on storage and moving services for real property residents and prospective residents
AVALON COMMUNITIES & Design	2,950,379	May 10, 2005 June 6,	Class 36: Providing information in the field of real property, namely, real estate management, leasing and residential property listings Class 37: Real estate development, construction and repair of buildings; planning and laying out of residential communities, real estate site selection; providing online information in the field of residential services, namely, real estate development, construction, maintenance and repair of buildings Class 16: Paper and cardboard articles

TRADEMARK	REG. NO.	REG. DATE	GOODS/SERVICES
		2006	namely address labels, survey answer sheets, notebooks, picture books, calendars, announcement cards, blank cards, postcards, note cards, business cards, paper mats, printed charts, stationery, posters, signs; decals; drawing pencils; photographs; plastic bags; ball point pens; binders; bulletin boards; printed guides for real property; printed guides for residential services; periodical publications namely news letters, journals, and magazines relating to real property and residential services Class 35: Real estate marketing services, namely, providing advertising information on residential services for others Class 36: Managing, operating, maintaining, leasing, appraising, brokering, investing in, and valuing real property; purchasing real property for others; financial investment in the field of real property; providing online information for renters and prospective renters; providing information regarding real estate and rental insurance Class 37: Real estate development, construction and repair of buildings; planning and laying out of residential communities, real estate site selection; providing online information in the field of residential services, namely, real estate development, construction, maintenance and repair of buildings Class 39: Providing information on storage and moving services for real property residents and prospective residents Class 41: Providing online information and listings of the social events of others; providing information regarding

TRADEMARK	REG. NO.	REG. DATE	GOODS/SERVICES
			community activities in the nature of social events Class 42: Providing information regarding architectural floor plans and furniture arrangement within floor plans Class 45: Providing online information regarding the security goods and services of others
AVALONBAY	3,154,668	October 10, 2006	Class 16: Posters Class 35: Real estate marketing services, namely providing online tours and images of residential real estate and other property
AVALON COMMUNITIES & Design	3,174,681	November 21, 2006	Class 16: ball point pens
AVALON COMMUNITIES & Design	3,419,667	April 29, 2008	Class 16: Ball point pens; printed guides for real property; printed guides for residential services Class 41: Providing online information and listings of the social events of others, namely, organizing, arranging, and hosting social events, get togethers, and parties for community members
AVALON COMMUNITIES	3,423,982	May 6, 2008	Class 36: Real estate appraisal, investment, and financial valuation
AVALON	3,523,079	October 28, 2008	Class 16: Printed guides for real property; Printed guides for residential support services and community information; periodical publications, namely, newsletters in the field of real property, residential support services, and community information Class 35: Providing online tours and images of real estate; providing online classified advertisements; real estate marketing services, namely, providing advertising information for others in the field of residential support services and community information; bringing

TRADEMARK	REG. NO.	REG. DATE	GOODS/SERVICES
			together, for the benefit of others, a variety of goods and services to enable customers to conveniently view and purchase those goods and services Class 36: Multi-family housing management, namely, real estate management; residential support services, namely, managing and leasing real property; providing online information for renters and prospective renters of real property; and providing information regarding real estate and rental insurance Class 37: Real estate development, construction, and maintenance; and providing online information in the field of residential services, namely, maintenance and repair of buildings Class 41: Providing recreational and exercise facilities Class 42: Computer services, namely, providing an online community for social networking

#### **Grounds for Cancellation**

#### Likelihood of Confusion

5. AvalonBay has used its AVALON marks in connection with residential real estate and other services since at least as early as 1994, well before the filing of Registrant's application to register the mark AVALON on October 29, 2008, and claimed first use date of July 31, 1999.

6. AvalonBay has undertaken significant efforts to actively promote its trademarks, including spending millions of dollars over the years in advertising and

marketing the goods and services offered under the AVALON marks. Additionally, AvalonBay has been recognized numerous times and received multiple awards for high quality and excellence. It has received, among many other awards, the NAREIT Residential Leader in the Light Award, "Property Management Company of the Year" by the National Association of Home Builders, and the Multifamily Executive Awards' "Project of the Year" Award.

7. As a result of AvalonBay's continuous and extensive use, advertising and promotion of the AVALON marks, as well as the distinctiveness of the marks, the AVALON marks have become well-known, and consumers have come to recognize the AVALON marks as uniquely associated with AvalonBay and an indication of origin.

8. Registrant is not affiliated with or sponsored by AvalonBay, and Registrant has never been authorized by AvalonBay to use any of the AVALON marks.

9. Registrant's mark AVALON, which is registered under U.S. Trademark Registration No. 4043653 (the "AVALON registered mark") is identical to AvalonBay's AVALON mark and confusingly similar to AvalonBay's other AVALON marks. As such, consumers are likely to be confused, mistaken, or deceived into the belief, contrary to fact, that Registrant's Services offered under the AVALON registered mark emanate from and/or are in some way sponsored or approved by AvalonBay, and/or that Registrant is somehow affiliated with AvalonBay, thereby damaging AvalonBay.

10. In addition, Registrant's Services are closely related to those offered by AvalonBay under its AVALON marks.

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11. Registrant's Services are also likely to be sold to the same or overlapping classes of purchasers and trade channels as goods and services bearing the AVALON marks.

12. Because of the high degree of similarity between the parties' respective marks, services, and trade channels, as well as the fame of the AVALON marks in the real estate industry, Registrant's continued registration of the AVALON registered mark is likely to cause consumer confusion, mistake or deception, violating Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

#### Void Ab Initio

13. Registrant's AVALON mark was not in use in connection with "resort lodging" services either before or at the time the use-based application for the mark was filed on October 29, 2008.

14. Because the AVALON mark was not in use in connection with "resort lodging" at the time the use-based application was filed, this portion of the registration is void *ab initio*.

#### **Prayer for Relief**

15. On the bases of likelihood of confusion and void *ab initio*, U.S. Trademark Registration No. 4043653 is subject to cancellation under Section 14 of the United States Trademark Act of 1946, 15 U.S.C. § 1064.

16. AvalonBay believes that it is being damaged and will be damaged by the continued registration of the AVALON registered mark.

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In view of the above, Registrant is not entitled to maintain a federal registration for the mark AVALON.

WHEREFORE, AvalonBay prays that said U.S. Trademark Registration No. 4043653 be cancelled in its entirety and that this Amended Petition for Cancellation be sustained in favor of AvalonBay.

Respectfully submitted,

By: /Brent D. Sokol/

Brent D. Sokol JONES DAY 555 S. Flower Street, 50<sup>th</sup> Floor Los Angeles, CA 90071 Telephone: 213.489.3939 Facsimile: 213.243.2539

Anna E. Raimer JONES DAY 717 Texas Ave., Suite 3300 Houston, TX 77002 Telephone: 832.239.3786 Facsimile: 832.239.3600

Dated: July 17, 2018

# **EXHIBIT** A

Generated on: This page was generated by TSDR on 2018-07-17 13:22:17 EDT

Mark: AVALON PROPERTIES



US Serial Number: 74456785

US Registration 1871559 Number:

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Sep. 07, 2005

Publication Date: Oct. 11, 1994

#### **Mark Information**

Application Filing Nov. 10, 1993 Date:

Registration Date: Jan. 03, 1995

Mark Literal AVALON PROPERTIES Elements:

Standard Character No Claim:

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

Disclaimer: "PROPERTIES"

Design Search 05.05.03 - Fleur-de-lis Code(s): 27.03.04 - Plants forming letters or numerals

#### **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: real estate investment trust services

International 036 - Primary Class Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 18, 1993

Use in Commerce: Oct. 18, 1993

U.S Class(es): 101, 102

#### **Basis Information (Case Level)**

Filed Use:	Yes	Currently Use: Yes	Amended Use:	No
Filed ITU:	No	Currently ITU: No	Amended ITU:	No
Filed 44D:	No	Currently 44D: No	Amended 44D:	No
Filed 44E:	No	Currently 44E: No	Amended 44E:	No
Filed 66A:	No	Currently 66A: No		
Filed No Basis:	No Cu	rently No Basis: No		

#### **Current Owner(s) Information**

Owner Name: AVALONBAY COMMUNITIES, INC.

Owner Address: 2900 EISENHOWER AVENUE, SUITE 300

Legal Entity Type: CORPORATION

State or Country MARYLAND Where Organized:

#### **Attorney/Correspondence Information**

Attorney of Record - None

Correspondent

Correspondent GIAM M NGUYEN Name/Address: JONES DAY 555 W 5TH ST STE 4600 LOS ANGELES, CALIFORNIA 90013 UNITED STATES

Phone: 213-489-3939

Fax: 213-243-2539

Correspondent e- wlmclaren@jonesday.com mail:

**Domestic Representative - Not Found** 

Correspondent e- No

mail Authorized:

#### **Prosecution History**

Date	Description	Proceeding Number
Oct. 08, 2008	NOTICE OF SUIT	
Sep. 20, 2007	CASE FILE IN TICRS	
Sep. 07, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 07, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 30, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Sep. 06, 2005	ASSIGNED TO PARALEGAL	73376
Jun. 30, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 30, 2005	TEAS SECTION 8 & 9 RECEIVED	
Sep. 24, 2003	REINSTATED	
Jul. 23, 2003	CANCELLED SEC. 8 (6-YR)	
May 01, 2003	PETITION TO DIRECTOR DENIED	
Mar. 27, 2003	FAX RECEIVED	
Sep. 16, 2002	PETITION TO DIRECTOR RECEIVED	
Sep. 16, 2002	RESPONSE RECEIVED TO POST REG. ACTION	
Oct. 04, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 16, 2002	PAPER RECEIVED	
Aug. 06, 2002	POST REGISTRATION ACTION MAILED - SEC. 7	
Apr. 22, 2002	RESPONSE RECEIVED TO POST REG. ACTION	
Mar. 12, 2002	POST REGISTRATION ACTION MAILED - SEC. 7	
Jan. 22, 2002	POST REGISTRATION ACTION MAILED - SEC. 7	
Aug. 29, 2001	RESPONSE RECEIVED TO POST REG. ACTION	
Oct. 15, 2001	POST REGISTRATION ACTION MAILED - SEC. 7	
Aug. 29, 2001	SEC 7 REQUEST FILED	
Aug. 03, 2001	SEC 7 REQUEST FILED	
Jun. 16, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 03, 2000	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 03, 1995	REGISTERED-PRINCIPAL REGISTER	
Oct. 11, 1994	PUBLISHED FOR OPPOSITION	
Sep. 09, 1994	NOTICE OF PUBLICATION	
Jun. 21, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 16, 1994	EXAMINER'S AMENDMENT MAILED	
May 05, 1994	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 22, 1994	NON-FINAL ACTION MAILED	
Apr. 11, 1994	ASSIGNED TO EXAMINER	70712

#### **Maintenance Filings or Post Registration Information**

Affidavit of Section 8 - Accepted Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Jan. 03, 2005

#### **TM Staff and Location Information**

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Sep. 07, 2005

#### **Assignment Abstract Of Title Information**

Summary			
Total Assignments:	2	Registrant:	Avalon Properties, Inc.
	Assig	nment 1 of 2	
Conveyance:	MERGER/CHANGE OF NAME		
Reel/Frame:	2031/0651	Pages:	9
Date Recorded:	Jan. 31, 2000		
Supporting Documents:	assignment-tm-2031-0651.pdf		
		Assignor	
Name:	AVALON PROPERTIES, INC.	Execution Date:	Jun. 04, 1998
Legal Entity Type:	CORPORATION	State or Country Where Organized:	
		Assignee	
Name:	AVALON BAY COMMUNITIES, INC.		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	
Address:	2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VIRGINIA 22314		
		Correspondent	
Correspondent Name:	LYON & LYON LLP		
	BRENT D. SOKOL 633 WEST FIFTH STREET, SUITE 4700 LOS ANGELES, CA 90071-2066		
	Dom	nestic Representative - Not For	und
		Assignment 2 of 2	
Conveyance:	CHANGE OF NAME		
Reel/Frame:	2031/0668	Pages:	4
Date Recorded:	Jan. 31, 2000		
Supporting Documents:	assignment-tm-2031-0668.pdf		
		Assignor	
Name:	AVALON BAY COMMUNITIES, INC.	Execution Date:	Oct. 02, 1998
Legal Entity Type:	CORPORATION	State or Country Where Organized:	
		Assignee	
Name:	AVALONBAY COMMUNITIES, INC.		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	
Address:	2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VIRGINIA 22314		
		Correspondent	

Correspondent BRENT D. SOKOL Address: 633 WEST FIFTH STREET, SUITE 4700 LOS ANGELES, CA 90071-2066

**Proceedings** Summary Number of 3 Proceedings: Type of Proceeding: Cancellation Proceeding 92062400 Filing Date: Apr 27, 2018 Number: Status: Pending Status Date: Oct 06, 2015 Interlocutory YONG OH (RICHARD) KIM Attorney: Defendant Name: Avalon IP Holding Co., LLC Correspondent LEE J EULGEN Address: NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL, 60602 UNITED STATES Correspondent e- knye@ngelaw.com, leulgen@ngelaw.com, temanuelson@ngelaw.com, dcesek@ngelaw.com, ECFDocket@ngelaw.com, mhoffman mail: @ngelaw.com , leulgen@nge.com , knye@nge.com , afuelleman@nge.com , mhoffman@nge.com , ecfdocket@nge.com Associated marks Serial Registration Mark **Application Status** Number Number **AVALON** 77603359 4043653 **Cancellation Pending** Plaintiff(s) Name: AvalonBay Communities, Inc. Correspondent BRENT D SOKOL Address: JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA, 90071 UNITED STATES Correspondent e- bdsokol@jonesday.com , aeraimer@jonesday.com , laprosecution@jonesday.com , lrefinetti@jonesday.com , mail: mwilliams@jonesday.com , nytef@jonesday.com Associated marks Serial Registration Mark **Application Status** Number Number **AVALON PROPERTIES** Renewed 74456785 1871559 AVALONBAY Renewed 78093244 2618414 **AVALON** Renewed 78096245 2799153 **AVALON** Renewed 78109950 2887466 AVALON COMMUNITIES Renewed 78975698 2931998 **AVALONBAY** Renewed 78975290 2950374 AVALON COMMUNITIES Renewed <u>78975685</u> 2950378 AVALON COMMUNITIES Renewed 78975686 2950379 <u>78455</u>252 **AVALON** Renewed 3101896 **AVALONBAY** Renewed 78093503 3154668 <u>78099</u>074 AVALON COMMUNITIES Renewed 3174681 AVALON COMMUNITIES 3419667 Section 8 and 15 - Accepted and Acknowledged 78099077 AVALON COMMUNITIES <u>78112</u>367 Renewed 3423982 **AVALON** <u>352307</u>9 Section 8 and 15 - Accepted and Acknowledged 77073494

**Domestic Representative - Not Found** 

**Prosecution History** 

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2015	Nov 16, 2015
3	PENDING, INSTITUTED	Oct 07, 2015	
4	P CERTIFICATE OF SERVICE	Oct 07, 2015	
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015	
6	EXTENSION OF TIME GRANTED	Nov 13, 2015	
7	ANSWER	Dec 16, 2015	
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016	
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016	
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016	
11	P OPP/RESP TO MOTION	Jul 08, 2016	
12	P OPP/RESP TO MOTION	Jul 08, 2016	
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
15	TRIAL DATES RESET	Nov 21, 2016	
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016	
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017	
18	P OPP/RESP TO MOTION	Jan 25, 2017	
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017	
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017	
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017	
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017	
23	PROCEEDINGS RESUMED	Sep 19, 2017	
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017	
25	SUSPENDED	Nov 01, 2017	
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018	
29	EXTENSION OF TIME GRANTED	Jan 11, 2018	
30	D OPP/RESP TO MOTION	Jan 16, 2018	
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018	
32	SUSPENDED	Jan 26, 2018	
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018	
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018	
35	SUSPENDED	Mar 08, 2018	
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018	
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018	
38		Apr 26, 2018	
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018	
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018	
41	SUSPENDED	May 09, 2018	
42	TRIAL DATES RESET	May 10, 2018	
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018	
44	EXTENSION OF TIME GRANTED Type of Proceeding: Opposition	Jun 27, 2018	

#### Type of Proceeding: Opposition

Filing Date: Nov 23, 2001

Status Date: Apr 03, 2002

### Proceeding 91124595 Number:

Status: Terminated

Interlocutory CHERYL S GOODMAN

Attorney:

Defendant

Name: AVALON AVENUE

Correspondent AVALON AVENUE, INC. Address: 20 STYMUS AVENUE BETHPAGE NY , 11714-3200

#### UNITED STATES

	UNITED STATES					
Associated marks						
Mark		Application Statu	IS		Serial Number	Registratio Number
AVALON AVENUE		Abandoned - After Int	ter-Partes Decision		78030837	
		Plaintiff(s)	)			
Name:	AVALONBAY COMMUNITIES, INC.					
	BRENT D. SOKOL LYON & LYON, LLP 633 WEST FIFTH STREET SUITE 4700 LOS ANGELES CA , 90071 UNITED STATES					
Associated marks						
Mark			Application Status	Serial Nur	mber	Registration Number
AVALON PROPERTIES	3		Renewed	74456785	1	<u>871559</u>
		Prosecution H	istory			
Entry Number	History Text			Date		Due Date
1	FILED AND FEE			Nov 23, 2001		
2	NOTICE AND TRIAL DATES SENT; AN	SWER DUE:		Dec 18, 2001	J	an 27, 2002
3	PENDING, INSTITUTED			Dec 18, 2001		
4	DEF'S EXPRESS ABANDONMENT			Mar 01, 2002		
5	BD'S DECISION: DISMISSED W/O PRE	EJUDICE		Apr 03, 2002		
6	TERMINATED			Apr 03, 2002		
		pe of Proceeding:	Opposition	. ,		
Proceeding Number:			Filing Date: Oct 23, 2001			
Status:	Terminated	S	Status Date: Oct 25, 2002			
Interlocutory Attorney:	ELIZABETH A DUNN					
		Defendant	t			
Name:	P & P ENTERPRISE					
	SUSAN MCBEE 815 CONNECTICUT AVENUE NW SUITE WASHINGTON DC , 20006-4052 UNITED STATES	E 200				
Associated marks						
Mark		Application Statu	IS		Serial Number	Registratio Number
AVALON		Abandoned - After Int	ter-Partes Decision		75842231	
		Plaintiff(s)	)			
Name:	AVALONBAY COMMUNTITIES, INC.					
	BRENT D. SOKOL LYON & LYON, LLP 633 WEST FIFTH STREET, SUITE 4700 LOS ANGELES CA , 90071 UNITED STATES					
Associated marks						
Mark			Application Status	Serial Nur	mber	Registration Number
AVALON PROPERTIES	3		Renewed	74456785	<u>1</u>	<u>871559</u>
		Prosecution H	istory			
Entry Number	History Text			Date		Due Date
1	FILED AND FEE			Oct 23, 2001		
2	NOTICE AND TRIAL DATES SENT; AN	SWER DUE:		Jan 10, 2002	F	eb 19, 2002
3	PENDING, INSTITUTED			Jan 10, 2002		
4	DEF'S #3 RETURNED UNDELIVERABL	E		Jan 29, 2002		
5	#3 REMAILED;ANSWER DUE 5/22/02;1	TD RESET		Apr 12, 2002		

6	NOTICE OF DEFAULT
7	BOARD'S DECISION: SUSTAINED
8	TERMINATED

Aug 01, 2002 Oct 25, 2002 Oct 25, 2002 Int. Cl.: 36

Prior U.S. Cls.: 101 and 102

United States Patent and Trademark Office Reg. No. 1,871,559 Registered Jan. 3, 1995

> SERVICE MARK PRINCIPAL REGISTER



## **Avalon Properties**

AVALON PROPERTIES, INC. (MARYLAND CORPORATION) 11 BURTIS AVENUE NEW CANAAN, CT 06840

FOR: REAL ESTATE INVESTMENT TRUST SERVICES, IN CLASS 36 (U.S. CLS. 101 AND 102). FIRST USE 10-18-1993; IN COMMERCE 10-18-1993.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PROPERTIES", APART FROM THE MARK AS SHOWN.

SER. NO. 74-456,785, FILED 11-10-1993.

PETER CATALDO, EXAMINING ATTORNEY

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Mark: AVALONBAY



**Related Properties Information** 

#### Claimed Ownership 1871559 of US

Type:

Registrations:

#### **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: Commercial and residential building construction and repair; planning and laying out of residential communities, real estate development, real estate site selection.

International 037 - Primary Class Class(es):

01035(65).

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 04, 1998

Use in Commerce: Jun. 04, 1998

U.S Class(es): 100, 103, 106

For: Managing, operating, leasing, appraising, brokering, investing in, and valuing real property; financial investment in the field of real property

International 036 - Primary Class

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 04, 1998

Use in Commerce: Jun. 04, 1998

#### **Basis Information (Case Level)**

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

#### **Current Owner(s) Information**

Owner Name: AvalonBay Communities, Inc.

Owner Address: 671 N. Glebe Road, Suite 800 Arlington, VIRGINIA UNITED STATES 22203

Legal Entity Type: CORPORATION

Attorney Name: Brent D. Sokol

State or Country MARYLAND Where Organized:

#### **Attorney/Correspondence Information**

#### Attorney of Record

Docket Number: 673964-10001

Attorney Primary laprosecution@jonesday.com Email Address:

Authorized:

Attorney Email Yes

Correspondent

Correspondent Brent D. Sokol, Anna E. Raimer Name/Address: JONES DAY 555 South Flower Street, 50th Floor Patent Prosecution Department LOS ANGELES, CALIFORNIA UNITED STATES 90071

**Phone:** (213) 489-3939

Fax: (213) 243-2539

**Domestic Representative - Not Found** 

#### **Prosecution History**

Date	Description	Proceeding Number
Jul. 23, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Jul. 23, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77315
Jul. 23, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	77315
Jul. 23, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Jul. 11, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 11, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 24, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Feb. 12, 2009	ASSIGNED TO PARALEGAL	69471
Jan. 23, 2009	TEAS SECTION 8 & 15 RECEIVED	
Oct. 08, 2008	NOTICE OF SUIT	
Nov. 05, 2007	CASE FILE IN TICRS	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 10, 2002	REGISTERED-PRINCIPAL REGISTER	
Jun. 18, 2002	PUBLISHED FOR OPPOSITION	
May 29, 2002	NOTICE OF PUBLICATION	
Apr. 07, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 22, 2002	PREVIOUS ALLOWANCE COUNT WITHDRAWN	

Feb. 26, 2002 EXAMINER'S AMENDMENT MAILED

Feb. 22, 2002 ASSIGNED TO EXAMINER

#### **Maintenance Filings or Post Registration Information**

Affidavit of Section 8 - Accepted Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Sep. 10, 2012

AVALON COMMUNITIES

	TM Staff	and Location Information		
		TM Staff Information - None		
		File Location		
Current Location:	GENERIC WEB UPDATE	Date in Location: Jul. 23, 2012		
		Proceedings		
Summary				
Number of Proceedings:	1			
	Type of Pro	oceeding: Cancellation		
Proceeding Number:	92062400	Filing Date: Apr 27, 2018		
Status:	Pending	Status Date: Oct 06, 2015		
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
		Defendant		
Name:	Avalon IP Holding Co., LLC			
	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL UNITED STATES , 60602			
	knye@ngelaw.com , leulgen@ngelaw.com , temanuelson@ngelaw.com , dcesek@ngelaw.com , ECFDocket@ngelaw.com , mhoffman @ngelaw.com , leulgen@nge.com , knye@nge.com , afuelleman@nge.com , mhoffman@nge.com , ecfdocket@nge.com			
Associated marks				
Mark		Application Status	Serial Number	Registration Number
AVALON		Cancellation Pending	77603359	4043653
		Plaintiff(s)		
Name:	AvalonBay Communities, Inc.			
•	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA UNITED STATES, 90	0071		
	bdsokol@jonesday.com , aeraimer@jone mwilliams@jonesday.com , nytef@jonesd	sday.com , laprosecution@jonesday.com , lrefinetti@jonesday lay.com	.com ,	
Associated marks				
Mark		Application Status	Serial Number	Registration Number
AVALON PROPERTIES	6	Renewed	74456785	<u>1871559</u>
AVALONBAY		Renewed	<u>78093244</u>	<u>2618414</u>
AVALON		Renewed	<u>78096245</u>	<u>2799153</u>
AVALON		Renewed	<u>78109950</u>	<u>2887466</u>
AVALON COMMUNITI	ES	Renewed	<u>78975698</u>	<u>2931998</u>

Renewed

78050

78975685

2950378

AVALON COMMUNITIES	Renewed	<u>78975686</u>	<u>2950379</u>
AVALON	Renewed	<u>78455252</u>	<u>3101896</u>
AVALONBAY	Renewed	<u>78093503</u>	<u>3154668</u>
AVALON COMMUNITIES	Renewed	<u>78099074</u>	<u>3174681</u>
AVALON COMMUNITIES	Section 8 and 15 - Accepted and Acknowledged	<u>78099077</u>	<u>3419667</u>
AVALON COMMUNITIES	Renewed	<u>78112367</u>	<u>3423982</u>
AVALON	Section 8 and 15 - Accepted and Acknowledged	77073494	<u>3523079</u>
Prosecution History			

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2015	Nov 16, 2015
3	PENDING, INSTITUTED	Oct 07, 2015	
4	P CERTIFICATE OF SERVICE	Oct 07, 2015	
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015	
6	EXTENSION OF TIME GRANTED	Nov 13, 2015	
7	ANSWER	Dec 16, 2015	
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016	
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016	
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016	
11	P OPP/RESP TO MOTION	Jul 08, 2016	
12	P OPP/RESP TO MOTION	Jul 08, 2016	
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
15	TRIAL DATES RESET	Nov 21, 2016	
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016	
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017	
18	P OPP/RESP TO MOTION	Jan 25, 2017	
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017	
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017	
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017	
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017	
23	PROCEEDINGS RESUMED	Sep 19, 2017	
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017	
25	SUSPENDED	Nov 01, 2017	
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018	
29	EXTENSION OF TIME GRANTED	Jan 11, 2018	
30	D OPP/RESP TO MOTION	Jan 16, 2018	
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018	
32	SUSPENDED	Jan 26, 2018	
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018	
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018	
35	SUSPENDED	Mar 08, 2018	
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018	
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018	
38	SUSPENDED	Apr 26, 2018	
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018	
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018	
41	SUSPENDED	May 09, 2018	
42	TRIAL DATES RESET	May 10, 2018	
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018	

Int. Cls.: 36 and 37

#### Prior U.S. Cls.: 100, 101, 102, 103 and 106

United States Patent and Trademark Office Reg. No. 2,618,414 Registered Sep. 10, 2002

#### SERVICE MARK PRINCIPAL REGISTER

#### AVALONBAY

AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: MANAGING, OPERATING, LEASING, AP-PRAISING, BROKERING, INVESTING IN, AND VALUING REAL PROPERTY; FINANCIAL INVEST-MENT IN THE FIELD OF REAL PROPERTY, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-4-1998; IN COMMERCE 6-4-1998.

FOR: COMMERCIAL AND RESIDENTIAL BUILDING CONSTRUCTION AND REPAIR; PLAN-

NING AND LAYING OUT OF RESIDENTIAL COM-MUNITIES, REAL ESTATE DEVELOPMENT, REAL ESTATE SITE SELECTION., IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 6-4-1998; IN COMMERCE 6-4-1998.

OWNER OF U.S. REG. NO. 1,871,559.

SER. NO. 78-093,244, FILED 11-14-2001.

EDD VASQUEZ, EXAMINING ATTORNEY

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Mark: AVALON

Avalon

US Serial Number: 78096245 Application Filing Dec. 03, 2001 Date: US Registration 2799153 Registration Date: Dec. 23, 2003 Number: Register: Principal Mark Type: Trademark **TM5 Common Status** LIVE/REGISTRATION/Issued and Active Descriptor: The trademark application has been registered with the Office. Status: The registration has been renewed. Status Date: Sep. 20, 2013 Publication Date: Apr. 15, 2003 Notice of Jul. 08, 2003 Allowance Date: **Mark Information** Mark Literal AVALON Elements: Standard Character No Claim: Mark Drawing 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM Type: Color(s) Claimed: Color is not claimed as a feature of the mark. **Related Properties Information** Claimed Ownership 1871559 of US **Registrations: 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: Paper, printed and cardboard articles, namely address labels, survey answer sheets on the subject of real property and residential services, printed charts; printed guides for real property; printed guides for residential services; periodical publications namely news letters, journals, and magazines relating to real property and residential services International 016 - Primary Class U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050 Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Mar. 30, 2001 Use in Commerce: Mar. 30, 2001 **Basis Information (Case Level)** Filed Use: No Currently Use: Yes Amended Use: No Amended ITU: No Filed ITU: Yes Currently ITU: No Filed 44D: No Currently 44D: No Amended 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Filed No Basis: No

Currently 66A: No

Currently No Basis: No

#### **Current Owner(s) Information**

Owner Name: AvalonBay Communities, Inc.

Owner Address: Suite 800

671 N. Glebe Road Arlington, VIRGINIA UNITED STATES 22203

Legal Entity Type: CORPORATION

State or Country MARYLAND Where Organized:

#### **Attorney/Correspondence Information**

	Attorney of Record			
Attorney Name:	Brent D. Sokol	Docket Number:	270/089	
	Corre	espondent		
Correspondent Name/Address:	Brent D. Sokol, Anna E. Raimer, Alexis A. Houle JONES DAY 555 South Flower Street, 50th Floor Patent Prosecution Department LOS ANGELES, CALIFORNIA UNITED STATES 90071			
Phone:	(213) 489-3939	Fax:	(213) 243-2539	
	laprosecution@jonesday.com bdsokol@jonesday. com aeraimer@jonesday.com ahoule@jonesday. com vmittongtare@jonesday.com	Correspondent e- mail Authorized:	Yes	
Domestic Representative - Not Found				

#### **Prosecution History**

Date	Description	Proceeding Number
Sep. 20, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 20, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75184
Sep. 20, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75184
Sep. 03, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	75184
Sep. 11, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75184
Sep. 03, 2013	TEAS SECTION 8 & 9 RECEIVED	
Aug. 28, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 07, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Dec. 07, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Nov. 24, 2009	TEAS SECTION 8 & 15 RECEIVED	
Oct. 08, 2008	NOTICE OF SUIT	
Jun. 06, 2007	CASE FILE IN TICRS	
Aug. 31, 2006	REVIEW OF CORRESPONDENCE COMPLETE	68973
Apr. 02, 2004	PAPER RECEIVED	
Dec. 23, 2003	REGISTERED-PRINCIPAL REGISTER	
Oct. 28, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 28, 2003	ASSIGNED TO EXAMINER	76520
Oct. 23, 2003	ASSIGNED TO EXAMINER	76509
Sep. 22, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 22, 2003	USE AMENDMENT FILED	
Sep. 22, 2003	PAPER RECEIVED	
Jul. 08, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 15, 2003	PUBLISHED FOR OPPOSITION	
Mar. 26, 2003	NOTICE OF PUBLICATION	
Feb. 06, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

76520

#### **Maintenance Filings or Post Registration Information**

Affidavit of Section 8 - Accepted **Continued Use:** Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Dec. 23, 2013

#### **TM Staff and Location Information**

**TM Staff Information - None** 

**File Location** 

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 20, 2013

#### **Proceedings**

#### Summary

Number of 1 Proceedings:

Type of Proceeding: Cancellation					
Proceeding Number:	92062400	Filing Date:	Apr 27, 2018		
Status:	Pending	Status Date:	Oct 06, 2015		
Interlocutory Attorney:	YONG OH (RICHARD) KIM				
		Defendant			
Name:	Avalon IP Holding Co., LLC				
	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL UNITED STATES , 60602				
	knye@ngelaw.com , leulgen@ngelaw.com @ngelaw.com , leulgen@nge.com , knye@				, <u>mhoffman</u>
Associated marks					
Mark		Application Status		Serial Number	Registration Number
AVALON		Cancellation Pending		77603359	<u>4043653</u>
		Plaintiff(s)			
Name:	AvalonBay Communities, Inc.				
	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA UNITED STATES , 90071				
	t e- bdsokol@jonesday.com, aeraimer@jonesday.com, laprosecution@jonesday.com, lrefinetti@jonesday.com, all; mwilliams@jonesday.com, nytef@jonesday.com				
Associated marks					
Mark		Application Status		Serial Number	Registration Number
AVALON PROPERTIES	6	Renewed		74456785	<u>1871559</u>
AVALONBAY		Renewed		<u>78093244</u>	<u>2618414</u>
AVALON		Renewed		78096245	<u>2799153</u>
AVALON		Renewed		<u>78109950</u>	<u>2887466</u>
AVALON COMMUNITIE	ES	Renewed		<u>78975698</u>	<u>2931998</u>

AVALONBAY	Renewed	78975290	2950374
AVALON COMMUNITIES	Benewed	78975685	2950378
AVALON COMMUNITIES	Benewed	78975686	2950379
AVALON	Benewed	78455252	3101896
AVALONBAY	Benewed	78093503	3154668
AVALON COMMUNITIES	Benewed	78099074	3174681
AVALON COMMUNITIES	Section 8 and 15 - Accepted and Acknowledged	78099077	3419667
AVALON COMMUNITIES	Renewed	78112367	3423982
AVALON	Section 8 and 15 - Accepted and Acknowledged	77073494	3523079
Prosecution History			

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2015	Nov 16, 2015
3	PENDING, INSTITUTED	Oct 07, 2015	
4	P CERTIFICATE OF SERVICE	Oct 07, 2015	
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015	
6	EXTENSION OF TIME GRANTED	Nov 13, 2015	
7	ANSWER	Dec 16, 2015	
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016	
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016	
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016	
11	P OPP/RESP TO MOTION	Jul 08, 2016	
12	P OPP/RESP TO MOTION	Jul 08, 2016	
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
15	TRIAL DATES RESET	Nov 21, 2016	
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016	
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017	
18	P OPP/RESP TO MOTION	Jan 25, 2017	
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017	
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017	
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017	
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017	
23	PROCEEDINGS RESUMED	Sep 19, 2017	
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017	
25	SUSPENDED	Nov 01, 2017	
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018	
29	EXTENSION OF TIME GRANTED	Jan 11, 2018	
30	D OPP/RESP TO MOTION	Jan 16, 2018	
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018	
32	SUSPENDED	Jan 26, 2018	
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018	
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018	
35	SUSPENDED	Mar 08, 2018	
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018	
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018	
38	SUSPENDED	Apr 26, 2018	
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018	
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018	
41	SUSPENDED	May 09, 2018	
42	TRIAL DATES RESET	May 10, 2018	
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018	
44	EXTENSION OF TIME GRANTED	Jun 27, 2018	

Int. Cl.: 16

 Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50
 Reg. No. 2,799,153

 United States Patent and Trademark Office
 Registered Dec. 23, 2003

TRADEMARK PRINCIPAL REGISTER



AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: PAPER, PRINTED AND CARDBOARD AR-TICLES, NAMELY ADDRESS LABELS, SURVEY ANSWER SHEETS ON THE SUBJECT OF REAL PROPERTY AND RESIDENTIAL SERVICES, PRIN-TED CHARTS; PRINTED GUIDES FOR REAL PROPERTY; PRINTED GUIDES FOR RESIDENTIAL SERVICES; PERIODICAL PUBLICATIONS NAME-LY NEWS LETTERS, JOURNALS, AND MAGA- ZINES RELATING TO REAL PROPERTY AND RESIDENTIAL SERVICES, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 3-30-2001; IN COMMERCE 3-30-2001.

OWNER OF U.S. REG. NO. 1,871,559.

SN 78-096,245, FILED 12-3-2001.

AMY HELLA, EXAMINING ATTORNEY

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Mark: AVALON

Avalon

US Serial Number: 78109950

US Registration 2887466 Number:

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Apr. 29, 2014

Publication Date: Feb. 17, 2004

Application Filing Feb. 20, 2002 Date:

Registration Date: Sep. 21, 2004

Notice of May 11, 2004 Allowance Date:

#### **Mark Information**

Mark Literal AVALON Elements:

Standard Character No Claim:

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

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: Providing information on storage space and moving for residents and prospective residents

International Class(es):	039 - Primary Class	U.S Class(es): 100, 105	
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Sep. 30, 2002	Use in Commerce: Sep. 30, 2002	
For:		, construction; residential building construction, repair and maintenance; estate site selection; and providing information in the field of construction and	
International Class(es):	037 - Primary Class	<b>U.S Class(es):</b> 100, 103, 106	
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Nov. 16, 1999	Use in Commerce: Nov. 16, 1999	
For:	(Based on Use in Commerce) Real estate management, leasing, appraisal, investment, brokering, and valuation, and providing information on residential services in the management and leasing of real estate via the Internet and e-mail; providing information on renter's insurance for residents and prospective residents		
International Class(es):	036 - Primary Class	<b>U.S Class(es):</b> 100, 101, 102	
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Jun. 26, 1999	Use in Commerce: Jun. 26, 1999	

#### **Basis Information (Case Level)**

Filed Use:YesFiled ITU:NoFiled 44D:NoFiled 44E:NoFiled 66A:NoFiled No Basis:No

Currently Use:YesCurrently ITU:NoCurrently 44D:NoCurrently 44E:NoCurrently 66A:No

Currently No Basis: No

#### Amended Use: No Amended ITU: Yes Amended 44D: No

Amended 44E: No

#### **Current Owner(s) Information**

Owner Name: AvalonBay Communities, Inc.

Owner Address: 671 N. Glebe Road, Suite 800 Arlington, VIRGINIA 22203 UNITED STATES

Legal Entity Type: CORPORATION

State or Country MARYLAND Where Organized:

#### **Attorney/Correspondence Information**

Attorney of Record				
Attorney Name:	Brent D. Sokol	Docket Number:	270/064	
Attorney Primary Email Address:	laprosecution@jonesday.com	Attorney Email Authorized:	No	
		Correspondent		
Correspondent Name/Address:	Brent D. Sokol, Anna E. Raimer, Alexis A. Houle JONES DAY 555 South Flower Street, 50th Floor Patent Prosecution Department LOS ANGELES, CALIFORNIA 90071 UNITED STATES			
Phone:	(213) 489-3939	Fax:	(213) 243-2539	
	laprosecution@jonesday.com bdsokol@jonesday. com aeraimer@jonesday.com ahoule@jonesday. com vmittongtare@jonesday.com	Correspondent e- mail Authorized:	Yes	
Domestic Penrecentative - Not Found				

#### **Domestic Representative - Not Found**

#### **Prosecution History**

Date	Description	Proceeding Number
Apr. 30, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 29, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75184
Apr. 29, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75184
Apr. 15, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	75184
Apr. 29, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75184
Apr. 15, 2014	TEAS SECTION 8 & 9 RECEIVED	
Apr. 10, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 09, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Aug. 09, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Jul. 20, 2010	TEAS SECTION 8 & 15 RECEIVED	
Oct. 08, 2008	NOTICE OF SUIT	
Sep. 21, 2004	REGISTERED-PRINCIPAL REGISTER	
Jul. 19, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 12, 2004	ASSIGNED TO EXAMINER	76855
Jul. 09, 2004	STATEMENT OF USE PROCESSING COMPLETE	
Jun. 02, 2004	USE AMENDMENT FILED	
Jun. 02, 2004	TEAS STATEMENT OF USE RECEIVED	

ASSIGNED TO EXAMINER	76855
NON-FINAL ACTION MAILED	
TEAS CHANGE OF CORRESPONDENCE RECEIVED	
ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
PAPER RECEIVED	
PETITION TO REVIVE-RECEIVED	
PETITION TO REVIVE-GRANTED	66303
FINAL REFUSAL MAILED	
FAX RECEIVED	
CASE FILE IN TICRS	
CORRESPONDENCE RECEIVED IN LAW OFFICE	
PAPER RECEIVED	
ACTION DENYING REQ FOR RECON MAILED	
Sec. 1(B) CLAIM ADDED	76855
APPROVED FOR PUB - PRINCIPAL REGISTER	
NOTICE OF PUBLICATION	
PUBLISHED FOR OPPOSITION	
PAPER RECEIVED	
NOA MAILED - SOU REQUIRED FROM APPLICANT	
	PAPER RECEIVED PUBLISHED FOR OPPOSITION NOTICE OF PUBLICATION APPROVED FOR PUB - PRINCIPAL REGISTER Sec. 1(B) CLAIM ADDED ACTION DENYING REQ FOR RECON MAILED PAPER RECEIVED CORRESPONDENCE RECEIVED IN LAW OFFICE CASE FILE IN TICRS FAX RECEIVED FINAL REFUSAL MAILED PETITION TO REVIVE-GRANTED PETITION TO REVIVE-RECEIVED PAPER RECEIVED PAPER RECEIVED PAPER RECEIVED PAPER RECEIVED PAPER RECEIVED PAPER RECEIVED PAPER RECEIVED PAPER RECEIVED NON-FINAL ACTION MAILED

#### **Maintenance Filings or Post Registration Information**

Affidavit of Section 8 - Accepted Continued Use: Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Sep. 21, 2014

#### **TM Staff and Location Information**

TM Staff Information - None

File Location

Date in Location: Apr. 29, 2014

Current Location: GENERIC WEB UPDATE

**Proceedings** 

Summary				
Number of Proceedings:	1			
	Type of Pro	oceeding: Cancellation		
Proceeding Number:	<u>92062400</u>	Filing Date: Apr 27, 2018		
Status:	Pending	Status Date: Oct 06, 2015		
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
Defendant				
Name:	Avalon IP Holding Co., LLC			
Correspondent Address:	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL , 60602 UNITED STATES			
		m , temanuelson@ngelaw.com , dcesek@ngelaw.com , ECF @nge.com , afuelleman@nge.com , mhoffman@nge.com ,		
ssociated marks				
Mark		Application Status	Serial Number	Registratio Number
/ALON		Cancellation Pending	77603359	<u>4043653</u>
		Plaintiff(s)		

Name: AvalonBay Communities, Inc.

Correspondent BRENT D SOKOL Address: JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA, 90071 UNITED STATES

 Correspondent e bdsokol@jonesday.com , aeraimer@jonesday.com , laprosecution@jonesday.com , lrefinetti@jonesday.com , mail:

 mail:
 mwilliams@jonesday.com , nytef@jonesday.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AVALON PROPERTIES	Renewed	74456785	1871559
AVALONBAY	Renewed	78093244	<u>2618414</u>
AVALON	Renewed	78096245	<u>2799153</u>
AVALON	Renewed	<u>78109950</u>	<u>2887466</u>
AVALON COMMUNITIES	Renewed	<u>78975698</u>	<u>2931998</u>
AVALONBAY	Renewed	<u>78975290</u>	<u>2950374</u>
AVALON COMMUNITIES	Renewed	78975685	<u>2950378</u>
AVALON COMMUNITIES	Renewed	78975686	<u>2950379</u>
AVALON	Renewed	<u>78455252</u>	<u>3101896</u>
AVALONBAY	Renewed	78093503	<u>3154668</u>
AVALON COMMUNITIES	Renewed	78099074	<u>3174681</u>
AVALON COMMUNITIES	Section 8 and 15 - Accepted and Acknowledged	78099077	<u>3419667</u>
AVALON COMMUNITIES	Renewed	<u>78112367</u>	<u>3423982</u>
AVALON	Section 8 and 15 - Accepted and Acknowledged	77073494	<u>3523079</u>
Prosecution History			

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2015	Nov 16, 2015
3	PENDING, INSTITUTED	Oct 07, 2015	
4	P CERTIFICATE OF SERVICE	Oct 07, 2015	
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015	
6	EXTENSION OF TIME GRANTED	Nov 13, 2015	
7	ANSWER	Dec 16, 2015	
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016	
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016	
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016	
11	P OPP/RESP TO MOTION	Jul 08, 2016	
12	P OPP/RESP TO MOTION	Jul 08, 2016	
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
15	TRIAL DATES RESET	Nov 21, 2016	
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016	
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017	
18	P OPP/RESP TO MOTION	Jan 25, 2017	
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017	
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017	
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017	
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017	
23	PROCEEDINGS RESUMED	Sep 19, 2017	
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017	
25	SUSPENDED	Nov 01, 2017	
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018	

29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 36, 37, and 39

 Prior U.S. Cls.: 100, 101, 102, 103, 105, and 106
 Reg. No. 2,887,466

 United States Patent and Trademark Office
 Registered Sep. 21, 2004

#### SERVICE MARK PRINCIPAL REGISTER

# Avalon

AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: (BASED ON USE IN COMMERCE) REAL ESTATE MANAGEMENT, LEASING, APPRAISAL, INVESTMENT, BROKERING, AND VALUATION, AND PROVIDING INFORMATION ON RESIDEN-TIAL SERVICES IN THE MANAGEMENT AND LEASING OF REAL ESTATE VIA THE INTERNET AND E-MAIL; PROVIDING INFORMATION ON RENTER'S INSURANCE FOR RESIDENTS AND PROSPECTIVE RESIDENTS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-26-1999; IN COMMERCE 6-26-1999.

FOR: (BASED ON USE IN COMMERCE) REAL ESTATE DEVELOPMENT, CONSTRUCTION; RESI-DENTIAL BUILDING CONSTRUCTION, REPAIR AND MAINTENANCE; PLANNING AND LAYING OUT OF RESIDENTIAL COMMUNITIES; REAL ESTATE SITE SELECTION; AND PROVIDING IN-FORMATION IN THE FIELD OF CONSTRUCTION AND DEVELOPMENT OF RESIDENTIAL BUILD-INGS VIA THE INTERNET, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 11-16-1999; IN COMMERCE 11-16-1999.

FOR: PROVIDING INFORMATION ON STO-RAGE SPACE AND MOVING FOR RESIDENTS AND PROSPECTIVE RESIDENTS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 9-30-2002; IN COMMERCE 9-30-2002.

SN 78-109,950, FILED 2-20-2002.

MICHAEL WEBSTER, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2018-07-17 13:25:42 EDT

Mark: AVALON COMMUNITIES

#### US Serial Number: 78975698

US Registration 2931998 Number:

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Oct. 10, 2015

Publication Date: Feb. 24, 2004

Application Filing Mar. 04, 2002 Date: Registration Date: Mar. 08, 2005

Notice of May 18, 2004 Allowance Date:

### Mark Information

Mark Literal AVALON COMMUNITIES Elements:

Standard Character No

Claim:

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

Disclaimer: "COMMUNITIES"

# **Related Properties Information**

Claimed Ownership 1871559, 2618414 of US

**Registrations:** 

Child Of: 78112367

#### **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: PROVIDING INFORMATION ON STORAGE AND MOVING FOR RESIDENTS AND PROSPECTIVE RESIDENTS OF COMMUNITY PROPERTIES

International 039 - Primary Class Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2002

Use in Commerce: Sep. 2002

U.S Class(es): 100, 105

For: REAL ESTATE DEVELOPMENT, CONSTRUCTION AND REPAIR OF BUILDINGS; PLANNING AND LAYING OUT OF RESIDENTIAL COMMUNITIES; REAL ESTATE SITE SELECTION; PROVIDING INFORMATION ON REAL ESTATE IN DEVELOPMENT AND CONSTRUCTION VIA THE INTERNET

International 037 - Primary Class Class(es):

U.S Class(es): 100, 103, 106

		ACTIVE			
	Basis:	( )		D	
Firs				A THE INTERNET IN THE FIELD OF REAL DRMATION ON RENTAL INSURANCE FOF	
Interna	ational	AND PROSPECTIVE RESIDENTS OF 036 - Primary Class	COMMUNITY PROPERTIES U.S Class(es):	100 101 102	
	ss(es):			,	
Class S	Status:	ACTIVE			
	Basis:	()			
Firs	st Use:	Jun. 1999	Use in Commerce:	Jun. 1999	
		Basis	Information (Case	Level)	
	Filed U	se: No	Currently Use: Yes	Amended Use: No	
	Filed I	FU: Yes	Currently ITU: No	Amended ITU: No	
I	Filed 4	<b>4D</b> : No	Currently 44D: No	Amended 44D: No	
I	Filed 4	<b>4E:</b> No	Currently 44E: No	Amended 44E: No	
I	Filed 6	6 <b>A</b> : No	Currently 66A: No		
Filed	No Bas	sis: No C	urrently No Basis: No		
		Curr	ent Owner(s) Inform	nation	
Owner	Name	AvalonBay Communities, Inc.			
		671 N. Glebe Road, Suite 800 Arlington, VIRGINIA 22203			
Legal Entity	Туре:	UNITED STATES CORPORATION	State or Country Where Organized:	MARYLAND	
		Attorney	/Correspondence In	formation	
		J.	Attorney of Record - None		
			Correspondent		
		Brent D. Sokol, Anna E. Raimer JONES DAY 555 South Flower Street, 50th Floor Patent Prosecution Department LOS ANGELES, CALIFORNIA 90071 UNITED STATES			
P	Phone:	(213) 489-3939	Fax:	(213) 243-2539	
Correspond		laprosecution@jonesday.com bdsokolu com aeraimer@jonesday.com vmittong sday.com nytef@jonesday.com		Yes	
			Domestic Representative - Not For	und	
			<b>Prosecution History</b>	y	
Date	C	Description			Proceedi Number
Oct. 10, 2015	NOT	TICE OF ACCEPTANCE OF SEC. 8 & 9	- E-MAILED		
Oct. 10, 2015		SISTERED AND RENEWED (FIRST RE	,		64591
Oct. 10, 2015		SISTERED - SEC. 8 (10-YR) ACCEPTE			64591
Oct. 09, 2015 Sep. 08, 2015		E ASSIGNED TO POST REGISTRATION 8 & 9 RECEIVED	JN PAKALEGAL		64591
Sep. 08, 2015 Sep. 08, 2015		S SECTION 8 & 9 RECEIVED S CHANGE OF CORRESPONDENCE	RECEIVED		
eb. 25, 2011		SISTERED - SEC. 8 (6-YR) ACCEPTED			77315
		· · · · · · · · · · · · · · · · · · ·			

77315

Feb. 24, 2011

Feb. 07, 2011

CASE ASSIGNED TO POST REGISTRATION PARALEGAL

TEAS SECTION 8 & 15 RECEIVED

Oct. 17, 2008	NOTICE OF SUIT	
Mar. 08, 2005	REGISTERED-PRINCIPAL REGISTER	
Dec. 13, 2004	PAPER RECEIVED	
Nov. 12, 2004	LAW OFFICE REGISTRATION REVIEW COMPLETED	69350
Nov. 01, 2004	ASSIGNED TO LIE	69350
Oct. 27, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 25, 2004	STATEMENT OF USE PROCESSING COMPLETE	65362
Sep. 20, 2004	USE AMENDMENT FILED	65362
Oct. 25, 2004	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2004	DIVISIONAL REQUEST RECEIVED	
Sep. 20, 2004	PAPER RECEIVED	
Jun. 25, 2004	CASE FILE IN TICRS	
May 18, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 24, 2004	PUBLISHED FOR OPPOSITION	
Feb. 04, 2004	NOTICE OF PUBLICATION	
Jan. 01, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 31, 2003	EXAMINERS AMENDMENT MAILED	
Dec. 17, 2003	EXAMINERS AMENDMENT MAILED	
Dec. 16, 2003	ASSIGNED TO EXAMINER	76625
Sep. 04, 2003	FINAL REFUSAL MAILED	
Jun. 23, 2003	ASSIGNED TO EXAMINER	74665
Jun. 13, 2003	PETITION TO REVIVE-GRANTED	69690
Apr. 10, 2003	PETITION TO REVIVE-RECEIVED	
Apr. 10, 2003	PAPER RECEIVED	
Feb. 06, 2003	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 26, 2002	NON-FINAL ACTION MAILED	
Jun. 18, 2002	ASSIGNED TO EXAMINER	74665

Affidavit of Section 8 - Accepted Continued Use: Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Mar. 08, 2015

# **TM Staff and Location Information**

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Oct. 10, 2015

# **Proceedings**

Summary			
Number of Proceedings:	1		
	Туре	e of Proceeding: Cancellation	
Proceeding Number:	92062400	Filing Date:	Apr 27, 2018
Status:	Pending	Status Date:	Oct 06, 2015
Interlocutory Attorney:	YONG OH (RICHARD) KIM		
		Defendant	
Name:	Avalon IP Holding Co., LLC		
Correspondent	LEE J EULGEN		

#### Address: NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL , 60602 UNITED STATES

Correspondent e- knye@ngelaw.com, leulgen@ngelaw.com, temanuelson@ngelaw.com, dcesek@ngelaw.com, ECFDocket@ngelaw.com, mhoffman mail: @ngelaw.com, leulgen@nge.com, knye@nge.com, afuelleman@nge.com, mhoffman@nge.com, ecfdocket@nge.com

#### Associated marks

Mark		Application Status	Serial Number	Registration Number
AVALON		Cancellation Pending	77603359	<u>4043653</u>
		Plaintiff(s)		
	Name: AvalonBay Communities, Inc.			

Correspondent BRENT D SOKOL Address: JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES

Correspondent e- bdsokol@jonesday.com, aeraimer@jonesday.com, laprosecution@jonesday.com, lrefinetti@jonesday.com, mail: mwilliams@jonesday.com, nytef@jonesday.com

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
AVALON PROPERTIES	Renewed	74456785	<u>1871559</u>
AVALONBAY	Renewed	78093244	<u>2618414</u>
AVALON	Renewed	78096245	2799153
AVALON	Renewed	<u>78109950</u>	<u>2887466</u>
AVALON COMMUNITIES	Renewed	78975698	<u>2931998</u>
AVALONBAY	Renewed	78975290	<u>2950374</u>
AVALON COMMUNITIES	Renewed	78975685	<u>2950378</u>
AVALON COMMUNITIES	Renewed	78975686	<u>2950379</u>
AVALON	Renewed	78455252	<u>3101896</u>
AVALONBAY	Renewed	78093503	<u>3154668</u>
AVALON COMMUNITIES	Renewed	78099074	<u>3174681</u>
AVALON COMMUNITIES	Section 8 and 15 - Accepted and Acknowledged	78099077	<u>3419667</u>
AVALON COMMUNITIES	Renewed	78112367	<u>3423982</u>
AVALON	Section 8 and 15 - Accepted and Acknowledged	<u>77073494</u>	<u>3523079</u>
	Processition History		

Prosecution	History
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Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2015	Nov 16, 2015
3	PENDING, INSTITUTED	Oct 07, 2015	
4	P CERTIFICATE OF SERVICE	Oct 07, 2015	
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015	
6	EXTENSION OF TIME GRANTED	Nov 13, 2015	
7	ANSWER	Dec 16, 2015	
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016	
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016	
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016	
11	P OPP/RESP TO MOTION	Jul 08, 2016	
12	P OPP/RESP TO MOTION	Jul 08, 2016	
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
15	TRIAL DATES RESET	Nov 21, 2016	
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016	
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017	
18	P OPP/RESP TO MOTION	Jan 25, 2017	
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017	

20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017
23	PROCEEDINGS RESUMED	Sep 19, 2017
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017
25	SUSPENDED	Nov 01, 2017
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018
29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 36, 37, and 39

Prior U.S. Cls.: 100, 101, 102, 103, 105, and 106

United States Patent and Trademark Office

Reg. No. 2,931,998 Registered Mar. 8, 2005

#### SERVICE MARK PRINCIPAL REGISTER

#### **AVALON COMMUNITIES**

AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: REAL ESTATE MANAGEMENT, LEASING; PROVIDING INFORMATION VIA THE INTERNET IN THE FIELD OF REAL ESTATE MANAGEMENT, LEASING, APPRAISAL, INVESTMENT; PROVID-ING INFORMATION ON RENTAL INSURANCE FOR RESIDENTS AND PROSPECTIVE RESIDENTS OF COMMUNITY PROPERTIES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-0-1999; IN COMMERCE 6-0-1999.

FOR: REAL ESTATE DEVELOPMENT, CON-STRUCTION AND REPAIR OF BUILDINGS; PLAN-NING AND LAYING OUT OF RESIDENTIAL COMMUNITIES; REAL ESTATE SITE SELECTION; PROVIDING INFORMATION ON REAL ESTATE IN DEVELOPMENT AND CONSTRUCTION VIA THE INTERNET, IN CLASS 37 (U.S. CLS. 100, 103 AND 106). FIRST USE 12-0-1999; IN COMMERCE 12-0-1999.

FOR: PROVIDING INFORMATION ON STO-RAGE AND MOVING FOR RESIDENTS AND PRO-SPECTIVE RESIDENTS OF COMMUNITY PROPERTIES, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 9-0-2002; IN COMMERCE 9-0-2002.

OWNER OF U.S. REG. NOS. 1,871,559 AND 2,618,414.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMMUNITIES", APART FROM THE MARK AS SHOWN.

SN 78-975,698, FILED 3-4-2002.

MARIA-VICTORIA SUAREZ, EXAMINING ATTOR-NEY Generated on: This page was generated by TSDR on 2018-07-17 13:26:22 EDT

Mark: AVALONBAY

US Serial Number: 78975290

US Registration 2950374 Number:

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Jan. 11, 2016

Publication Date: Apr. 08, 2003

Application Filing Nov. 15, 2001 Date: Registration Date: May 10, 2005

Notice of Jul. 01, 2003 Allowance Date:

#### Mark Information

Mark Literal AVALONBAY Elements:

Standard Character No

Claim:

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

Туре:

### **Related Properties Information**

Claimed Ownership 1871559 of US Registrations:

Child Of: 78093503

**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: Providing online information in the field of residential services, namely residential property construction and the planning of residential communities

International 037 - Primary Class

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 1999

Use in Commerce: Dec. 1999

For: Providing online information in the field of real property, namely investment information, providing links to other web sites concerning property management and property listings, renter's insurance, multi-family housing management and residential support services, and neighborhood guides

International 036 - Primary Class Class(es):

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

U.S Class(es): 100, 103, 106

Class Status: ACTIVE

В	asis:	1(a)				
First	Use:	Dec. 1999		Use in Commerce:	Dec. 1999	
	For:	Printed guides for real property				
Internat		016 - Primary Class		U.S Class(es):	002, 005, 022, 023, 029, 037, 038, 05	50
	s(es):	· · · · · · · · · · · · · · · · · · ·				
Class St	atus:	ACTIVE				
В	asis:	1(a)				
First	Use:	Dec. 1999		Use in Commerce:	Dec. 1999	
		Bas	is Informa	ation (Case	Level)	
Fi	iled U	se: No	Currently U	se: Yes	Amended Use:	No
F	iled I	TU: Yes	Currently I	TU: No	Amended ITU:	No
Fi	iled 44	ID: No	Currently 44	4D: No	Amended 44D:	No
Fi	iled 44	IE: No	Currently 4	4E: No	Amended 44E:	No
Fi	iled 60	<b>5A:</b> No	Currently 66	6A: No		
Filed N	lo Bas	i <b>s:</b> No	Currently No Bas	sis: No		
		Cur	rent Own	er(s) Inforn	nation	
		Cui				
Owner N	lame:	AvalonBay Communities, Inc.				
Owner Add	ress:	671 N. Glebe Road, Suite 800 Alexandria, VIRGINIA 22203 UNITED STATES				
Legal Entity	Туре:	CORPORATION		State or Country Where Organized:	MARYLAND	
		Attorne	y/Corresp	ondence In	formation	
			Attor	ney of Record		
Docket Nun	nber:	673964-10001				
			Co	rrespondent		
		BRENT D. SOKOL, ANNA E. RAIME JONES DAY 555 SOUTH FLOWER STREET, 50 LOS ANGELES, CALIFORNIA 9007 UNITED STATES	TH FLOOR			
Ph	none:	213.489.3939		Fax:	213.243.2539	
		laprosecution@jonesday.com bdsok com aeraimer@jonesday.com vmittc sday.com nytef@jonesday.com		Correspondent e- mail Authorized:	Yes	
				resentative - Not Fou		
			Prosecu	tion History	1	
Date	D	escription				Proceeding Number
Jan. 11, 2016		ICE OF ACCEPTANCE OF SEC. 8 8				
Jan. 11, 2016		ISTERED AND RENEWED (FIRST F		,		75184
Jan. 11, 2016		ISTERED - SEC. 8 (10-YR) ACCEPT				75184
Jan. 11, 2016		E ASSIGNED TO POST REGISTRA		-		75184
Oct. 30, 2015 Oct. 30, 2015		S CHANGE OF CORRESPONDENC S SECTION 8 & 9 RECEIVED	E REGEIVED			
May 31, 2015		ISTERED - SEC. 8 (6-YR) ACCEPTE	-D & SEC 15 ACK	(		77315
May 31, 2011 May 31, 2011		E ASSIGNED TO POST REGISTRA				77315
May 03, 2011		S SECTION 8 & 15 RECEIVED				
Oct. 17, 2008		ICE OF SUIT				
May 10, 2005	REG	ISTERED-PRINCIPAL REGISTER				

Feb. 02, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Jan. 25, 2005	ASSIGNED TO LIE	68171
Jan. 12, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 22, 2004	AMENDMENT FROM APPLICANT ENTERED	78145
Dec. 13, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Dec. 13, 2004	PAPER RECEIVED	
Nov. 10, 2004	NON-FINAL ACTION E-MAILED	
Nov. 10, 2004	SU - NON-FINAL ACTION - WRITTEN	74782
Oct. 21, 2004	STATEMENT OF USE PROCESSING COMPLETE	65362
Sep. 20, 2004	USE AMENDMENT FILED	65362
Oct. 21, 2004	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2004	DIVISIONAL REQUEST RECEIVED	
Sep. 20, 2004	PAPER RECEIVED	
Jul. 30, 2004	EXTENSION 2 GRANTED	
Jun. 30, 2004	EXTENSION 2 FILED	
Jul. 12, 2004	CASE FILE IN TICRS	
Jun. 30, 2004	TEAS EXTENSION RECEIVED	
Jan. 23, 2004	EXTENSION 1 GRANTED	
Dec. 31, 2003	EXTENSION 1 FILED	
Dec. 31, 2003	TEAS EXTENSION RECEIVED	
Jul. 01, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 08, 2003	PUBLISHED FOR OPPOSITION	
Mar. 19, 2003	NOTICE OF PUBLICATION	
Jan. 30, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 24, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 24, 2002	PAPER RECEIVED	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 08, 2002	FINAL REFUSAL MAILED	
Aug. 26, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 26, 2002	PAPER RECEIVED	
Mar. 07, 2002	NON-FINAL ACTION MAILED	
Feb. 25, 2002	ASSIGNED TO EXAMINER	74782
Nov. 15, 2001	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	

Affidavit of Section 8 - Accepted Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: May 10, 2015

# TM Staff and Location Information

TM Staff Information - None							
File Location							
Current Location: GENERIC WEB UPDATE	Date in Location: Jan. 11, 2016						
	Proceedings						
Summary							
Number of 1 Proceedings:							
Type of Proceeding: Cancellation							
Proceeding <u>92062400</u> Number:	Filing Date: Apr 27, 2018						

Status: Pending

Status Date: Oct 06, 2015

Interlocutory Attorney	YONG OH (RICHARD) KIM						
		Defendant					
Name	: Avalon IP Holding Co., LLC	Avalon IP Holding Co., LLC					
	t LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL , 60602 UNITED STATES						
		n , <u>temanuelson@ngelaw.com</u> , <u>dcesek@ngelaw. @nge.com , afuelleman@nge.com , mhoffman@i</u>			<u>mhoffman</u>		
Associated marks							
Mark		Application Status		rial Imber	Registration Number		
AVALON		Cancellation Pending	77603	<u>3359</u>	4043653		
		Plaintiff(s)					
Name	AvalonBay Communities, Inc.						
	t BRENT D SOKOL : JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES						
	<ul> <li>bdsokol@jonesday.com , aeraimer@jone</li> <li>mwilliams@jonesday.com , nytef@jonesday.com</li> </ul>	sday.com , laprosecution@jonesday.com , lrefine lay.com	tti@jonesday.com ,				
Associated marks							
Mark		Application Status		rial Imber	Registration Number		
AVALON PROPERTIE	S	Renewed	74456	<u>5785</u>	1871559		
AVALONBAY		Renewed	<u>78093</u>	244	<u>2618414</u>		
AVALON		Renewed	<u>78096</u>	245	<u>2799153</u>		
AVALON		Renewed	<u>78109</u>	<u>950</u>	2887466		
AVALON COMMUNIT	IES	Renewed	<u>78975</u>	698	2931998		
AVALONBAY		Renewed	78975	290	2950374		
AVALON COMMUNIT	IES	Renewed	<u>78975</u>	<u>685</u>	2950378		
AVALON COMMUNIT	IES	Renewed	78975	<u>686</u>	<u>2950379</u>		
AVALON		Renewed	78455	252	<u>3101896</u>		
AVALONBAY		Renewed	78093		3154668		
AVALON COMMUNIT	IES	Renewed	78099	0074	3174681		
AVALON COMMUNIT	IES	Section 8 and 15 - Accepted and Acknowledged	78099	077	3419667		
AVALON COMMUNIT	IES	Renewed	<u>78112</u>		3423982		
AVALON		Section 8 and 15 - Accepted and Acknowledged	<u>77073</u>	494	3523079		
		Prosecution History					
Entry Number			Date	Due	e Date		
1	FILED AND FEE		Oct 06, 2015	Neudo	0045		
2	NOTICE AND TRIAL DATES SENT; AN	SWER DUE:	Oct 07, 2015	Nov 16	5, 2015		
3	PENDING, INSTITUTED		Oct 07, 2015				
4 5	P CERTIFICATE OF SERVICE D MOT FOR EXT W/ CONSENT	Oct 07, 2015 Nov 13, 2015					
6	EXTENSION OF TIME GRANTED		Nov 13, 2015				
7	ANSWER		Dec 16, 2015				
8	D MOT FOR EXT W/O CONSENT		Jun 23, 2016				
9	D MOT TO COMPEL DISCOVERY		Jun 23, 2016				
10	SUSP PEND DISP OF OUTSTNDNG M	ОТ	Jun 30, 2016				
11	P OPP/RESP TO MOTION		Jul 08, 2016				
12	P OPP/RESP TO MOTION		Jul 08, 2016				
13	D REPLY IN SUPPORT OF MOTION		Jul 28, 2016				
14	D REPLY IN SUPPORT OF MOTION		Jul 28, 2016				

15	TRIAL DATES RESET	Nov 21, 2016
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017
18	P OPP/RESP TO MOTION	Jan 25, 2017
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017
23	PROCEEDINGS RESUMED	Sep 19, 2017
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017
25	SUSPENDED	Nov 01, 2017
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018
29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 16, 36, and 37

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, 102, 103, and 106

Reg. No. 2,950,374 Registered May 10, 2005

# United States Patent and Trademark Office Registered May 10, 2

#### TRADEMARK SERVICE MARK PRINCIPAL REGISTER

#### AVALONBAY

AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: PRINTED GUIDES FOR REAL PROPERTY, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 12-0-1999; IN COMMERCE 12-0-1999.

FOR: PROVIDING ONLINE INFORMATION IN THE FIELD OF REAL PROPERTY, NAMELY IN-VESTMENT INFORMATION, PROVIDING LINKS TO OTHER WEB SITES CONCERNING PROPERTY MANAGEMENT AND PROPERTY LISTINGS, REN-TER'S INSURANCE, MULTI-FAMILY HOUSING MANAGEMENT AND RESIDENTIAL SUPPORT SERVICES, AND NEIGHBORHOOD GUIDES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102). FIRST USE 12-0-1999; IN COMMERCE 12-0-1999.

FOR: PROVIDING ONLINE INFORMATION IN THE FIELD OF RESIDENTIAL SERVICES, NAME-LY RESIDENTIAL PROPERTY CONSTRUCTION AND THE PLANNING OF RESIDENTIAL COMMU-NITIES, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 12-0-1999; IN COMMERCE 12-0-1999.

OWNER OF U.S. REG. NO. 1,871,559.

SN 78-975,290, FILED 11-15-2001.

KAREN BRACEY, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2018-07-17 13:27:36 EDT

Mark: AVALON COMMUNITIES

Avalon

US Serial Number: 78975685

US Registration 2950378 Number:

Register: Principal

Mark Type: Service Mark

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

Status Date: Jan. 23, 2016

Publication Date: May 18, 2004

Date: Registration Date: May 10, 2005

Application Filing Dec. 18, 2001

Notice of Aug. 10, 2004 Allowance Date:

## **Mark Information**

Mark Literal AVALON COMMUNITIES Elements:

Standard Character No

Claim:

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

Disclaimer: "COMMUNITIES"

Design Search 26.17.25 - Other lines, bands or bars Code(s):

# **Related Properties Information**

Claimed Ownership 1871559 of US Registrations:

Child Of: 78099077

### **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: Real estate development, construction and repair of buildings; planning and laying out of residential communities, real estate site selection; providing online information in the field of residential services, namely, real estate development, construction, maintenance and repair of buildings

International 037 - Primary Class Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 2001

Use in Commerce: Dec. 2001

For: Managing, operating, maintaining, leasing and investing in real property; financial investment in the field of real property; providing online information for renters and prospective renters
 International 036 - Primary Class
 U.S Class(es): 100, 101, 102

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1999

Use in Commerce: Jun. 1999

U.S Class(es): 100, 103, 106

For: Providing information on storage and moving services for real property residents and prospective residents

International 039 - Primary Class

Class(es):

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Sep. 2002

Use in Commerce: Sep. 2002

U.S Class(es): 100, 105

### **Basis Information (Case Level)**

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

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

Currently Use: Yes

Amended Use: No Amended ITU: No Amended 44D: No Amended 44E: No

Current Owner(s) Information

Owner Name: AvalonBay Communities, Inc.

Owner Address: 671 N. Glebe Road, Suite 800 Arlington, VIRGINIA 22203 UNITED STATES

Legal Entity Type: CORPORATION

State or Country MARYLAND Where Organized:

#### **Attorney/Correspondence Information**

Attorney of Record - None

Correspondent

Correspondent Brent D. Sokol, Anna E. Raimer Name/Address: JONES DAY 555 South Flower Street, 50th Floor LOS ANGELES, CALIFORNIA 90071 UNITED STATES

Phone: 213.489.3939

Fax: 213.243.2539

Correspondent email: <u>com aeraimer@jonesday.com vmittongtare@jone</u> <u>sday.com nytef@jonesday.com</u>

**Domestic Representative - Not Found** 

Correspondent e- Yes

mail Authorized:

#### **Prosecution History**

Date	Description	Proceeding Number
Jan. 23, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Jan. 23, 2016	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Jan. 23, 2016	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	68973
Jan. 23, 2016	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	68973
Jan. 23, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Nov. 09, 2015	TEAS SECTION 8 & 9 RECEIVED	
Nov. 09, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 03, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
May 02, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Apr. 14, 2011	TEAS SECTION 8 & 15 RECEIVED	
Oct. 17, 2008	NOTICE OF SUIT	
May 10, 2005	REGISTERED-PRINCIPAL REGISTER	
Feb. 01, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	78145
Jan. 28, 2005	ASSIGNED TO LIE	78145

Jan. 21, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 22, 2004	AMENDMENT FROM APPLICANT ENTERED	78145
Dec. 13, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Dec. 13, 2004	PAPER RECEIVED	
Dec. 16, 2004	AMENDMENT FROM APPLICANT ENTERED	68171
Dec. 02, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Dec. 02, 2004	PAPER RECEIVED	
Nov. 10, 2004	NON-FINAL ACTION MAILED	
Nov. 09, 2004	SU - NON-FINAL ACTION - WRITTEN	74782
Oct. 22, 2004	STATEMENT OF USE PROCESSING COMPLETE	71034
Sep. 20, 2004	USE AMENDMENT FILED	71034
Oct. 22, 2004	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2004	DIVISIONAL REQUEST RECEIVED	
Sep. 20, 2004	PAPER RECEIVED	
Aug. 20, 2004	CASE FILE IN TICRS	
Aug. 10, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 18, 2004	PUBLISHED FOR OPPOSITION	
Apr. 28, 2004	NOTICE OF PUBLICATION	
Mar. 10, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 2004	EXAMINERS AMENDMENT MAILED	
Feb. 12, 2004	EXAMINERS AMENDMENT MAILED	
Jan. 29, 2004	ASSIGNED TO EXAMINER	74782
Jan. 23, 2004	REINSTATED	71359
Jan. 16, 2004	PETITION TO REVIVE-RECEIVED	
Jan. 20, 2004	PAPER RECEIVED	
Jan. 16, 2004	FAX RECEIVED	
Nov. 19, 2003	PETITION TO REVIVE-DENIED	71359
Mar. 28, 2003	PETITION TO REVIVE-RECEIVED	
Mar. 28, 2003	PAPER RECEIVED	
Jan. 09, 2003	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 15, 2002	NON-FINAL ACTION MAILED	
Apr. 30, 2002	ASSIGNED TO EXAMINER	74782
Apr. 30, 2002	ASSIGNED TO EXAMINER	73706

Affidavit of Section 8 - Accepted Continued Use: Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: May 10, 2015

Change in Yes Registration:

# **TM Staff and Location Information**

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 116

Date in Location: Jan. 23, 2016

## **Proceedings**

Summary

Number of 1 Proceedings:

Type of Proceeding: Cancellation

Proceeding Number:	92062400	Filing Date: Apr 27, 2018			
Status:	Pending	Status Date: Oct 06, 2015			
-	YONG OH (RICHARD) KIM				
Attorney:					
		Defendant			
Name:	Avalon IP Holding Co., LLC				
Correspondent Address:	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL , 60602 UNITED STATES				
		n , temanuelson@ngelaw.com , dcesek@ngelaw @nge.com , afuelleman@nge.com , mhoffman@			
Associated marks					
Mark		Application Status		Serial	Registration
AVALON		Cancellation Pending		Number 77603359	<b>Number</b> 4043653
AVALON		Plaintiff(s)		11003339	4043033
Name	AvalonBay Communities, Inc.	i iaintin(3)			
	-				
	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES				
	bdsokol@jonesday.com , aeraimer@jone mwilliams@jonesday.com , nytef@jonesd	sday.com , laprosecution@jonesday.com , lrefine lay.com	etti@jonesday.	. <u>com</u> ,	
Associated marks					
Mark		Application Status		Serial Number	Registration Number
AVALON PROPERTIES	5	Renewed		74456785	1871559
AVALONBAY		Renewed		78093244	2618414
AVALON		Renewed		78096245	2799153
AVALON		Renewed		78109950	2887466
AVALON COMMUNITIE	ES	Renewed		78975698	2931998
AVALONBAY		Renewed		78975290	2950374
AVALON COMMUNITIE	ES	Renewed		78975685	2950378
AVALON COMMUNITIE	ES	Renewed		78975686	2950379
AVALON		Renewed		78455252	3101896
AVALONBAY		Renewed		78093503	3154668
AVALON COMMUNITIE	ES	Renewed		78099074	<u>3174681</u>
AVALON COMMUNITIE	ES	Section 8 and 15 - Accepted and Acknowledged	1	78099077	<u>3419667</u>
AVALON COMMUNITIE	ES	Renewed		78112367	<u>3423982</u>
AVALON		Section 8 and 15 - Accepted and Acknowledged	I	<u>77073494</u>	<u>3523079</u>
		Prosecution History			
Entry Number	History Text		Date		Due Date
1	FILED AND FEE		Oct 06, 2015	5	
2	NOTICE AND TRIAL DATES SENT; AN	SWER DUE:	Oct 07, 2015		Nov 16, 2015
3	PENDING, INSTITUTED		Oct 07, 2015		
4	P CERTIFICATE OF SERVICE		Oct 07, 2015		
5	D MOT FOR EXT W/ CONSENT		Nov 13, 201		
6	EXTENSION OF TIME GRANTED		Nov 13, 201		
7	ANSWER		Dec 16, 201		
8	D MOT FOR EXT W/O CONSENT		Jun 23, 2016	D	
9	D MOT TO COMPEL DISCOVEDV		lun 00 0010	3	
10	D MOT TO COMPEL DISCOVERY SUSP PEND DISP OF OUTSTNDNG M	OT	Jun 23, 2016 Jun 30, 2016		

12	P OPP/RESP TO MOTION	Jul 08, 2016
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
15	TRIAL DATES RESET	Nov 21, 2016
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017
18	P OPP/RESP TO MOTION	Jan 25, 2017
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017
23	PROCEEDINGS RESUMED	Sep 19, 2017
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017
25	SUSPENDED	Nov 01, 2017
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018
29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 36, 37, and 39

 Prior U.S. Cls.: 100, 101, 102, 103, 105, and 106
 Reg. No. 2,950,378

 United States Patent and Trademark Office
 Registered May 10, 2005

#### SERVICE MARK PRINCIPAL REGISTER



AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: MANAGING, OPERATING, MAINTAIN-ING, LEASING AND INVESTING IN REAL PROP-ERTY; FINANCIAL INVESTMENT IN THE FIELD OF REAL PROPERTY; PROVIDING ONLINE IN-FORMATION FOR RENTERS AND PROSPECTIVE RENTERS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-0-1999; IN COMMERCE 6-0-1999.

FOR: REAL ESTATE DEVELOPMENT, CON-STRUCTION AND REPAIR OF BUILDINGS; PLAN-NING AND LAYING OUT OF RESIDENTIAL COMMUNITIES, REAL ESTATE SITE SELECTION; PROVIDING ONLINE INFORMATION IN THE FIELD OF RESIDENTIAL SERVICES, NAMELY, REAL ESTATE DEVELOPMENT, CONSTRUCTION, MAINTENANCE AND REPAIR OF BUILDINGS, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 12-0-2001; IN COMMERCE 12-0-2001.

FOR: PROVIDING INFORMATION ON STO-RAGE AND MOVING SERVICES FOR REAL PROP-ERTY RESIDENTS AND PROSPECTIVE RESIDENTS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 9-0-2002; IN COMMERCE 9-0-2002.

OWNER OF U.S. REG. NO. 1,871,559.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMMUNITIES", APART FROM THE MARK AS SHOWN.

SN 78-975,685, FILED 12-18-2001.

KAREN BRACEY, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2018-07-17 13:28:13 EDT

Mark: AVALON COMMUNITIES



US Serial Number: 78975686

US Registration 2950379 Number:

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Jan. 23, 2016

Publication Date: Apr. 27, 2004

Application Filing Dec. 18, 2001 Date: Registration Date: May 10, 2005

Notice of Jul. 20, 2004 Allowance Date:

# **Mark Information**

Mark Literal AVALON COMMUNITIES

Elements:

Standard Character No

Claim:

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

Type:

Disclaimer: "COMMUNITIES"

Design Search 24.17.13 - Clef symbol (musical); Musical symbols, including treble and bass clef symbols, sharp and flat symbols and notes; Musical Code(s): staff; Musical notes

# **Related Properties Information**

#### Child Of: 78099074

# **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: Real estate development, construction and repair of buildings; planning and laying out of residential communities, real estate site selection; providing online information in the field of residential services, namely, real estate development, construction, maintenance and repair of buildings

International 037 - Primary Class

U.S Class(es): 100, 103, 106

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

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 2001

Use in Commerce: Dec. 2001

For: Providing information in the field of real property, namely, real estate management, leasing and residential property listings

International 036 - Primary Class

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 2001

Use in Commerce: Dec. 2001

#### **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 44D: No Currently 44E: No Currently 66A: No Currently No Basis: No Amended Use: No Amended ITU: No Amended 44D: No Amended 44E: No

# **Current Owner(s) Information**

Owner Name: AvalonBay Communities, Inc.

Owner Address: 671 N. Glebe Road, Suite 800 Arlington, VIRGINIA 22203 UNITED STATES

Legal Entity Type: CORPORATION

State or Country MARYLAND Where Organized:

### **Attorney/Correspondence Information**

		ney of Record - None Correspondent	
Correspondent Name/Address:	Brent D. Sokol, Anna E. Raimer JONES DAY 555 South Flower Street, 50th Floor LOS ANGELES, CALIFORNIA 90071 UNITED STATES		
Phone:	213.489.3939	Fax:	213.243.2539
	laprosecution@jonesday.com bdsokol@jonesday. com aeraimer@jonesday.com vmittongtare@jone sday.com nytef@jonesday.com	Correspondent e- mail Authorized:	Yes
	Domestic R	epresentative - Not For	und

# **Prosecution History**

Date	Description	Proceeding Number
Jan. 23, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 23, 2016	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Jan. 23, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68973
Jan. 23, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Nov. 09, 2015	TEAS SECTION 8 & 9 RECEIVED	
Nov. 09, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 03, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
May 02, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Apr. 14, 2011	TEAS SECTION 8 & 15 RECEIVED	
Oct. 17, 2008	NOTICE OF SUIT	
May 10, 2005	REGISTERED-PRINCIPAL REGISTER	
Feb. 02, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Jan. 25, 2005	ASSIGNED TO LIE	68171
Jan. 12, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 22, 2004	AMENDMENT FROM APPLICANT ENTERED	78145
Dec. 13, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Dec. 13, 2004	PAPER RECEIVED	
Dec. 16, 2004	AMENDMENT FROM APPLICANT ENTERED	68171
Dec. 02, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171

Dec. 02, 2004	PAPER RECEIVED	
Nov. 10, 2004	NON-FINAL ACTION MAILED	
Nov. 09, 2004	SU - NON-FINAL ACTION - WRITTEN	74782
Oct. 22, 2004	STATEMENT OF USE PROCESSING COMPLETE	71034
Sep. 20, 2004	USE AMENDMENT FILED	71034
Oct. 22, 2004	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2004	DIVISIONAL REQUEST RECEIVED	
Feb. 27, 2004	PAPER RECEIVED	
Sep. 20, 2004	PAPER RECEIVED	
Aug. 27, 2004	CASE FILE IN TICRS	
Jul. 20, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 27, 2004	PUBLISHED FOR OPPOSITION	
Apr. 07, 2004	NOTICE OF PUBLICATION	
Feb. 02, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 20, 2004	EXAMINERS AMENDMENT MAILED	
Jul. 29, 2003	NON-FINAL ACTION MAILED	
May 08, 2003	REINSTATED	70458
Mar. 28, 2003	PAPER RECEIVED	
Jan. 09, 2003	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 15, 2002	NON-FINAL ACTION MAILED	
Apr. 30, 2002	ASSIGNED TO EXAMINER	74782
Apr. 30, 2002	ASSIGNED TO EXAMINER	73706
Dec. 31, 2001	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	
Dec. 31, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Affidavit of Section 8 - Accepted **Continued Use:** Affidavit of Section 15 - Accepted

Incontestability:

Renewal Date: May 10, 2015

# **TM Staff and Location Information**

TM Staff Information - None	
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**File Location** 

Current Location: GENERIC WEB UPDATE

Date in Location: Jan. 23, 2016

### **Proceedings**

#### Summary

Number of 1 Proceedings:

Number:

**Type of Proceeding: Cancellation** 

Filing Date: Apr 27, 2018

Proceeding 92062400

Status: Pending

Status Date: Oct 06, 2015

Interlocutory YONG OH (RICHARD) KIM Attorney:

Defendant

Name: Avalon IP Holding Co., LLC

Correspondent LEE J EULGEN Address: NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL, 60602 UNITED STATES

 
 Correspondent email:
 knye@ngelaw.com
 leulgen@ngelaw.com
 temanuelson@ngelaw.com
 dcesek@ngelaw.com
 ECFDocket@ngelaw.com
 mhoffman

 mail:
 @ngelaw.com
 knye@nge.com
 afuelleman@nge.com
 afuelleman@nge.com
 ecfdocket@nge.com
 ecfdocket@nge.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AVALON	Cancellation Pending	77603359	4043653
	Plaintiff(s)		

Name: AvalonBay Communities, Inc.

Correspondent BRENT D SOKOL Address: JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES

 
 Correspondent email:
 bdsokol@jonesday.com , aeraimer@jonesday.com , laprosecution@jonesday.com , lrefinetti@jonesday.com , mvilliams@jonesday.com , nytef@jonesday.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AVALON PROPERTIES	Renewed	74456785	<u>1871559</u>
AVALONBAY	Renewed	78093244	<u>2618414</u>
AVALON	Renewed	78096245	<u>2799153</u>
AVALON	Renewed	<u>78109950</u>	<u>2887466</u>
AVALON COMMUNITIES	Renewed	<u>78975698</u>	<u>2931998</u>
AVALONBAY	Renewed	<u>78975290</u>	<u>2950374</u>
AVALON COMMUNITIES	Renewed	<u>78975685</u>	<u>2950378</u>
AVALON COMMUNITIES	Renewed	<u>78975686</u>	<u>2950379</u>
AVALON	Renewed	<u>78455252</u>	<u>3101896</u>
AVALONBAY	Renewed	<u>78093503</u>	<u>3154668</u>
AVALON COMMUNITIES	Renewed	<u>78099074</u>	<u>3174681</u>
AVALON COMMUNITIES	Section 8 and 15 - Accepted and Acknowledged	78099077	<u>3419667</u>
AVALON COMMUNITIES	Renewed	<u>78112367</u>	<u>3423982</u>
AVALON	Section 8 and 15 - Accepted and Acknowledged	77073494	<u>3523079</u>

Prosecu	ition	History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2015	Nov 16, 2015
3	PENDING, INSTITUTED	Oct 07, 2015	
4	P CERTIFICATE OF SERVICE	Oct 07, 2015	
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015	
6	EXTENSION OF TIME GRANTED	Nov 13, 2015	
7	ANSWER	Dec 16, 2015	
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016	
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016	
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016	
11	P OPP/RESP TO MOTION	Jul 08, 2016	
12	P OPP/RESP TO MOTION	Jul 08, 2016	
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
15	TRIAL DATES RESET	Nov 21, 2016	
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016	
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017	
18	P OPP/RESP TO MOTION	Jan 25, 2017	
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017	
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017	
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017	
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017	

23	PROCEEDINGS RESUMED	Sep 19, 2017
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017
25	SUSPENDED	Nov 01, 2017
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018
29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 36 and 37

Prior U.S. Cls.: 100, 101, 102, 103, and 106

United States Patent and Trademark Office Registered May 10, 2005

#### SERVICE MARK PRINCIPAL REGISTER



AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: PROVIDING INFORMATION IN THE FIELD OF REAL PROPERTY, NAMELY, REAL ESTATE MANAGEMENT, LEASING AND RESI-DENTIAL PROPERTY LISTINGS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 12-0-2001; IN COMMERCE 12-0-2001.

FOR: REAL ESTATE DEVELOPMENT, CON-STRUCTION AND REPAIR OF BUILDINGS; PLAN-NING AND LAYING OUT OF RESIDENTIAL COMMUNITIES, REAL ESTATE SITE SELECTION; PROVIDING ONLINE INFORMATION IN THE FIELD OF RESIDENTIAL SERVICES, NAMELY, REAL ESTATE DEVELOPMENT, CONSTRUCTION, MAINTENANCE AND REPAIR OF BUILDINGS, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

Reg. No. 2,950,379

FIRST USE 12-0-2001; IN COMMERCE 12-0-2001.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMMUNITIES", APART FROM THE MARK AS SHOWN.

SN 78-975,686, FILED 12-18-2001.

KAREN BRACEY, EXAMINING ATTORNEY

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Mark: AVALON

# AVALON

#### US Serial Number: 78455252

US Registration 3101896 Number:

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Aug. 29, 2016

Publication Date: May 31, 2005

Application Filing Jul. 22, 2004 Date: Registration Date: Jun. 06, 2006

Notice of Aug. 23, 2005 Allowance Date:

# **Mark Information**

Mark Literal AVALON Elements:

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

#### Mark Drawing 4 - STANDARD CHARACTER MARK

Type:

## **Related Properties Information**

#### Claimed Ownership 1871559, 2618414, 2799153, 2887466 of US

Registrations:

### **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: Providing online information regarding the security goods and services of others

International Class(es):	045 - Primary Class	U.S Class(es): 100, 101
Class Status:	ACTIVE	
Basis:	1(a)	
First Use:	Jan. 2003	Jse in Commerce: Jan. 2003
For:	Providing information regarding architectural floor plans	and furniture arrangement within floor plans
International Class(es):	042 - Primary Class	U.S Class(es): 100, 101
Class Status:	ACTIVE	
Basis:	1(a)	

First Use: Dec. 2003

Use in Commerce: Dec. 2003

For: Providing online information and listings of the social events of others; providing information regarding community activities in the nature of social events International 041 - Primary Class U.S Class(es): 100, 101, 107 Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Dec. 2001 Use in Commerce: Dec. 2001 For: Providing information on storage and moving services for real property residents and prospective residents International 039 - Primary Class U.S Class(es): 100, 105 Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Sep. 2002 Use in Commerce: Sep. 2002 For: Real estate development, construction and repair of buildings; planning and laying out of residential communities, real estate site selection; providing online information in the field of residential services, namely, real estate development, construction, maintenance and repair of buildings International 037 - Primary Class U.S Class(es): 100, 103, 106 Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Dec. 1994 Use in Commerce: Dec. 1994 For: Managing, operating, maintaining, leasing, appraising, brokering, investing in, and valuing real property; purchasing real property for others; financial investment in the field of real property; providing online information for renters and prospective renters; providing information regarding real estate and rental insurance International 036 - Primary Class U.S Class(es): 100, 101, 102 Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Jun. 26, 1999 Use in Commerce: Jun. 26, 1999 For: Real estate marketing services, namely, providing advertising information on residential services for others International 035 - Primary Class U.S Class(es): 100, 101, 102 Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Mar. 2001 Use in Commerce: Mar. 2001 For: Paper and cardboard articles namely address labels, survey answer sheets, notebooks, picture books, calendars, announcement cards, blank cards, postcards, note cards, business cards, paper mats, printed charts, stationery, posters, signs; decals; drawing pencils; photographs; plastic bags; ball point pens; binders; bulletin boards; printed guides for real property; printed guides for residential services; periodical publications namely news letters, journals, and magazines relating to real property and residential services International 016 - Primary Class U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050 Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Mar. 2001 Use in Commerce: Mar. 2001 **Basis Information (Case Level)** Filed Use: No Currently Use: Yes Amended Use: No Filed ITU: Yes Currently ITU: No Amended ITU: No Filed 44D: No Currently 44D: No Amended 44D: No Filed 44E: No Currently 44E: No Amended 44E: No Filed 66A: No Currently 66A: No

Currently No Basis: No

Filed No Basis: No

Owner Name: AvalonBay Communities, Inc.

Owner Address: 671 N. Glebe Road, Suite 800 Arlington, VIRGINIA 22203 UNITED STATES

Legal Entity Type: CORPORATION

State or Country MARYLAND

Where Organized:

# **Attorney/Correspondence Information**

Attorney	of	Record
----------	----	--------

Docket Number: 673964-60000

Correspondent

Correspondent Brent D. Sokol, Anna E. Raimer Name/Address: JONES DAY 555 South Flower Street, 50th Floor LOS ANGELES, CALIFORNIA 90071 UNITED STATES Phone: 213.489.3939

Correspondent e- laprosecution@jonesday.com bdsokol@jonesday. mail: com aeraimer@jonesday.com vmittongtare@jone sday.com nytef@jonesday.com Fax: 213.243.2539

Correspondent e- Yes mail Authorized:

**Domestic Representative - Not Found** 

#### **Prosecution History**

Date	Description	Proceeding Number
Aug. 29, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 29, 2016	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Aug. 29, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Aug. 29, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Jun. 06, 2016	TEAS SECTION 8 & 9 RECEIVED	
Jun. 06, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 05, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Apr. 05, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
Apr. 05, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70619
Mar. 08, 2012	TEAS SECTION 8 & 15 RECEIVED	
Mar. 06, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 08, 2008	NOTICE OF SUIT	
Jun. 06, 2006	REGISTERED-PRINCIPAL REGISTER	
Apr. 20, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Apr. 14, 2006	ASSIGNED TO LIE	68171
Apr. 07, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 10, 2006	STATEMENT OF USE PROCESSING COMPLETE	76874
Feb. 23, 2006	USE AMENDMENT FILED	76874
Feb. 23, 2006	TEAS STATEMENT OF USE RECEIVED	
Aug. 23, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 06, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 31, 2005	PUBLISHED FOR OPPOSITION	
May 11, 2005	NOTICE OF PUBLICATION	
Feb. 15, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Feb. 11, 2005	ASSIGNED TO LIE	68171
Feb. 09, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 08, 2005	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 08, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 08, 2005	EXAMINERS AMENDMENT -WRITTEN	74782

Affidavit of Section 8 - Accepted Continued Use: Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Jun. 06, 2016

# **TM Staff and Location Information**

TM Staff Information - None				
		File Location		
Current Location:	GENERIC WEB UPDATE	Date in Location: Aug. 29, 2016		
		Proceedings		
Summary				
Number of Proceedings:	1			
	Type of Pro	ceeding: Cancellation		
Proceeding Number:		Filing Date: Apr 27, 2018		
Status:	Pending	Status Date: Oct 06, 2015		
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
		Defendant		
Name:	Avalon IP Holding Co., LLC			
	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL , 60602 UNITED STATES			
		1 , <u>temanuelson@ngelaw.com</u> , <u>dcesek@ngelaw.com</u> , <u>ECFl</u> @nge.com , afuelleman@nge.com , mhoffman@nge.com , e		n , <u>mhoffman</u>
Associated marks				
Mark				
		Application Status	Serial Number	Registration Number
AVALON		Application Status Cancellation Pending		
AVALON			Number	Number
	AvalonBay Communities, Inc.	Cancellation Pending	Number	Number
Name: Correspondent	AvalonBay Communities, Inc. BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES	Cancellation Pending	Number	Number
Name: Correspondent Address: Correspondent e-	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES	Cancellation Pending Plaintiff(s) sday.com , laprosecution@jonesday.com , lrefinetti@jonesda	Number           77603359	Number
Name: Correspondent Address: Correspondent e-	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA, 90071 UNITED STATES bdsokol@jonesday.com, aeraimer@jones	Cancellation Pending Plaintiff(s) sday.com , laprosecution@jonesday.com , lrefinetti@jonesda	Number           77603359	Number
Name: Correspondent Address: Correspondent e- mail: Associated marks Mark	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jones mwilliams@jonesday.com , nytef@jonesd	Cancellation Pending Plaintiff(s) sday.com , laprosecution@jonesday.com , lrefinetti@jonesda	Number           77603359	Number
Name: Correspondent Address: Correspondent e- mail: Associated marks	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jones mwilliams@jonesday.com , nytef@jonesd	Cancellation Pending Plaintiff(s) sday.com , laprosecution@jonesday.com , lrefinetti@jonesda ay.com	Number 77603359 ay.com , Serial	Number 4043653 Registration
Name: Correspondent Address: Correspondent e- mail: Associated marks Mark	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jones mwilliams@jonesday.com , nytef@jonesd	Cancellation Pending Plaintiff(s)  sday.com , laprosecution@jonesday.com , lrefinetti@jonesda ay.com Application Status	Number 77603359 ay.com , Serial Number	Number 4043653 Registration Number
Name: Correspondent Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIES AVALONBAY AVALON	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jones mwilliams@jonesday.com , nytef@jonesd	Cancellation Pending Plaintiff(s)  sday.com, laprosecution@jonesday.com, lrefinetti@jonesday.com Application Status Renewed	Number         77603359         ay.com ,         Serial Number         74456785	Number 4043653  Registration Number 1871559
Name: Correspondent Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIES AVALON PROPERTIES	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jones mwilliams@jonesday.com , nytef@jonesd	Cancellation Pending Plaintiff(s)  sday.com, laprosecution@jonesday.com, lrefinetti@jonesday.com Application Status Renewed Renewed Renewed	Number         77603359         y.com ,         Serial         Number         74456785         78093244	Number           4043653           Registration Number           1871559           2618414
Name: Correspondent Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIES AVALONBAY AVALON	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jonesd mwilliams@jonesday.com , nytef@jonesd	Cancellation Pending Plaintiff(s)  aday.com, laprosecution@jonesday.com, lrefinetti@jonesday.com Application Status Renewed Renewed Renewed Renewed	Number           77603359           8	Number           4043653           Registration Number           1871559           2618414           2799153
Name: Correspondent e- mail: Correspondent e- mail: Associated marks Mark AVALON PROPERTIE: AVALONBAY AVALON	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA, 90071 UNITED STATES bdsokol@jonesday.com, aeraimer@jones mwilliams@jonesday.com, nytef@jonesd	Cancellation Pending Plaintiff(s)  sday.com , laprosecution@jonesday.com , lrefinetti@jonesday.agv.com Application Status Renewed Renewed Renewed Renewed Renewed Renewed Renewed	Number         77603359         77603359         Serial         Number         74456785         78093244         78096245         78109950	Number           4043653           4043653           Registration           Number           1871559           2618414           2799153           2887466

	Renewed	78975685	<u>2950378</u>	
AVALON COMMUNITIES	Renewed	<u>78975686</u>	<u>2950379</u>	
AVALON	Renewed	<u>78455252</u>	<u>3101896</u>	
AVALONBAY	Renewed	<u>78093503</u>	<u>3154668</u>	
AVALON COMMUNITIES	Renewed	<u>78099074</u>	<u>3174681</u>	
AVALON COMMUNITIES	Section 8 and 15 - Accepted and Acknowledged	78099077	<u>3419667</u>	
AVALON COMMUNITIES	Renewed	78112367	<u>3423982</u>	
AVALON	Section 8 and 15 - Accepted and Acknowledged	77073494	<u>3523079</u>	
Prosecution History				

NOTICE AND THAL DATES SENT; ANSWER DUE:     Oct 07, 2015     Nov 16, 2015       PERDING, INSTITUTED     Oct 07, 2015       NOT FOR EXT W/CONSENT     Nov 13, 2015       ALS     EXTENSION OF TIME GRANTED     Date 16, 2015       NOT FOR EXT W/CONSENT     Jun 23, 2016       NOT FOR EXT W/CONSENT     Jun 23, 2016       NOT FOR EXT W/CONSENT     Jun 23, 2016       D MOT TO COMPEL DISCOVERY     Jun 23, 2016       D MOT FOR EXT W/CONSENT     Jun 20, 2016       D MOT TO COMPEL DISCOVERY     Jun 20, 2016       D MOT TO COMPEL DISCOVERY     Jun 20, 2016       D POPPRESPT TO MOTION     Jul 28, 2016       D REPLY IN SUPPORT OF MOTION     Jul 28, 2016       S D REPLY IN SUPPORT OF MOTION     Jul 28, 2016       D OPPRESPT TO MOTION     Jul 28, 2016       S D REPLY IN SUPPORT OF MOTION     Jul 28, 2016       D OPPRESPT TO MOTION     Jul 28, 2017       S D OPPRESPT TO MOTION     Jul 28, 2017       S D OPPRESPT TO MOTION     Jul 28, 2017       D OPPRESPT TO MOTION <t< th=""><th>Entry Number</th><th>History Text</th><th>Date</th><th>Due Date</th></t<>	Entry Number	History Text	Date	Due Date
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80         D REPLY IN SUPPORT OF MOTION         Feb 14, 2017           21         SUSP PEND DISP OF OUTSTNDNG MOT         Mar 10, 2017           22         PETITION TO DISQUALIFY DENIED         Jun 15, 2017           23         PROCEDINGS RESUMED         Sep 19, 2017           24         D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS         Oct 26, 2017           25         SUSPENDED         Nov 01, 2017           26         P MOT TO AMEND PLEADING/AMENDED PLEADING         Dec 27, 2017           27         P CONF MOT TO AMEND PLEADING/AMENDED PLEADING         Dec 27, 2017           28         D MOT FOR EXT W/ CONSENT         Jan 04, 2018           29         EXTENSION OF TIME GRANTED         Jan 11, 2018           20         D OPP/RESP TO MOTION         Jan 16, 2018           21         SUSPENDED         Jan 26, 2018           22         SUSPENDED         Jan 26, 2018           23         P REPLY IN SUPPORT OF MOTION         Feb 05, 2018           24         D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS         Mar 08, 2018           25         SUSPENDED         Mar 08, 2018           26         D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS         Apr 06, 2018           27         D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	18	P OPP/RESP TO MOTION	Jan 25, 2017	
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	44	EXTENSION OF TIME GRANTED	Jun 27, 2018	

Int. Cls.: 16, 35, 36, 37, 39, 41, 42, and 45

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, 102, 103, 105, 106, and 107

United States Patent and Trademark Office

Reg. No. 3,101,896 Registered June 6, 2006

TRADEMARK SERVICE MARK PRINCIPAL REGISTER

# AVALON

AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: PAPER AND CARDBOARD ARTICLES NAMELY ADDRESS LABELS, SURVEY ANSWER SHEETS, NOTEBOOKS, PICTURE BOOKS, CALEN-DARS, ANNOUNCEMENT CARDS, BLANK CARDS, POSTCARDS, NOTE CARDS, BUSINESS CARDS, PAPER MATS, PRINTED CHARTS, STA-TIONERY, POSTERS, SIGNS; DECALS; DRAWING PENCILS; PHOTOGRAPHS; PLASTIC BAGS; BALL POINT PENS; BINDERS; BULLETIN BOARDS; PRINTED GUIDES FOR REAL PROPERTY; PRIN-TED GUIDES FOR RESIDENTIAL SERVICES; PER-IODICAL PUBLICATIONS NAMELY NEWS LETTERS, JOURNALS, AND MAGAZINES RELAT-ING TO REAL PROPERTY AND RESIDENTIAL SERVICES, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 3-0-2001; IN COMMERCE 3-0-2001.

FOR: REAL ESTATE MARKETING SERVICES, NAMELY, PROVIDING ADVERTISING INFORMA-TION ON RESIDENTIAL SERVICES FOR OTHERS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-0-2001; IN COMMERCE 3-0-2001.

FOR: MANAGING, OPERATING, MAINTAIN-ING, LEASING, APPRAISING, BROKERING, IN-VESTING IN, AND VALUING REAL PROPERTY; PURCHASING REAL PROPERTY FOR OTHERS; FINANCIAL INVESTMENT IN THE FIELD OF REAL PROPERTY; PROVIDING ONLINE INFOR-MATION FOR RENTERS AND PROSPECTIVE REN-TERS; PROVIDING INFORMATION REGARDING REAL ESTATE AND RENTAL INSURANCE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-26-1999; IN COMMERCE 6-26-1999.

FOR: REAL ESTATE DEVELOPMENT, CON-STRUCTION AND REPAIR OF BUILDINGS; PLAN-NING AND LAYING OUT OF RESIDENTIAL COMMUNITIES, REAL ESTATE SITE SELECTION; PROVIDING ONLINE INFORMATION IN THE FIELD OF RESIDENTIAL SERVICES, NAMELY, REAL ESTATE DEVELOPMENT, CONSTRUCTION, MAINTENANCE AND REPAIR OF BUILDINGS, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 12-0-1994; IN COMMERCE 12-0-1994.

FOR: PROVIDING INFORMATION ON STO-RAGE AND MOVING SERVICES FOR REAL PROP-ERTY RESIDENTS AND PROSPECTIVE RESIDENTS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 9-0-2002; IN COMMERCE 9-0-2002.

FOR: PROVIDING ONLINE INFORMATION AND LISTINGS OF THE SOCIAL EVENTS OF OTHERS; PROVIDING INFORMATION REGARD-ING COMMUNITY ACTIVITIES IN THE NATURE OF SOCIAL EVENTS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 12-0-2001; IN COMMERCE 12-0-2001.

FOR: PROVIDING INFORMATION REGARDING ARCHITECTURAL FLOOR PLANS AND FURNI-TURE ARRANGEMENT WITHIN FLOOR PLANS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 12-0-2003; IN COMMERCE 12-0-2003.

FOR: PROVIDING ONLINE INFORMATION RE-GARDING THE SECURITY GOODS AND SERVI-CES OF OTHERS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 1-0-2003; IN COMMERCE 1-0-2003.

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

OWNER OF U.S. REG. NOS. 1,871,559, 2,887,466, AND OTHERS.

SN 78-455,252, FILED 7-22-2004.

KAREN BRACEY, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2018-07-17 13:29:45 EDT

Mark: AVALONBAY

US Serial Number: 78093503

US Registration 3154668 Number:

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Dec. 21, 2016

Publication Date: Apr. 08, 2003

Application Filing Nov. 15, 2001 Date: Registration Date: Oct. 10, 2006

Notice of Jul. 01, 2003 Allowance Date:

#### Mark Information

Mark Literal AVALONBAY Elements:

Standard Character No

Claim:

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

Type:

### **Related Properties Information**

Claimed Ownership 1871559 of US Registrations:

Parent Of: 78975290

### **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: Real estate marketing services, namely providing online tours and images of residential real estate and other real property

International 035 - Primary Class Class(es): Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2001

For: posters International 016 - Primary Class

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

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

Use in Commerce: Mar. 2001

Class(es):

Class Status: ACTIVE

Basis: 1(a)

Firs	t <b>Use:</b> Jan. 2004	Use in Commerce: Jan. 2004		
	For: [ Providing online information	n in the field of storage of personal property in general ]		
	tional 039 - Primary Class s(es):	<b>U.S Class(es):</b> 100, 105		
Class S	tatus: SECTION 8 - CANCELLED			
E	Basis: 1(a)			
Firs	t Use: Sep. 2002	Use in Commerce: Sep. 2002		
		<b>Basis Information (Case Level)</b>		
F	iled Use: No	Currently Use: Yes	Amended Use: No	
,	Filed ITU: Yes	Currently ITU: No	Amended ITU: No	
F	iled 44D: No	Currently 44D: No	Amended 44D: No	
	iled 44E: No	Currently 44E: No	Amended 44E: No	
	iled 66A: No	Currently 66A: No	Antended HE. No	
	lo Basis: No	Currently No Basis: No		
Filed I	O Dasis: NO	Current Owner(s) Information		
		Current Owner(s) Information		
Owner N	lame: AvalonBay Communities, Inc	2.		
Owner Add	Iress: 671 N. Glebe Road, Suite 80 Arlington, VIRGINIA 22203 UNITED STATES	)0		
Legal Entity	Type: CORPORATION	State or Country MARYLAND Where Organized:		
	Atte	orney/Correspondence Informatio	on	
		Attorney of Record		
Docket Nu	mber: 673964100015	Attorney of necora		
		Correspondent		
	ndent Brent D. Sokol, Anna E. Rair Iress: JONES DAY 555 South Flower Street, 50 LOS ANGELES, CALIFORN UNITED STATES	th Floor		
Р	hone: 213.489.3939	Fax: 213.243.2539		
Correspond	ent e- mail: <u>com aeraimer@jonesday.com</u> sday.com nytef@jonesday.co	m vmittongtare@jone mail Authorized:		
		Domestic Representative - Not Found		
		<b>Prosecution History</b>		
Date	Description			Proceeding Number
Dec. 21, 2016	NOTICE OF ACCEPTANCE OF S	SEC. 8 & 9 - E-MAILED		
Dec. 21, 2016	REGISTERED AND RENEWED (	FIRST RENEWAL - 10 YRS)		71359
Dec. 21, 2016	REGISTERED - SEC. 8 (10-YR) A	CCEPTED/SEC. 9 GRANTED		71359
Dec. 19, 2016	CASE ASSIGNED TO POST REG	SISTRATION PARALEGAL		71359
Oct. 10, 2016	TEAS SECTION 8 & 9 RECEIVED			
Oct. 10, 2016	TEAS CHANGE OF CORRESPO			
Oct. 10, 2015	COURTESY REMINDER - SEC. 8			
Sep. 21, 2012	NOTICE OF ACCEPTANCE OF S			
Sep. 21, 2012	REGISTERED - SEC. 8 (6-YR) AG			67723
Sep. 21, 2012	CASE ASSIGNED TO POST REG			67723
Aug. 30, 2012	TEAS SECTION 8 & 15 RECEIVE	:D		

Aug. 29, 2012 TEAS CHANGE OF CORRESPONDENCE RECEIVED

0		
Oct. 17, 2008		
Oct. 10, 2006	REGISTERED-PRINCIPAL REGISTER	
Aug. 23, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Aug. 11, 2006	ASSIGNED TO LIE	68171
Aug. 10, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 24, 2006	STATEMENT OF USE PROCESSING COMPLETE	71280
Jun. 30, 2006	USE AMENDMENT FILED	71280
Jun. 30, 2006	TEAS STATEMENT OF USE RECEIVED	
Dec. 28, 2005	EXTENSION 5 GRANTED	98765
Dec. 28, 2005	EXTENSION 5 FILED	98765
Dec. 28, 2005	TEAS EXTENSION RECEIVED	
Jul. 06, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 21, 2005	EXTENSION 4 GRANTED	98765
Jun. 21, 2005	EXTENSION 4 FILED	98765
Jun. 21, 2005	TEAS EXTENSION RECEIVED	
Nov. 01, 2004	EXTENSION 3 GRANTED	65362
Oct. 27, 2004	FAX RECEIVED	
Sep. 20, 2004	EXTENSION 3 FILED	65362
Oct. 21, 2004	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2004	DIVISIONAL REQUEST RECEIVED	
Sep. 20, 2004	PAPER RECEIVED	
Jul. 30, 2004	EXTENSION 2 GRANTED	
Jun. 30, 2004	EXTENSION 2 FILED	
Jul. 12, 2004	CASE FILE IN TICRS	
Jun. 30, 2004	TEAS EXTENSION RECEIVED	
Jan. 23, 2004	EXTENSION 1 GRANTED	
Dec. 31, 2003	EXTENSION 1 FILED	
Dec. 31, 2003	TEAS EXTENSION RECEIVED	
Jul. 01, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 08, 2003	PUBLISHED FOR OPPOSITION	
Mar. 19, 2003	NOTICE OF PUBLICATION	
Jan. 30, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 24, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 24, 2002	PAPER RECEIVED	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 08, 2002	FINAL REFUSAL MAILED	
Aug. 26, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 26, 2002	PAPER RECEIVED	
Mar. 07, 2002	NON-FINAL ACTION MAILED	
Feb. 25, 2002	ASSIGNED TO EXAMINER	74782
Nov. 15, 2001	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	

Affidavit of Section 8 - Accepted Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Oct. 10, 2016

# **TM Staff and Location Information**

TM Staff Information - None

File Location

Date in Location: Dec. 21, 2016

Current Location: GENERIC WEB UPDATE

**Proceedings** 

Summary				
Number of				
Proceedings:				
Proceeding		Proceeding: Cancellation Filing Date: Apr 27, 2018		
Number:				
Status:	Pending	Status Date: Oct 06, 2015		
	YONG OH (RICHARD) KIM			
Attorney:				
Nome	Avalan ID Helding Co., H.C.	Defendant		
	Avalon IP Holding Co., LLC			
	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL , 60602 UNITED STATES			
		com , <u>temanuelson@ngelaw.com</u> , <u>dcesek@ngelaw.com</u> , ye@nge.com , afuelleman@nge.com , mhoffman@nge.co		
Associated marks				
Mark		Application Status	Serial Number	Registratio Number
AVALON		Cancellation Pending	77603359	4043653
		Plaintiff(s)		
Name:	AvalonBay Communities, Inc.			
	BRENT D SOKOL			
Åddress: Correspondent e-	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo	nesday.com , laprosecution@jonesday.com , lrefinetti@jo	nesday.com ,	
Áddress: Correspondent e- mail:	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES	nesday.com , laprosecution@jonesday.com , lrefinetti@jo	<u>nesday.com</u> ,	
Åddress: Correspondent e- mail:	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo	nesday.com , laprosecution@jonesday.com , lrefinetti@jo	<u>nesday.com</u> , Serial Number	Registratio Number
Áddress: Correspondent e- mail: Associated marks Mark	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone	nesday.com , laprosecution@jonesday.com , lrefinetti@jo esday.com	Serial	
Áddress: Correspondent e- mail: Associated marks Mark	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone	nesday.com , laprosecution@jonesday.com , lrefinetti@jo esday.com Application Status	Serial Number	Number
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIE: VALONBAY	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone	nesday.com , laprosecution@jonesday.com , lrefinetti@jo esday.com Application Status Renewed	Serial Number 74456785	Number 1871559
Áddress: Correspondent e- mail: Associated marks Mark WALON PROPERTIE: WALONBAY	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone	nesday.com , laprosecution@jonesday.com , lrefinetti@jo esday.com Application Status Renewed Renewed	Serial Number 74456785 78093244	Number           1871559           2618414
Áddress: Correspondent e- mail: Associated marks Mark WALON PROPERTIE: WALONBAY WALON	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone	Application Status Renewed Renewed Renewed	Serial Number 74456785 78093244 78096245	Number           1871559           2618414           2799153
Áddress: Correspondent e- mail: Associated marks Mark WALON PROPERTIE: WALON BAY WALON WALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone	Application Status Renewed Renewed Renewed Renewed Renewed Renewed	Serial Number           74456785           78093244           78096245           78109950	Number           1871559           2618414           2799153           2887466
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIE VALON PROPERTIE VALON AVALON AVALON COMMUNITI VALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone	Inesday.com       , laprosecution@jonesday.com       , lrefinetti@jo         asday.com       Application Status         Renewed       Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698	Number           1871559           2618414           2799153           2887466           2931998
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIE: VALON PROPERTIE: VALON PROPERTIE: VALON PROPERTIE: VALON COMMUNITI VALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES	Inesday.com       , laprosecution@jonesday.com       , lrefinetti@jo         esday.com	Serial Number           74456785           78093244           78096245           78109950           78975698           78975290	Number           1871559           2618414           2799153           2887466           2931998           2950374
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIE: VALON PROPERTIE: VALON PROPERTIE: VALON COMMUNITI VALON COMMUNITI VALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES	Application Status         Renewed         Renewed <tr< td=""><td>Serial Number           74456785           78093244           78096245           78109950           78975698           78975290           78975685</td><td>Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378</td></tr<>	Serial Number           74456785           78093244           78096245           78109950           78975698           78975290           78975685	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIE: VALON PROPERTIE: VALON PROPERTIE: VALON COMMUNITI VALON COMMUNITI VALON COMMUNITI VALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975686	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950379
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIE VALON PROPERTIE VALON PROPERTIE VALON PROPERTIE VALON PROPERTIE VALON COMMUNITI VALON COMMUNITI VALON COMMUNITI VALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES ES	Inesday.com       , laprosecution@jonesday.com       , lrefinetti@jo         esday.com	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975686           78975686           78455252	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950379           3101896
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIE: VALON PROPERTIE: VALON PROPERTIE: VALON COMMUNITI VALON COMMUNITI VALON COMMUNITI VALON COMMUNITI VALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975290           78975685           78975686           78455252           78093503	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIE: AVALON PROPERTIE: AVALON PROPERTIE: AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES ES ES ES ES	Application Status           Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975686           78455252           78093503           78093503	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3174681
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIE: AVALON PROPERTIE: AVALON PROPERTIE: AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES ES ES ES ES	Application Status           Application Status           Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975685           78975686           78093201           78975685           78975685           78093503           78099074           78099077	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950379           3101896           3154668           3174681           3419667
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIE: AVALON PROPERTIE: AVALON PROPERTIE: AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES ES ES ES ES ES	Application Status           Application Status           Renewed           Section 8 and 15 - Accepted and Acknowledged           Renewed           Section 8 and 15 - Accepted and Acknowledged	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975686           78093201           78975685           78975686           78093503           78099074           78099077           78112367           77073494	1871559         2618414         2799153         2887466         2931998         2950374         2950379         3101896         3154668         3174681         3419667         3423982         3523079
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIE: AVALON PROPERTIE: AVALON PROPERTIE: AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES ES ES ES ES ES ES ES	Application Status Renewed Ren	Serial Number         74456785         78093244         78096245         78109950         78975698         78975685         78975686         78093204         78975685         78975686         78093503         78099074         78099077         78112367         77073494	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3174681           3419667           3423982
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIE: AVALON PROPERTIE: AVALON PROPERTIE: AVALON COMMUNITIE AVALON COMUNITIE AVALON COMMUN	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES ES ES ES ES ES ES ES	Application Status           Renewed           Section 8 and 15 - Accepted and Acknowledged           Renewed           Section 8 and 15 - Accepted and Acknowledged           Renewed           Section 8 and 15 - Accepted and Acknowledged	Serial Number         74456785         78093244         78096245         78096245         7809500         78975686         78975686         78093503         78093503         7809077         78112367         7073494	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3174681           3419667           3523079
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIE: AVALON PROPERTIE: AVALON PROPERTIE: AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI AVALON COMMUNITI	JONES DAY 555 S FLOWER STREET, 50TH FLOO LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jo mwilliams@jonesday.com , nytef@jone S ES ES ES ES ES ES ES ES ES	Application Status           Application Status         Renewed           Renewed         Renewed           Section 8 and 15 - Accepted and Acknowledged         Image: Contemporter of the story           Image: Prosecution History         Image: Contemporter of the story	Serial Number         74456785         78093244         78096245         78096245         7809500         78975686         78975686         78093503         78093503         7809077         78112367         7073494	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950379           3101896           3154668           3174681           3419667           3423982           3523079

Oct 07, 2015

Nov 13, 2015

Nov 13, 2015

P CERTIFICATE OF SERVICE

D MOT FOR EXT W/ CONSENT

EXTENSION OF TIME GRANTED

4

5

6

7	ANSWER	Dec 16, 2015
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016
11	P OPP/RESP TO MOTION	Jul 08, 2016
12	P OPP/RESP TO MOTION	Jul 08, 2016
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
15	TRIAL DATES RESET	Nov 21, 2016
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017
18	P OPP/RESP TO MOTION	Jan 25, 2017
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017
23	PROCEEDINGS RESUMED	Sep 19, 2017
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017
25	SUSPENDED	Nov 01, 2017
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018
29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 16, 35, and 39

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, 102, and 105

United States Patent and Trademark Office

Reg. No. 3,154,668 Registered Oct. 10, 2006

# TRADEMARK

#### SERVICE MARK PRINCIPAL REGISTER

#### AVALONBAY

AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: POSTERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 1-0-2004; IN COMMERCE 1-0-2004.

FOR: REAL ESTATE MARKETING SERVICES, NAMELY PROVIDING ONLINE TOURS AND IMA-GES OF RESIDENTIAL REAL ESTATE AND OTHER REAL PROPERTY, IN CLASS 35 (U.S. CLS. 100, 101 AND 102). FIRST USE 3-0-2001; IN COMMERCE 3-0-2001.

FOR: PROVIDING ONLINE INFORMATION IN THE FIELD OF STORAGE OF PERSONAL PROP-ERTY IN GENERAL, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 9-0-2002; IN COMMERCE 9-0-2002.

OWNER OF U.S. REG. NO. 1,871,559.

SN 78-093,503, FILED 11-15-2001.

KAREN BRACEY, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2018-07-17 13:31:16 EDT Mark: AVALON COMMUNITIES



US Serial Number: 78099074

US Registration 3174681 Number:

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Jan. 26, 2017

Publication Date: Apr. 27, 2004

Application Filing Dec. 18, 2001 Date: Registration Date: Nov. 21, 2006

Notice of Jul. 20, 2004 Allowance Date:

### **Mark Information**

Mark Literal AVALON COMMUNITIES Flements:

Standard Character No

Claim:

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

Type:

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

Disclaimer: "COMMUNITIES"

Design Search 24.17.13 - Clef symbol (musical); Musical symbols, including treble and bass clef symbols, sharp and flat symbols and notes; Musical Code(s): staff; Musical notes

### **Related Properties Information**

Claimed Ownership 1871559 of US **Registrations:** 

Parent Of: 78975686

### **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: [Paper and cardboard articles, namely, calendars, postcards, posters,] ball point pens[; printed guides for real property; printed guides for residential services]

Class(es): Class Status: ACTIVE

Basis: 1(a)

International 016 - Primary Class

First Use: Aug. 1999

Use in Commerce: Aug. 1999

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

For: [Providing online information regarding the security goods and services of others]

International Class(es)	045 - Primary Class	U.S Class(	<b>es):</b> 100, 101		
Class Status:	SECTION 8 - CANCELLED				
Basis	: 1(a)				
First Use	: Jul. 2002	Use in Comme	rce: Jul. 2002		
For	: [Providing online information a	nd listings of the social events of others]			
International Class(es)	041 - Primary Class	U.S Class(	<b>es):</b> 100, 101, 107		
Class Status:	SECTION 8 - CANCELLED				
Basis	: 1(a)				
First Use	: Jul. 2002	Use in Comme	rce: Jul. 2002		
	ŀ	Basis Information (Ca	se Level)		
Filed U	Jse: No	Currently Use: Yes		Amended Use: No	
Filed	TU: Yes	Currently ITU: No		Amended ITU: No	
Filed 4	14D: No	Currently 44D: No		Amended 44D: No	
Filed 4	14E: No	Currently 44E: No		Amended 44E: No	
Filed 6	66A: No	Currently 66A: No			
Filed No Ba	sis: No	Currently No Basis: No			
	(	Current Owner(s) Info	ormation		
Owner Name	: AvalonBay Communities, Inc.				
	671 N. Glebe Road, Suite 800				
Owner Address.	Arlington, VIRGINIA 22203 UNITED STATES				
Legal Entity Type	: CORPORATION	State or Cour Where Organiz	ntry MARYLAND ed:		
	Atto	rney/Correspondence	Informatio	n	
		Attorney of Record			
Docket Number:	673964100012				
		Correspondent			
Correspondent Name/Address	t Brent D. Sokol, Anna E. Raime : JONES DAY 555 SOUTH FLOWER STREE LOS ANGELES, CALIFORNIA UNITED STATES	T, 50TH FLOOR			
Phone	213.489.3939	F	ax: 213.243.2539		
	<ul> <li>laprosecution@jonesday.com</li> <li>com aeraimer@jonesday.com</li> <li>sday.com nytef@jonesday.con</li> </ul>	vmittongtare@jone mail Authoriz			
		Domestic Representative - Not	Found		
		<b>Prosecution Histo</b>	ory		
Date	Description				Proceeding
	•				Number
,	TICE OF ACCEPTANCE OF SE GISTERED AND RENEWED (FI				69615
	GISTERED - SEC. 9 GRANTED/	,			69615
	GISTERED - PARTIAL SEC. 8 (1				69615

69615

- Jan. 24, 2017 CASE ASSIGNED TO POST REGISTRATION PARALEGAL
- Nov. 15, 2016 TEAS SECTION 8 & 9 RECEIVED
- Nov. 15, 2016 TEAS CHANGE OF CORRESPONDENCE RECEIVED
- Nov. 21, 2015 COURTESY REMINDER SEC. 8 (10-YR)/SEC. 9 E-MAILED

Sep. 21, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 21, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Sep. 21, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Aug. 30, 2012	TEAS SECTION 8 & 15 RECEIVED	
Aug. 29, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 08, 2008	NOTICE OF SUIT	
Nov. 21, 2006	REGISTERED-PRINCIPAL REGISTER	
Oct. 10, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Sep. 29, 2006	ASSIGNED TO LIE	68171
Sep. 25, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 11, 2006	STATEMENT OF USE PROCESSING COMPLETE	66530
Jul. 20, 2006	USE AMENDMENT FILED	66530
Jul. 27, 2006	PAPER RECEIVED	
Jan. 19, 2006	EXTENSION 3 GRANTED	98765
Jan. 19, 2006	EXTENSION 3 FILED	98765
Jan. 19, 2006	TEAS EXTENSION RECEIVED	
Jul. 19, 2005	EXTENSION 2 GRANTED	98765
Jul. 19, 2005	EXTENSION 2 FILED	98765
Jul. 19, 2005	TEAS EXTENSION RECEIVED	
Jul. 06, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 22, 2004	EXTENSION 1 GRANTED	71034
Sep. 20, 2004	EXTENSION 1 FILED	71034
Oct. 22, 2004	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2004	DIVISIONAL REQUEST RECEIVED	
Feb. 27, 2004	PAPER RECEIVED	
Sep. 20, 2004	PAPER RECEIVED	
Aug. 27, 2004	CASE FILE IN TICRS	
Jul. 20, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 27, 2004	PUBLISHED FOR OPPOSITION	
Apr. 07, 2004	NOTICE OF PUBLICATION	
Feb. 02, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 20, 2004	EXAMINERS AMENDMENT MAILED	
Jul. 29, 2003	NON-FINAL ACTION MAILED	
May 08, 2003	REINSTATED	70458
Mar. 28, 2003	PAPER RECEIVED	
Jan. 09, 2003	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 15, 2002	NON-FINAL ACTION MAILED	
Apr. 30, 2002	ASSIGNED TO EXAMINER	74782
Apr. 30, 2002	ASSIGNED TO EXAMINER	73706
Dec. 31, 2001	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	
Dec. 31, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	

# **Maintenance Filings or Post Registration Information**

Affidavit of Section 8 - Accepted Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Nov. 21, 2016

Change in Yes Registration:

### **TM Staff and Location Information**

TM Staff Information - None

### Proceedings

Summary Number of	1			
Proceedings:	I			
	Type of Pr	roceeding: Cancellation		
Proceeding Number:	92062400	Filing Date: Apr 27, 2018		
Status:	Pending	Status Date: Oct 06, 2015		
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
		Defendant		
Name:	Avalon IP Holding Co., LLC			
	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL , 60602 UNITED STATES			
		om , temanuelson@ngelaw.com , dcesek@ngelaw.com e@nge.com , afuelleman@nge.com , mhoffman@nge		
Associated marks				
Mark		Application Status	Serial Number	Registration Number
AVALON		Cancellation Pending	<u>77603359</u>	<u>4043653</u>
		Plaintiff(s)		
Name:	AvalonBay Communities, Inc.			
Correspondent	BRENT D SOKOL			
Åddress: Correspondent e-	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOF LOS ANGELES CA, 90071 UNITED STATES bdsokol@jonesday.com, aeraimer@jon	nesday.com , laprosecution@jonesday.com , lrefinetti@	⊉jonesday.com ,	
Åddress: Correspondent e- mail:	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA, 90071 UNITED STATES	nesday.com , laprosecution@jonesday.com , lrefinetti@	<u>⊉jonesday.com</u> ,	
Åddress: Correspondent e- mail:	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA, 90071 UNITED STATES bdsokol@jonesday.com, aeraimer@jon	nesday.com , laprosecution@jonesday.com , lrefinetti@		
Åddress: Correspondent e- mail:	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA, 90071 UNITED STATES bdsokol@jonesday.com, aeraimer@jon	nesday.com , laprosecution@jonesday.com , lrefinetti@	<mark>⊉jonesday.com</mark> , Serial Number	
Áddress: Correspondent e- mail: Associated marks Mark	JONES DAY 555 S FLOWER STREET, 50TH FLOOF LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones	nesday.com , laprosecution@jonesday.com , lrefinetti@ sday.com	Serial	
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES	JONES DAY 555 S FLOWER STREET, 50TH FLOOF LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones	nesday.com , laprosecution@jonesday.com , lrefinetti@ sday.com Application Status	Serial Number	Number
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALONBAY	JONES DAY 555 S FLOWER STREET, 50TH FLOOF LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones	Application Status	Serial Number 74456785	Number           1871559
Address: Correspondent e- mail: Associated marks Mark WALON PROPERTIES WALONBAY WALON	JONES DAY 555 S FLOWER STREET, 50TH FLOOF LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones	Application Status Renewed Renewed	Serial Number 74456785 78093244	Number           1871559           2618414
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALONBAY VALON VALON	JONES DAY 555 S FLOWER STREET, 50TH FLOOF LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S	Application Status Renewed Renewed Renewed Renewed	Serial Number 74456785 78093244 78096245	Number           1871559           2618414           2799153
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON AVALON VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOF LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S	Application Status Renewed Renewed Renewed Renewed Renewed Renewed	Serial Number 74456785 78093244 78096245 78109950	Number           1871559           2618414           2799153           2887466
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON AVALON COMMUNITIE VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES	Application Status Renewed	Serial Number 74456785 78093244 78096245 78109950 78975698	Number           1871559           2618414           2799153           2887466           2931998
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON COMMUNITIES	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975290	Number           1871559           2618414           2799153           2887466           2931998           2950374
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES	Application Status Renewed	Serial Number 74456785 78093244 78096245 78109950 78975698 78975698 78975685	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975685           78975686	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379
Áddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jone mwilliams@jonesday.com , nytef@jones S ES ES ES	Application Status Renewed	Serial Number 74456785 78093244 78096245 78109950 78975698 78975698 78975685 78975685 78975686 78975686	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896
Address: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES ES ES	Application Status           Application Status           Renewed	Serial Number 74456785 78093244 78096245 78109950 78975698 78975698 78975685 78975685 78975686 78975686	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668
Address: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES ES ES ES ES	Application Status           Application Status           Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975698           78975685           78975686           78455252           78093503           78093504	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668           3174681
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIES AVALON PROPERTIES AVALON PROPERTIES AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES ES ES ES ES	Application Status           Application Status           Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975698           78975686           78975686           78455252           7809303           78099074           78099077	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950379           3101896           3154668           3174681           3419667
Address: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON PROPERTIES VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES ES ES ES ES	Application Status          Application Status         Renewed         Section 8 and 15 - Accepted and Acknowledged         Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975698           78975686           78975686           78093203           7809303           78099074           78112367	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668           3174681           3419667           3423982
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIES AVALON PROPERTIES AVALON PROPERTIES AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES ES ES ES ES	Application Status           Application Status           Renewed           Section 8 and 15 - Accepted and Acknowledged           Renewed           Section 8 and 15 - Accepted and Acknowledged	Serial Number           74456785           78093244           78096245           78109950           78975698           78975698           78975686           78975686           78093203           7809303           78099074           78112367	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668           3174681           3419667           3423982
Àddress: Correspondent e- mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES ES ES ES ES ES	Application Status Renewed	Serial Number           74456785           78093244           78093244           78096245           78109950           78975698           78975698           78975685           78975686           78093503           78099074           78112367           77073494	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668           3174681           3419667           3423982           3523079
Address: Correspondent e- mail: Associated marks Mark AVALON PROPERTIES AVALON PROPERTIES AVALON COMMUNITIE AVALON COMMUNITIE	JONES DAY 555 S FLOWER STREET, 50TH FLOOP LOS ANGELES CA , 90071 UNITED STATES bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones S ES ES ES ES ES ES ES ES ES	Application Status           Application Status           Renewed           Section 8 and 15 - Accepted and Acknowledged           Renewed           Section 8 and 15 - Accepted and Acknowledged	Serial Number         74456785         78093244         78096245         78109950         78975698         78975698         78975686         78975686         78093201         78975686         78975686         7809303         78099074         78099075         78112367         7073494	1871559         2618414         2799153         2887466         2931998         2950374         2950379         3101896         3154668         3174681         3419667         3423982         3523079

4	P CERTIFICATE OF SERVICE	Oct 07, 2015
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015
6	EXTENSION OF TIME GRANTED	Nov 13, 2015
7	ANSWER	Dec 16, 2015
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016
11	P OPP/RESP TO MOTION	Jul 08, 2016
12	P OPP/RESP TO MOTION	Jul 08, 2016
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
15	TRIAL DATES RESET	Nov 21, 2016
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017
18	P OPP/RESP TO MOTION	Jan 25, 2017
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017
23	PROCEEDINGS RESUMED	Sep 19, 2017
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017
25	SUSPENDED	Nov 01, 2017
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018
29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 16, 41, and 45

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 3,174,681 Registered Nov. 21, 2006

TRADEMARK SERVICE MARK PRINCIPAL REGISTER



AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: PAPER AND CARDBOARD ARTICLES NAMELY CALENDARS, POSTCARDS, POSTERS, BALL POINT PENS; PRINTED GUIDES FOR REAL PROPERTY; PRINTED GUIDES FOR RESIDENTIAL SERVICES, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 8-0-1999; IN COMMERCE 8-0-1999.

FOR: PROVIDING ONLINE INFORMATION AND LISTINGS OF THE SOCIAL EVENTS OF OTHERS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-0-2002; IN COMMERCE 7-0-2002.

FOR: PROVIDING ONLINE INFORMATION RE-GARDING THE SECURITY GOODS AND SERVI-CES OF OTHERS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 7-0-2002; IN COMMERCE 7-0-2002.

OWNER OF U.S. REG. NO. 1,871,559.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMMUNITIES", APART FROM THE MARK AS SHOWN.

SN 78-099,074, FILED 12-18-2001.

KAREN BRACEY, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2018-07-17 13:31:57 EDT

Mark: AVALON COMMUNITIES



 US Serial Number:
 78099077
 Application Filing Dec. 18, 2001 Date:

 US Registration Number:
 3419667
 Registration Date:
 Apr. 29, 2008

 Register:
 Principal
 Registration Date:
 Apr. 29, 2008

 Mark Type:
 Trademark, Service Mark
 Status:
 A Sections 8 and 15 combined declaration has been accepted and acknowledged.

 Status Date:
 Apr. 24, 2014
 Notice of Aug. 10, 2004

Allowance Date:

#### **Mark Information**

Mark Literal AVALON COMMUNITIES Elements:

Standard Character No

Claim:

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

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

Disclaimer: "COMMUNITIES"

Design Search 26.17.25 - Other lines, bands or bars

Code(s):

### **Related Properties Information**

Claimed Ownership 1871559 of US Registrations:

Parent Of: 78975685

#### **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: Providing online information and listings of the social events of others, namely, organizing, arranging, and hosting social events, get togethers, and parties for community members

 International
 041 - Primary Class
 U.S Class(es):
 100, 101, 107

 Class Status:
 ACTIVE

 Basis:
 1(a)

 First Use:
 Jul. 2002
 Use in Commerce:

 For:
 [ calendars; posters; ] ball point pens; printed guides for real property; printed guides for residential services

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

 Class Status:
 ACTIVE

 Basis:
 1(a)

First Use: Aug. 1999

Use in Commerce: Aug. 1999

### **Basis Information (Case Level)**

Filed Use:NoFiled ITU:YesFiled 44D:NoFiled 44E:NoFiled 66A:NoFiled No Basis:No

Currently Use:YesCurrently ITU:NoCurrently 44D:NoCurrently 44E:NoCurrently 66A:No

Currently No Basis: No

### **Current Owner(s) Information**

Owner Name: AvalonBay Communities, Inc.

Owner Address: 671 N. Glebe Road, Suite 800 Arlington, VIRGINIA 22203 UNITED STATES

Legal Entity Type: CORPORATION

State or Country MARYLAND Where Organized:

### **Attorney/Correspondence Information**

	Attorney of Record			
Attorney Name:	Brent D. Sokol	Docket Number:	267/028	
		Correspondent		
Correspondent Name/Address:	Brent D. Sokol, Anna E. Raimer, Alexis A. Houle JONES DAY 555 South Flower Street, 50th Floor Patent Prosecution Department LOS ANGELES, CALIFORNIA 90071 UNITED STATES			
Phone:	(213) 489-3939	Fax:	(213) 243-2539	
	laprosecution@jonesday.com bdsokol@jonesday. com aeraimer@jonesday.com ahoule@jonesday. com vmittongtare@jonesday.com	Correspondent e- mail Authorized:	Yes	

**Domestic Representative - Not Found** 

### **Prosecution History**

Date	Description	Proceeding Number
Apr. 29, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Apr. 24, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 24, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69934
Apr. 10, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	69934
Apr. 24, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69934
Apr. 10, 2014	TEAS SECTION 8 & 15 RECEIVED	
Mar. 31, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 08, 2008	NOTICE OF SUIT	
Apr. 29, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 24, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	65864
Mar. 21, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 05, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	65864
Mar. 05, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	65864
Mar. 03, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 03, 2008	PETITION TO REVIVE-GRANTED	88889
Mar. 03, 2008	TEAS PETITION TO REVIVE RECEIVED	
Jan. 03, 2008	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Jan. 03, 2008	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
May 30, 2007	FINAL REFUSAL MAILED	

Amended Use: No Amended ITU: No Amended 44D: No

Amended 44E: No

May 30, 2007	SU - FINAL REFUSAL - WRITTEN	74782
May 10, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	65864
May 10, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	65864
May 10, 2007	ASSIGNED TO LIE	65864
Apr. 18, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 18, 2006	NON-FINAL ACTION MAILED	
Oct. 18, 2006	SU - NON-FINAL ACTION - WRITTEN	74782
Sep. 19, 2006	STATEMENT OF USE PROCESSING COMPLETE	61756
Aug. 10, 2006	USE AMENDMENT FILED	61756
Aug. 14, 2006	PAPER RECEIVED	
Feb. 08, 2006	EXTENSION 3 GRANTED	98765
Feb. 08, 2006	EXTENSION 3 FILED	98765
Feb. 08, 2006	TEAS EXTENSION RECEIVED	
Aug. 08, 2005	EXTENSION 2 GRANTED	98765
Aug. 08, 2005	EXTENSION 2 FILED	98765
Aug. 08, 2005	TEAS EXTENSION RECEIVED	
Jul. 06, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 22, 2004	EXTENSION 1 GRANTED	71034
Sep. 20, 2004	EXTENSION 1 FILED	71034
Oct. 22, 2004	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2004	DIVISIONAL REQUEST RECEIVED	
Sep. 20, 2004	PAPER RECEIVED	
Aug. 20, 2004	CASE FILE IN TICRS	
Aug. 10, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 18, 2004	PUBLISHED FOR OPPOSITION	
Apr. 28, 2004	NOTICE OF PUBLICATION	
Mar. 10, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 2004	EXAMINERS AMENDMENT MAILED	
Feb. 12, 2004	EXAMINERS AMENDMENT MAILED	
Jan. 29, 2004	ASSIGNED TO EXAMINER	74782
Jan. 23, 2004	REINSTATED	71359
Jan. 16, 2004	PETITION TO REVIVE-RECEIVED	
Jan. 20, 2004	PAPER RECEIVED	
Jan. 16, 2004	FAX RECEIVED	
Nov. 19, 2003	PETITION TO REVIVE-DENIED	71359
Mar. 28, 2003	PETITION TO REVIVE-RECEIVED	
Mar. 28, 2003	PAPER RECEIVED	
Jan. 09, 2003	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 15, 2002	NON-FINAL ACTION MAILED	
Apr. 30, 2002	ASSIGNED TO EXAMINER	74782
Apr. 30, 2002	ASSIGNED TO EXAMINER	73706
	Maintananas Filings on Dost Desistuation Information	

### **Maintenance Filings or Post Registration Information**

Affidavit of Section 8 - Accepted Continued Use: Affidavit of Section 15 - Accepted

Incontestability:

### **TM Staff and Location Information**

TM Staff Information - None

File Location

Date in Location: Apr. 24, 2014

Current Location: TMO LAW OFFICE 116

### Proceedings

Sumr	narv
ouiiii	nun y

Number of 1

Number of Proceedings:	1			
	Type of Pr	roceeding: Cancellation		
Proceeding Number:		Filing Date: Apr 27, 2018		
Status:	Pending Status Date: Oct 06, 2015			
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
		Defendant		
Name:	Avalon IP Holding Co., LLC			
	<ul> <li>LEE J EULGEN</li> <li>NEAL GERBER &amp; EISENBERG LLP</li> <li>2 N LASALLE ST SUITE 1700</li> <li>CHICAGO IL , 60602</li> <li>UNITED STATES</li> </ul>			
Correspondent e- mail:	knye@ngelaw.com , leulgen@ngelaw.co @ngelaw.com , leulgen@nge.com , knye	om , temanuelson@ngelaw.com , dcesek@ngelaw.com , E e@nge.com , afuelleman@nge.com , mhoffman@nge.com	CFDocket@ngelaw.co , ecfdocket@nge.com	<u>ım</u> , <u>mhoffman</u> <u>1</u>
Associated marks				
Mark		Application Status	Serial Number	Registratio Number
AVALON		Cancellation Pending	77603359	<u>4043653</u>
		Plaintiff(s)		
Name:	AvalonBay Communities, Inc.			
	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOF LOS ANGELES CA, 90071 UNITED STATES	3		
Correspondent e- mail:	bdsokol@jonesday.com , aeraimer@jon mwilliams@jonesday.com , nytef@jones	<pre>nesday.com , laprosecution@jonesday.com , lrefinetti@jone sday.com</pre>	<u>sday.com</u> ,	
Associated marks				
Mark		Application Status	Serial Number	Registratio Number
AVALON PROPERTIE	S	Renewed	74456785	<u>1871559</u>
AVALONBAY		Renewed	78093244	<u>2618414</u>
AVALON		Renewed	78096245	<u>2799153</u>
AVALON		Renewed	<u>78109950</u>	<u>2887466</u>
AVALON COMMUNITI	ES	Renewed	<u>78975698</u>	<u>2931998</u>
AVALONBAY		Renewed	<u>78975290</u>	<u>2950374</u>
AVALON COMMUNITI	ES	Renewed	<u>78975685</u>	<u>2950378</u>
AVALON COMMUNITI	ES	Renewed	<u>78975686</u>	<u>2950379</u>
AVALON		Renewed	78455252	<u>3101896</u>
AVALONBAY		Renewed	78093503	<u>3154668</u>

 AVALON COMMUNITIES
 Renewed

 AVALON COMMUNITIES
 Section 8 and 15 - Accepted and Acknowledged

 AVALON COMMUNITIES
 Renewed

 AVALON
 Section 8 and 15 - Accepted and Acknowledged

 AVALON
 Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2015	Nov 16, 2015
3	PENDING, INSTITUTED	Oct 07, 2015	
4	P CERTIFICATE OF SERVICE	Oct 07, 2015	
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015	
6	EXTENSION OF TIME GRANTED	Nov 13, 2015	
7	ANSWER	Dec 16, 2015	

78099074

78099077

<u>78112367</u>

77073494

<u>3174681</u>

<u>3419667</u>

3423982

3523079

8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016
11	P OPP/RESP TO MOTION	Jul 08, 2016
12	P OPP/RESP TO MOTION	Jul 08, 2016
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
15	TRIAL DATES RESET	Nov 21, 2016
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017
18	P OPP/RESP TO MOTION	Jan 25, 2017
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017
23	PROCEEDINGS RESUMED	Sep 19, 2017
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017
25	SUSPENDED	Nov 01, 2017
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018
29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 16 and 41

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 3,419,667 Registered Apr. 29, 2008

#### TRADEMARK SERVICE MARK PRINCIPAL REGISTER



AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: CALENDARS; POSTERS; BALL POINT PENS; PRINTED GUIDES FOR REAL PROPERTY; PRINTED GUIDES FOR RESIDENTIAL SERVICES, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 8-0-1999; IN COMMERCE 8-0-1999.

FOR: PROVIDING ONLINE INFORMATION AND LISTINGS OF THE SOCIAL EVENTS OF OTHERS, NAMELY, ORGANIZING, ARRANGING, AND HOSTING SOCIAL EVENTS, GET TOGE- THERS, AND PARTIES FOR COMMUNITY MEMBERS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-0-2002; IN COMMERCE 7-0-2002.

OWNER OF U.S. REG. NO. 1,871,559.

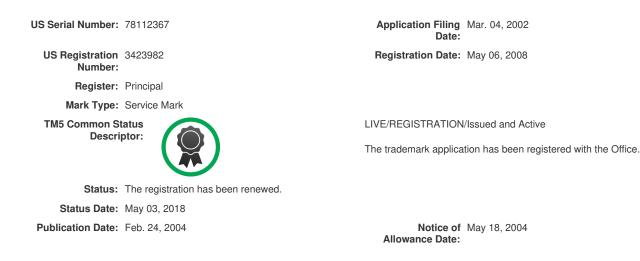
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMMUNITIES" , APART FROM THE MARK AS SHOWN.

SN 78-099,077, FILED 12-18-2001.

KAREN BRACEY, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2018-07-17 13:32:37 EDT

Mark: AVALON COMMUNITIES



### **Mark Information**

Mark Literal AVALON COMMUNITIES Elements: Standard Character No Claim: Mark Drawing 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S) Type:

Disclaimer: "COMMUNITIES"

### **Related Properties Information**

Claimed Ownership 1871559, 2618414 of US Registrations: Parent Of: 78975698

### **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: REAL ESTATE APPRAISAL, INVESTMENT, AND FINANCIAL VALUATION

International 036 - Primary Class

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1999

Use in Commerce: Jun. 1999

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

For: [DISSEMINATION OF ADVERTISING FOR OTHERS]

International 035 - Primary Class Class(es):

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

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: May 2006

Use in Commerce: May 2006

### **Basis Information (Case Level)**

Filed Use:NoCurrently Use:YesFiled ITU:YesCurrently ITU:NoFiled 44D:NoCurrently 44D:NoFiled 44E:NoCurrently 44E:NoFiled 66A:NoCurrently 66A:NoFiled No Basis:NoCurrently No Basis:No

### **Current Owner(s) Information**

Owner Name: AvalonBay Communities, Inc.

Owner Address: 671 N. Glebe Road, Suite 800 Arlington, VIRGINIA UNITED STATES 22203

Legal Entity Type: CORPORATION

State or Country MARYLAND Where Organized:

### **Attorney/Correspondence Information**

Attorney of Record			
Attorney Name:	Brent D. Sokol	Docket Number:	673964100020
Attorney Primary Email Address:	laprosecution@jonesday.com	Attorney Email Authorized:	Yes
	Corr	espondent	
Correspondent Name/Address:			
Phone:	(213) 243-2396	Fax:	(213) 243-2539
	laprosecution@jonesday.com bdsokol@jonesday. com aeraimer@jonesday.com vmittongtare@jone sday.com nytef@jonesday.com	Correspondent e- mail Authorized:	Yes
Domestic Representative - Not Found			
Dressoution History			

#### **Prosecution History**

Date	Description	Proceeding Number
May 03, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
May 03, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
May 03, 2018	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	68502
May 03, 2018	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	68502
May 03, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Apr. 24, 2018	TEAS SECTION 8 & 9 RECEIVED	
May 06, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Apr. 24, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 24, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Apr. 10, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	77315
Apr. 24, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Apr. 10, 2014	TEAS SECTION 8 & 15 RECEIVED	
Mar. 31, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

Amended Use: No Amended ITU: No Amended 44D: No Amended 44E: No

Oct. 08, 2008	NOTICE OF SUIT	
May 06, 2008	REGISTERED-PRINCIPAL REGISTER	
Apr. 02, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	68691
Apr. 02, 2008	ASSIGNED TO LIE	68691
Mar. 24, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 24, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 24, 2008	SU-EXAMINER'S AMENDMENT WRITTEN	76625
Aug. 27, 2007	NON-FINAL ACTION MAILED	
Aug. 27, 2007	SU - NON-FINAL ACTION - WRITTEN	76625
Aug. 01, 2007	STATEMENT OF USE PROCESSING COMPLETE	76874
May 18, 2007	USE AMENDMENT FILED	76874
May 18, 2007	TEAS STATEMENT OF USE RECEIVED	
Jan. 13, 2007	EXTENSION 5 GRANTED	64657
Nov. 17, 2006	EXTENSION 5 FILED	64657
Nov. 17, 2006	TEAS EXTENSION RECEIVED	
May 18, 2006	EXTENSION 4 GRANTED	98765
May 18, 2006	EXTENSION 4 FILED	98765
May 18, 2006	TEAS EXTENSION RECEIVED	
Nov. 17, 2005	EXTENSION 3 GRANTED	98765
Nov. 17, 2005	EXTENSION 3 FILED	98765
Nov. 17, 2005	TEAS EXTENSION RECEIVED	
Jul. 06, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 16, 2005	EXTENSION 2 GRANTED	98765
May 16, 2005	EXTENSION 2 FILED	98765
May 16, 2005	TEAS EXTENSION RECEIVED	00,00
Oct. 25, 2004	EXTENSION 1 GRANTED	65362
Sep. 20, 2004	EXTENSION 1 FILED	65362
Oct. 25, 2004	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2004	DIVISIONAL REQUEST RECEIVED	
Sep. 20, 2004	PAPER RECEIVED	
Jun. 25, 2004	CASE FILE IN TICRS	
May 18, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 24, 2004	PUBLISHED FOR OPPOSITION	
Feb. 04, 2004	NOTICE OF PUBLICATION	
Jan. 01, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 31, 2004	EXAMINERS AMENDMENT MAILED	
Dec. 17, 2003	EXAMINERS AMENDMENT MALED	
		76625
Dec. 16, 2003	ASSIGNED TO EXAMINER	70025
Sep. 04, 2003	FINAL REFUSAL MAILED	74665
Jun. 23, 2003	ASSIGNED TO EXAMINER	74665
Jun. 13, 2003	PETITION TO REVIVE BECEIVED	69690
Apr. 10, 2003	PETITION TO REVIVE-RECEIVED	
Apr. 10, 2003		
Feb. 06, 2003	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 09, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 26, 2002	NON-FINAL ACTION MAILED	74005
Jun. 18, 2002	ASSIGNED TO EXAMINER	74665

# **Maintenance Filings or Post Registration Information**

Affidavit of<br/>Continued Use:Section 8 - AcceptedAffidavit of<br/>Incontestability:Section 15 - AcceptedRenewal Date:May 06, 2018Change in<br/>Yes

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: May 03, 2018

### Proceedings

Number of				
Proceedings:	1			
	Type of Pro	oceeding: Cancellation		
Proceeding Number:		Filing Date: Apr 27, 2018		
Status:	Pending	Pending Status Date: Oct 06, 2015		
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
		Defendant		
Name:	Avalon IP Holding Co., LLC			
	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL UNITED STATES , 60602			
		m , temanuelson@ngelaw.com , dcesek@ngelaw.com , @nge.com , atuelleman@nge.com , mhoffman@nge.com		
Associated marks				
Mark		Application Status	Serial Number	Registration Number
AVALON		Cancellation Pending	77603359	4043653
		Plaintiff(s)		
Name:	AvalonBay Communities, Inc.			
	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA UNITED STATES, 9			
Correspondent e-		0071		
	bdsokol@jonesday.com , aeraimer@jone mwilliams@jonesday.com , nytef@jonesc	esday.com, laprosecution@jonesday.com, lrefinetti@jor	nesday.com ,	
mail:		esday.com, laprosecution@jonesday.com, lrefinetti@jor	nesday.com ,	
mail:		esday.com, laprosecution@jonesday.com, lrefinetti@jor	nesday.com , Serial Number	Registration Number
mail: Associated marks Mark	mwilliams@jonesday.com , nytef@jonesc	esday.com , laprosecution@jonesday.com , lrefinetti@jor day.com	Serial	
mail: Associated marks Mark AVALON PROPERTIES	mwilliams@jonesday.com , nytef@jonesc	esday.com , laprosecution@jonesday.com , lrefinetti@jor day.com Application Status	Serial Number	Number
mail: Associated marks Mark AVALON PROPERTIE: AVALONBAY	mwilliams@jonesday.com , nytef@jonesc	Application Status Renewed	Serial Number 74456785	Number 1871559
mail: Associated marks Mark AVALON PROPERTIE: AVALONBAY AVALON	mwilliams@jonesday.com , nytef@jonesc	Application Status Renewed Renewed	Serial Number 74456785 78093244	Number           1871559           2618414
mail: Associated marks Mark AVALON PROPERTIES AVALON AVALON	<u>mwilliams@jonesday.com</u> , <u>nytef@jonesc</u>	Application Status Renewed Renewed Renewed	Serial Number 74456785 78093244 78096245	Number           1871559           2618414           2799153
mail: Associated marks Mark AVALON PROPERTIE: AVALON PROPERTIE: AVALON AVALON AVALON COMMUNITIE	<u>mwilliams@jonesday.com</u> , <u>nytef@jonesc</u>	Application Status Renewed Renewed Renewed Renewed Renewed Renewed	Serial Number 74456785 78093244 78096245 78109950	Number           1871559           2618414           2799153           2887466
mail: Associated marks Mark VALON PROPERTIE: VALONBAY VALON VALON VALON COMMUNITIE VALONBAY	<u>mwilliams@jonesday.com</u> , <u>nytef@jonesc</u> S ES	Application Status Renewed	Serial Number 74456785 78093244 78096245 78109950 78975698	Number           1871559           2618414           2799153           2887466           2931998
mail: Associated marks Mark AVALON PROPERTIES AVALON BAY AVALON AVALON COMMUNITIE AVALON BAY AVALON COMMUNITIE	<u>mwilliams@jonesday.com</u> , <u>nytef@jonesc</u> S ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975290	Number           1871559           2618414           2799153           2887466           2931998           2950374
mail: Associated marks Mark AVALON PROPERTIES AVALON PROPERTIES AVALON BAY AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE	<u>mwilliams@jonesday.com</u> , <u>nytef@jonesc</u> S ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975290           78975685	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378
mail: Associated marks Mark VALON PROPERTIES VALON BAY VALON VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	<u>mwilliams@jonesday.com</u> , <u>nytef@jonesc</u> S ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975686	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950379
mail: Associated marks Mark AVALON PROPERTIES AVALON PROPERTIES AVALON AVALON AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE	mwilliams@jonesday.com , nytef@jonesd S ES ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975698           78975685           78975686           78975686	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950379           3101896
mail: Associated marks Mark AVALON PROPERTIES AVALON PROPERTIES AVALON AVALON AVALON COMMUNITIES AVALON COMMUNITIES AVALON COMMUNITIES AVALON COMMUNITIES AVALON COMMUNITIES AVALON COMMUNITIES	mwilliams@jonesday.com , nytef@jonesd S ES ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975290           78975685           78975686           78455252           78093503	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668
mail: Associated marks	mwilliams@jonesday.com , nytef@jonesd S ES ES ES ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975685           78975686           78093503           78093503           78099074	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668           3174681
mail: Associated marks Mark AVALON PROPERTIE: AVALON PROPERTIE: AVALON BAY AVALON AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE AVALON COMMUNITIE	mwilliams@jonesday.com , nytef@jonesd S ES ES ES ES ES	Application Status Renewed Ren	Serial Number           74456785           78093244           78096245           78109950           78975698           78975685           78975686           78455252           7809303           78099074           78099077	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668           3174681           3419667
mail: Associated marks Mark VALON PROPERTIES VALON PROPERTIES VALON AVALON VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE VALON COMMUNITIE	mwilliams@jonesday.com , nytef@jonesd S ES ES ES ES ES	Application Status Renewed	Serial Number           74456785           78093244           78096245           78109950           78975698           78975698           78975685           78975686           78093503           78099074           78099077           78112367	Number           1871559           2618414           2799153           2887466           2931998           2950374           2950378           2950379           3101896           3154668           3174681           3419667           3423982

1	FILED AND FEE	Oct 06, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2015	Nov 16, 2015
3	PENDING, INSTITUTED	Oct 07, 2015	
4	P CERTIFICATE OF SERVICE	Oct 07, 2015	
5	D MOT FOR EXT W/ CONSENT	Nov 13, 2015	
6	EXTENSION OF TIME GRANTED	Nov 13, 2015	
7	ANSWER	Dec 16, 2015	
8	D MOT FOR EXT W/O CONSENT	Jun 23, 2016	
9	D MOT TO COMPEL DISCOVERY	Jun 23, 2016	
10	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2016	
11	P OPP/RESP TO MOTION	Jul 08, 2016	
12	P OPP/RESP TO MOTION	Jul 08, 2016	
13	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016	
15	TRIAL DATES RESET	Nov 21, 2016	
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016	
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017	
18	P OPP/RESP TO MOTION	Jan 25, 2017	
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017	
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017	
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017	
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017	
23	PROCEEDINGS RESUMED	Sep 19, 2017	
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017	
25	SUSPENDED	Nov 01, 2017	
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017	
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018	
29	EXTENSION OF TIME GRANTED	Jan 11, 2018	
30	D OPP/RESP TO MOTION	Jan 16, 2018	
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018	
32	SUSPENDED	Jan 26, 2018	
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018	
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018	
35	SUSPENDED	Mar 08, 2018	
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018	
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018	
38	SUSPENDED	Apr 26, 2018	
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018	
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018	
41	SUSPENDED	May 09, 2018	
42	TRIAL DATES RESET	May 10, 2018	
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018	
44	EXTENSION OF TIME GRANTED	Jun 27, 2018	

Int. Cls.: 35 and 36

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

United States Patent and Trademark Office

Reg. No. 3,423,982 Registered May 6, 2008

#### SERVICE MARK PRINCIPAL REGISTER

#### **AVALON COMMUNITIES**

AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) 2900 EISENHOWER AVENUE, SUITE 300 ALEXANDRIA, VA 22314

FOR: DISSEMINATION OF ADVERTISING FOR OTHERS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-0-2006; IN COMMERCE 5-0-2006.

FOR: REAL ESTATE APPRAISAL, INVESTMENT, AND FINANCIAL VALUATION, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-0-1999; IN COMMERCE 6-0-1999.

OWNER OF U.S. REG. NOS. 1,871,559 AND 2,618,414.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMMUNITIES", APART FROM THE MARK AS SHOWN.

SN 78-112,367, FILED 3-4-2002.

MARIA-VICTORIA SUAREZ, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2018-07-17 13:33:08 EDT

Mark: AVALON

# **AVALON**

US Serial Number:	77073494	Application Filing Date:	Dec. 29, 2006
US Registration Number:	3523079	Registration Date:	Oct. 28, 2008
Register:	Principal		
Mark Type:	Trademark, Service Mark		
Status:	A Sections 8 and 15 combined declaration has been acc	cepted and acknowle	dged.
Status Date:	Nov. 06, 2014		
Publication Date:	Aug. 12, 2008		

### **Mark Information**

Mark Literal AVALON Elements:

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

Mark Drawing 4 - STANDARD CHARACTER MARK

Type:

### **Related Properties Information**

Claimed Ownership 2931998, 2980030, 3101896 and others of US

**Registrations:** 

**-**---- 0.

### **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:	Computer services, namely, providing an online commu	inity for social networ	king
International Class(es):	042 - Primary Class	U.S Class(es):	100, 101
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Dec. 2001	Use in Commerce:	Dec. 2001
For:	Providing recreational and exercise facilities		
International Class(es):	041 - Primary Class	U.S Class(es):	100, 101, 107
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Dec. 2001	Use in Commerce:	Dec. 2001
For:	Real estate development, construction, and maintenance maintenance and repair of buildings	e; and providing onli	ne information in the field of residential services, namely,
International Class(es):	037 - Primary Class	U.S Class(es):	100, 103, 106
Class Status:	ACTIVE		
Basis:	1(a)		

For:       Multi-Brity huasing management, samely real state management: residen ind provider, and provider, indeprovider, and provider, and pro	First Use:	Dec. 1994	Use in Commerce:	Dec. 1994
Class (a):       Class (b):         Class (b):       (a)         First Use:       (a):         For:       Providing online dual stage of real setter: providing online dualstifed advertisements: real setter matheting services: namely. (c) in both off of other, a variety of goods and services to enable customers of conveniently view and purchase three goods and services to conveniently view and purchase three goods and services to enable customers of conveniently view and purchase three goods and services to conveniently view and purchase three goods and services to conveniently view and purchase three goods and services to conveniently view and purchase three goods and services and community information: periodical publications, namely, new letters in the feld of real property, residential support services, and community information: periodical publications, namely, new letters in the feld of real property, residential support services, and community information: periodical publications, namely, new letters in the feld of real property, residential support services, and community information: periodical publications, namely, new letters in the feld of real property, residential support services, and community information.         Class (b):       Class (b):       Olicas(ce):       Olicas(ce):       Olicas(ce):         Class (b):       Class (b):       Class (b):       Olicas(ce):       Olicas(ce):       Olicas(ce):         Class (b):       Class (b):       Class (ce):       Olicas(ce):       Olicas(ce):       Olicas(ce):       Olicas(ce):       Olicas(ce):       Olicas(ce):       Olicas(ce):       Olicas(ce):       O	For:	property; providing online informa		
Basis: 10. First Use: 10. 52, 1999. Use in Commerce: Jun. 26, 1999. For Providing enformation for others in the field of realisticat advertisements and community information. Using particle advertises and the madvelling services. The field of realisticat advertises are interviewed advertisement of community information. Using particle advertises are interviewed advertises are interviewed advertises are interviewed advertises. The field of real property. Printed guides for rea			U.S Class(es):	100, 101, 102
First Use:       Jun 26, 1999       Use in Commerce:       Jun 26, 1999         For:       Providing admine tours and images of real estate, providing adminestation growtices, and community information, bringing together, for the benefit of others, a variety of pocks and services to enable usubmers to conveniently view and purchase those goods and services (or easily providing advertes):         Interactional 038 - Primary Class       U.S. Class(es):       100, 101, 102         Class(es):       Interactional 038 - Primary Class       U.S. Class(es):       100, 101, 102         Class(es):       Interactional 038 - Primary Class       U.S. Class(es):       100, 101, 102         First Use:       Mar. 2001       Use in Commerce: Mar. 2001       Interactional publications, and community information, periodical publications, and community information.         Interactional       Or8 - Primary Class       U.S. Class(es):       002, 003, 022, 023, 028, 037, 038, 050         Class Status       ACTIVE       Basis:       Information (Case Level)         Basis:       In(a)       Entractional (Case Currently Use):       No         Filed Use:       Yes       Currently Use):       No         Filed 440:       No       Currently 440: No       Amended 171: No         Filed 441:       No       Currently 441: No       Amended 442: No         Filed 440:       No       Currently No Basis	Class Status:	ACTIVE		
For:       Providing online tours and images of real estate; providing online classified advertisements; real estate marketing services, namely, providing advertising information; bringing logelither, for the banel of toursents to conveniently information; bringing logelither, for the banel of toursents to conveniently information; bringing logelither, for the banel of toursents to conveniently information; bringing logelither, for the banel of toursents to conveniently information; bringing logelither, for the banel of toursents to conveniently information; bringing logelither, for the banel of toursents to conveniently information; bringing logelither, for the banel of toursents to conveniently information; bringing logelither, for the banel of toursents to conveniently information; bringing logelither, for the banel of toursents; bringing logelither, for the banel	Basis:	1(a)		
brokeling adversing information for others in the field of residential support services and community information. Tenning to geather, for the benefit of others, a variety of goods and services U.S. Class(es): 100, 101, 102 Classes Bistus: ACTIVE Basis: 1a) For: Printed guides for real property. Printed guides for residential support services, and community information. For: Printed guides for real property. Printed guides for residential support services, and community information. For: Printed guides for real property. Printed guides for realdential support services, and community information. Intermettoring of etc. Printed guides for real property. Printed guides for realdential support services, and community information. Printed guides for real property. Printed guides for realdential support services, and community information. Printed guides for real property. Printed guides for realdential support services, and community information. Printed guides for real property. Printed guides for realdential support services, and community information. Printed guides for real property. Printed guides for realdential support services, and community information. Printed guides for real property. Printed guides for realdential support services, and community information. Printed guides for real property. Printed guides for realdential support services, and community information. Printed guides for real property. Printed guides for real property. Printed guides for real property. Printed guides for realdential support services, and community information. Printed guides for real property. Printed guides for real property. Pr	First Use:	Jun. 26, 1999	Use in Commerce:	Jun. 26, 1999
Class (e):	For:	providing advertising information f	for others in the field of residential support s	services and community information; bringing together, for
Basis 1(a) First Use: Mar. 2001 Use in Commerce: Mar. 2001 For: Printed guides for real property, Printed guides for real property, and the field of the field of real property and the field of real property and the field of real property and the field of the field of real property and the field of the field of real property and the field of the fiel			U.S Class(es):	100, 101, 102
First Use: Mar. 2001       Use in Commerce: Mar. 2001         First Use: Mar. 2001       First Use: Mar. 2001         First Use: Mar. 2001       US Class(es): 002. 005, 022. 023, 028, 037, 038, 050         Class(es):       US Class(es): 002. 005, 022. 023, 028, 037, 038, 050         Class(es):       US Class(es): 002. 005, 022. 023, 028, 037, 038, 050         Class Statu:       ACTIVE         Easi:       1(a)         First Use: Mar. 2001       Use in Commerce: Mar. 2001         Design Information (Case Level)         Filed Use: Yes         Amended Use: No         Filed Use: Yes         Currently Use: Yes         Amended Use: No         Filed Hat: No         Currently 440: No         Currently 440: No         Currently 440: No         Elevel No Eurently 440: No         Current Owner(s) Information         Owner Address: 67 1. N. Glebe Road, Suite 800         Altorney of Record         Attorney of Record         Attorney of Record         Attorney Primary (MargOnaled Sav. Ford)         Correspondence Correspondent         Cor	Class Status:	ACTIVE		
For:       Printed guides for real property: Printed guides for residential support services, and community information:         International       1016 - Primary Class       U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050         Class(es):       Class(es):       Class(es):       002, 005, 022, 023, 029, 037, 038, 050         Class(es):       Class(es):       Class(es):       002, 005, 022, 023, 029, 037, 038, 050         Class(es):       Class(es):       Class(es):       002, 005, 022, 023, 029, 037, 038, 050         Class(es):       Class(es):       Class(es):       002, 005, 022, 023, 029, 037, 038, 050         Class(es):       Class(es):       Class(es):       002, 005, 022, 023, 029, 037, 038, 050         Class(es):       Class(es):       Class(es):       002, 005, 022, 023, 029, 037, 038, 050         Class(es):       Class(es):       Class(es):       002, 005, 022, 023, 029, 037, 038, 050         Class(es):       Class(es):       Class(es):       002, 005, 022, 023, 029, 037, 038, 050         Filed Molessie:       ACTIVE       Basis:       No       Amended Molessie:         Filed Molessie:       No       Currently Hab:       No       Amended Mole:       No         Filed 466.8:       No       Currently Molessie:       No       Currently Mole:       No       Amended Mole:       No <th>Basis:</th> <th>1(a)</th> <th></th> <th></th>	Basis:	1(a)		
International 016 - Primary Class U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050 Class(es): Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Mar. 2001 Use in Commerce: Mar. 2001 Basis Information (Case Level) Filed Use: Yos Currently Use: Yos Amended Use: No Filed TU: No Currently 1TU: No Amended Use: No Filed 44D: No Currently 44D: No Amended Use: No Filed 44D: No Currently 44D: No Amended 44D: No Filed 44D: No Currently 44E: No Amended 44E: No Filed 64A: No Currently 44E: No Amended 44E: No Filed 64A: No Currently 44E: No Amended 44E: No Filed 66A: No Currently 44E: No Amended 44E: No Filed 66A: No Currently 44E: No Amended 44E: No Filed 66A: No Currently 44E: No Filed 70: State or Country MARYLAND Where Organized: Legal Entity Type: CORPORATION State or Country MARYLAND Where Organized: Legal Entity Type: CORPORATION State or Country MARYLAND Where Organized: Correspondent Final Address: for 1. Sokol, Ama E. Paimer, Alexis A. Houle Mame/Address: John J. Kim Correspondence Correspondent Mathorized: Correspondent State or Country MARYLAND Market State or Country	First Use:	Mar. 2001	Use in Commerce:	Mar. 2001
International 016 - Primary Class Class(es): 002, 005, 022, 023, 029, 037, 038, 050 Class(es): Class(es): 1(a) First Use: Mar. 2001 Basis Information (Case Level) First Use: Mar. 2001 Basis Information (Case Level) Filed Use: Yos Amended Use: No Filed TU: No Currently Use: Yos Amended TU: No Filed 44D: No Currently 44D: No Amended TU: No Filed 44D: No Currently 44D: No Amended 44D: No Filed 44D: No Currently 44D: No Amended 44E: No Filed 66A: No Currently 66A: No Currently 66A: No Currently 66A: No Currently 66A: No Currently No Basis: No Filed 74D: No Currently Mo Basis: No Filed 74D: No Filed	For:			
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First Use: Mar. 2001       Use in Commerce: Mar. 2001         Basis Information (Case Level)         Filed Use: Yes       Arnended Use: No         Filed HU: No       Currently Use: Yes       Arnended Use: No         Filed 44D: No       Currently HD: No       Arnended HD: No         Filed 44E: No       Currently 44E: No       Arnended 44E: No         Filed 66A: No       Currently 66A: No         Filed 66A: No       Currently 66A: No         Corrent Owner (s) Information         Owner Name: AvalonBay Communities, Inc.         Owner Address:       671 N. Glebe Road, Suite 800         Alexandria, VIRGINIA 22303       UNITED STATES         Legal Entity Type: CORPORATION       State or Country MARYLAND         Where Organized:       Correspondence Information         Attorney of Record       Attorney Franze No         Attorney Primary [kin@jonesday.com       Attorney Email No         Authorized:       Correspondent         Correspondent       Correspondent         Correspondent       Stoton Stote, Soul, Anna E. Raimer, Alexis A. Houle         Mame/Address:       BONE Store, Soult, Soult Floor         Stoton Dopartment       Stoton Popartment         Stoton Popartment       Stoton Popartment         Stoton Ropor Street,	Class Status:	ACTIVE		
Basis Information (Case Level)         Filed Use: Yes       Arrended Use: No         Filed ITU: No       Amended ITU: No         Amended ITU: No       Amended ITU: No         Filed 4D: No       Currently ITU: No       Amended 44D: No         Filed 4D: No       Currently 4D: No       Amended 44D: No         Filed 4D: No       Currently 44E: No       Amended 44E: No         Filed 4AE: No       Currently 66A: No       Europeant of the cols of the co	Basis:	1(a)		
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Filed ITU: No       Currently ITU: No       Amended ITU: No         Filed 44D: No       Currently 44D: No       Amended 44D: No         Filed 44E: No       Currently 44E: No       Amended 44E: No         Filed 66A: No       Currently 66A: No       Amended 44E: No         Filed No Basis: No       Currently No Basis: No       Amended 44E: No         Filed No Basis: No       Currently No Basis: No       Currently Robasis: No         Owner Name: AvalonBay Communities, Inc.       Currently Currently No Basis: No       Currently August         Owner Address: 671 N. Glebe Road, Suite 800 Alexandria, VIRGINA 22033 UNITED STATES       State or Country MARYLAND Where Organized:         Legal Entity Type: CORPORATION       State or Country MARYLAND Where Organized:       Currently August         Attorney Name: John J. Kim       Docket Number: 673964-10002       Attorney Correspondence Enformation         Attorney Primary RivingOnesday.com       Attorney Correspondent       Correspondent         Email Address: JONES DAY S5S South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071       State OR South Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071       State OR South Floor		Ba	sis Information (Case	Level)
Filed ITU: No       Currently ITU: No       Amended ITU: No         Filed 44D: No       Currently 44D: No       Amended 44D: No         Filed 44E: No       Currently 44E: No       Amended 44E: No         Filed 66A: No       Currently 66A: No       Amended 44E: No         Filed No Basis: No       Currently No Basis: No       Amended 44E: No         Filed No Basis: No       Currently No Basis: No       Currently Robasis: No         Owner Name: AvalonBay Communities, Inc.       Currently Currently No Basis: No       Currently August         Owner Address: 671 N. Glebe Road, Suite 800 Alexandria, VIRGINA 22033 UNITED STATES       State or Country MARYLAND Where Organized:         Legal Entity Type: CORPORATION       State or Country MARYLAND Where Organized:       Currently August         Attorney Name: John J. Kim       Docket Number: 673964-10002       Attorney Correspondence Enformation         Attorney Primary RivingOnesday.com       Attorney Correspondent       Correspondent         Email Address: JONES DAY S5S South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071       State OR South Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071       State OR South Floor				· · · · ·
Filed 44D: No       Currently 44D: No       Amended 44D: No         Filed 44E: No       Currently 44E: No       Amended 44D: No         Filed 66A: No       Currently 66A: No       Amended 44E: No         Filed 66A: No       Currently 66A: No       Amended 44E: No         Filed No Basis: No       Currently No Basis: No       Currently 66A: No         Current Owner(s) Information         Owner Address:       671 N. Glebe Road, Suite 800         Alexandria, VIRGINIA 22303       Where Organized:         Legal Entity Type:         CORPORATION         State or Country MARYLAND         Where Organized:       Current Owner (673964-10002         Attorney Of Record         Attorney Primary Indergoeneday.com         Attorney File No         Email Address: JONES DAY         Storespondent         Correspondent         Norespondent         Storespondent         Storespondent         Storespondent	Filed U	l <b>se:</b> Yes	Currently Use: Yes	Amended Use: No
Filed 44E: No       Currently 44E: No       Amended 44E: No         Filed 66A: No       Currently 66A: No         Filed No Basis: No       Currently No Basis: No         Currently No Basis: No         Currently No Basis: No         Currently No Basis: No         Currently No Basis: No         Currently No Basis: No         Owner Name: AvalonBay Communities, Inc.         Owner Address:       671 N. Glebe Road, Suite 800         Alexandria, VIRGINIA 22303       Alexandria, VIRGINIA 22303         OWNER Address:       671 N. Glebe Road, Suite 800         Alexandria, VIRGINIA 22303       Alexandria, VIRGINIA 22303         OWNER Address:       671 N. Glebe Road, Suite 800         Alexandria, VIRGINIA 22303       Mithere Organized:         Legal Entity Type:         CORPORATION         Matter or Country MARYLAND         Where Organized:       Attorney Correspondence Information         Attorney of Record         Attorney Primary       Jikim@ojenesday.com         Email Address:       John J. Kim       Docket Number: 673964-10002         Attorney Primary       Jikim@ojenesday.com       Attorney Enail No         Correspondent	Filed I	TU: No	Currently ITU: No	Amended ITU: No
Filed 664: No       Currently 664: No         Filed No Basis: No       Currently No Basis: No         Current Owner(s) Information         Owner Name:       AvalonBay Communities, Inc.         Owner Address:       671 N. Glebe Road, Suite 800 Alexandria, VIRGINIA 22303 UNITED STATES         Legal Entity Type:       COPORATION         State or Country MARYLAND Where Organized:         Attorney/Correspondence Information         Attorney of Record         Attorney Name:       John J. Kim         Docket Number: 673964-10002         Attorney Primary       ikim@jonesday.com         Email Address:       John J. Kim         Correspondent         Correspondent         Norrespondent	Filed 4	<b>4D:</b> No	Currently 44D: No	Amended 44D: No
Filed No Basis: No         Currently No Basis: No         Current Owner(s) Information         Owner Name: AvalonBay Communities, Inc.         Owner Address:       671 N, Glebe Road, Suite 800 Alexandria, VIRGINIA 22303 UNITED STATES         Legal Entity Type:       CORPORATION       State or Country MARYLAND Where Organized:         Attorney/Correspondence Information         Attorney of Record         Attorney of Record         Attorney Primary Ikim@jonesday.com       Attorney Email No Authorized:         Correspondent         Correspondent         Meme/Address: John J. Kim       Docket Number: 673964-10002         Attorney Fimary Ikim@jonesday.com       Attorney Email No Authorized:         Correspondent         Meme/Address: John J. Kim       Docket Number: 673964-10002         Mattorney Email No Authorized:         Correspondent         Email Address: John J. Kim         Docket Number: 673964-10002         Attorney Email No Authorized:         Correspondent         Brent D. Sokol, Anna E. Raimer, Alexis A. Houle Name/Address: John Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFOR	Filed 4	<b>4E:</b> No	Currently 44E: No	Amended 44E: No
Current Owner(s) Information         Owner Name:       AvalonBay Communities, Inc.         Owner Address:       671 N. Glebe Road, Suite 800 Alexandria, VIRGINIA 22303 UNITED STATES         Legal Entity Type:       CORPORATION         State or Country       MARYLAND Where Organized:         Attorney/Correspondence Information         Attorney of Record         Attorney Name:       John J. Kim         Docket Number:       673964-10002         Attorney Primary       ijkim@jonesday.com         Email Address:       Correspondent         Correspondent       Brent D. Sokol, Anna E. Raimer, Alexis A. Houle Name/Address:         Name/Address:       JONES DAY S55 South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071	Filed 6	<b>6A:</b> No	Currently 66A: No	
Owner Name:       AvalonBay Communities, Inc.         Owner Address:       671 N. Glebe Road, Suite 800 Alexandria, VIRGINIA 22303 UNITED STATES         Legal Entity Type:       CORPORATION         State or Country       MARYLAND Where Organized:         Legal Entity Type:       CORPORATION         State or Country       MARYLAND Where Organized:         Legal Entity Type:       CORPORATION         State or Country       MARYLAND Where Organized:         Matter Organized:       Attorney Organized:         Attorney Name:       John J. Kim         Docket Number:       673964-10002         Attorney Primary       ijkim@jonesday.com         Attorney Email Address:       Correspondent         Correspondent       Correspondent         Name/Address:       JONES DAY S55 South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071	Filed No Bas	sis: No	Currently No Basis: No	
Owner Address:       671 N. Glebe Road, Suite 800 Alexandria, VIRGINIA 22303 UNITED STATES         Legal Entity Type:       CORPORATION         State or Country Where Organized:         Attorney/Correspondence Information         Attorney Name:         John J. Kim         Docket Number:         673964-10002         Attorney Primary         jikim@jonesday.com         Attorney Email         No         Email Address:         JONES DAY         S55 South Flover Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071		Cu	irrent Owner(s) Inform	nation
Alexandria, VIRGINIA 22303 UNITED STATES         Legal Entity Type:       CORPORATION         State or Country MARYLAND Where Organized:         Attorney/Correspondence Information         Attorney Name:       John J. Kim         John J. Kim       Docket Number:         Attorney Primary Email Address:       Grasson         Correspondent       No Authorized:         Correspondent       Sokol, Anna E. Raimer, Alexis A. Houle JONES DAY S55 South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071	Owner Name:	AvalonBay Communities, Inc.		
Where Organized:         Attorney/Correspondence Information         Attorney of Record         Attorney of Record         Attorney Name: John J. Kim       Docket Number: 673964-10002         Attorney Primary       ijkim@jonesday.com         Attorney Email No         Correspondent         Brent D. Sokol, Anna E. Raimer, Alexis A. Houle         Name/Address:       JONES DAY         JONES DAY       S55 South Flower Street, 50th Floor       Fatent Prosecution Department         Los Angeles, CALIFORNIA 90071       Correspondent       Satent Prosecution Department	Owner Address:	Alexandria, VIRGINIA 22303		
Attorney of Record         Attorney Name:       John J. Kim       Docket Number:       673964-10002         Attorney Primary Email Address:       ijkim@jonesday.com       Attorney Email Authorized:       No         Correspondent Name/Address:       Brent D. Sokol, Anna E. Raimer, Alexis A. Houle JONES DAY 555 South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071       Grand Correspondent	Legal Entity Type:	CORPORATION		MARYLAND
Attorney Name:       John J. Kim       Docket Number:       673964-10002         Attorney Primary Email Address:       jikim@jonesday.com       Attorney Email No Authorized:         Correspondent Name/Address:       Brent D. Sokol, Anna E. Raimer, Alexis A. Houle JONES DAY S55 South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071       Value Street		Attorn	ney/Correspondence In	formation
Attorney Name:       John J. Kim       Docket Number:       673964-10002         Attorney Primary Email Address:       jikim@jonesday.com       Attorney Email No Authorized:         Correspondent Name/Address:       Brent D. Sokol, Anna E. Raimer, Alexis A. Houle JONES DAY S55 South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071       Value Street			Attorney of Record	
Email Address:       Authorized:         Correspondent       Correspondent         Brent D. Sokol, Anna E. Raimer, Alexis A. Houle       Name/Address:         JONES DAY       555 South Flower Street, 50th Floor         Patent Prosecution Department       Los Angeles, CALIFORNIA 90071	Attorney Name:	John J. Kim	Docket Number:	673964-10002
Correspondent Brent D. Sokol, Anna E. Raimer, Alexis A. Houle Name/Address: JONES DAY 555 South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071		jjkim@jonesday.com		No
Name/Address: JONES DAY 555 South Flower Street, 50th Floor Patent Prosecution Department Los Angeles, CALIFORNIA 90071			Correspondent	
		JONES DAY 555 South Flower Street, 50th Flo Patent Prosecution Department Los Angeles, CALIFORNIA 9007	por	

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#### **Domestic Representative - Not Found**

### **Prosecution History**

Date	Description	Proceeding Number
Oct. 28, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Nov. 06, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 06, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76873
Nov. 04, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76873
Oct. 23, 2014	TEAS SECTION 8 & 15 RECEIVED	
Oct. 23, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 28, 2008	REGISTERED-PRINCIPAL REGISTER	
Aug. 12, 2008	PUBLISHED FOR OPPOSITION	
Jul. 23, 2008	NOTICE OF PUBLICATION	
Jul. 08, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Jul. 02, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 30, 2008	ASSIGNED TO LIE	71441
Jun. 29, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 29, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 29, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 29, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 29, 2008	EXAMINERS AMENDMENT -WRITTEN	77654
Dec. 05, 2007	ASSIGNED TO EXAMINER	77654
Nov. 13, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 13, 2007	NON-FINAL ACTION E-MAILED	6325
Nov. 13, 2007	NON-FINAL ACTION WRITTEN	81101
Oct. 23, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 22, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 22, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 20, 2007	NON-FINAL ACTION E-MAILED	6325
Apr. 20, 2007	NON-FINAL ACTION WRITTEN	81101
Apr. 20, 2007	ASSIGNED TO EXAMINER	81101
Jan. 03, 2007	NEW APPLICATION ENTERED IN TRAM	

### **Maintenance Filings or Post Registration Information**

Affidavit of Section 8 - Accepted Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

### **TM Staff and Location Information**

TM Staff Information - None File Location			
Current Location: TMEG LAW OFFICE 102	Date in Location: Nov. 06, 2014		
	Proceedings		
Summary			
Number of 1 Proceedings:			
Type of Proceeding: Cancellation			
Proceeding <u>92062400</u> Number:	Filing Date: Apr 27, 2018		

Status:	Pending
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D MOT TO COMPEL DISCOVERY

D REPLY IN SUPPORT OF MOTION

P OPP/RESP TO MOTION

P OPP/RESP TO MOTION

SUSP PEND DISP OF OUTSTNDNG MOT

Interlocutory YONG OH (RICHARD) KIM Attorney:

Attorney:					
		Defendant			
Name:	Avalon IP Holding Co., LLC				
	LEE J EULGEN NEAL GERBER & EISENBERG LLP 2 N LASALLE ST SUITE 1700 CHICAGO IL , 60602 UNITED STATES				
		n , temanuelson@ngelaw.com , dcesek@ngelaw @nge.com , atuelleman@nge.com , mhoffman@			
Associated marks					
Mark		Application Status		Serial Number	Registration Number
AVALON		Cancellation Pending	-	77603359	4043653
		Plaintiff(s)			
Name:	AvalonBay Communities, Inc.				
	BRENT D SOKOL JONES DAY 555 S FLOWER STREET, 50TH FLOOR LOS ANGELES CA , 90071 UNITED STATES				
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Associated marks					
Mark		Application Status		Serial Number	Registration Number
VALON PROPERTIES	3	Renewed	-	74456785	1871559
VALONBAY		Renewed	2	78093244	<u>2618414</u>
VALON		Renewed	2	78096245	<u>2799153</u>
VALON		Renewed	2	78109950	<u>2887466</u>
AVALON COMMUNITI	ES	Renewed	2	78975698	<u>2931998</u>
AVALONBAY		Renewed	2	78975290	<u>2950374</u>
AVALON COMMUNITI	ES	Renewed	2	78975685	<u>2950378</u>
AVALON COMMUNITI	ES	Renewed	1	78975686	<u>2950379</u>
AVALON		Renewed	1	78455252	<u>3101896</u>
AVALONBAY		Renewed	7	78093503	<u>3154668</u>
AVALON COMMUNITI	ES	Renewed	7	78099074	<u>3174681</u>
AVALON COMMUNITI	ES	Section 8 and 15 - Accepted and Acknowledged	1	78099077	<u>3419667</u>
AVALON COMMUNITI	ES	Renewed	1	78112367	<u>3423982</u>
AVALON		Section 8 and 15 - Accepted and Acknowledged	1	77073494	<u>3523079</u>
		Prosecution History			
Entry Number	History Text		Date		Due Date
	FILED AND FEE		Oct 06, 2015		
2	NOTICE AND TRIAL DATES SENT; AN	SWER DUE:	Oct 07, 2015	Ν	lov 16, 2015
3	PENDING, INSTITUTED		Oct 07, 2015		
ļ -			Oct 07, 2015		
5	D MOT FOR EXT W/ CONSENT		Nov 13, 2015		
3	EXTENSION OF TIME GRANTED		Nov 13, 2015		
7			Dec 16, 2015		
8	D MOT FOR EXT W/O CONSENT		Jun 23, 2016		

Jun 23, 2016

Jun 30, 2016

Jul 08, 2016

Jul 08, 2016

Jul 28, 2016

14	D REPLY IN SUPPORT OF MOTION	Jul 28, 2016
15	TRIAL DATES RESET	Nov 21, 2016
16	P MOT TO COMPEL DISCOVERY	Dec 21, 2016
17	D OPP/RESP TO MOT & X-MOT TO DISQUALIFY	Jan 10, 2017
18	P OPP/RESP TO MOTION	Jan 25, 2017
19	P REPLY IN SUPPORT OF MOTION	Jan 25, 2017
20	D REPLY IN SUPPORT OF MOTION	Feb 14, 2017
21	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 10, 2017
22	PETITION TO DISQUALIFY DENIED	Jun 15, 2017
23	PROCEEDINGS RESUMED	Sep 19, 2017
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 26, 2017
25	SUSPENDED	Nov 01, 2017
26	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
27	P CONF MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 27, 2017
28	D MOT FOR EXT W/ CONSENT	Jan 04, 2018
29	EXTENSION OF TIME GRANTED	Jan 11, 2018
30	D OPP/RESP TO MOTION	Jan 16, 2018
31	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 19, 2018
32	SUSPENDED	Jan 26, 2018
33	P REPLY IN SUPPORT OF MOTION	Feb 05, 2018
34	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 15, 2018
35	SUSPENDED	Mar 08, 2018
36	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 19, 2018
37	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 06, 2018
38	SUSPENDED	Apr 26, 2018
39	DUPLICATE OF ENTRY 37 (NOT CONSIDERED)	Apr 06, 2018
40	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 27, 2018
41	SUSPENDED	May 09, 2018
42	TRIAL DATES RESET	May 10, 2018
43	P MOT FOR EXT W/ CONSENT	Jun 21, 2018
44	EXTENSION OF TIME GRANTED	Jun 27, 2018

Int. Cls.: 16, 35, 36, 37, 41 and 42

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, 102, 103, 106 and 107

Reg. No. 3,523,079 Registered Oct. 28, 2008

United States Patent and Trademark Office Reg

TRADEMARK SERVICE MARK PRINCIPAL REGISTER

# AVALON

AVALONBAY COMMUNITIES, INC. (MARY-LAND CORPORATION) SUITE 300 2900 EISENHOWER AVENUE

ALEXANDRIA, VA 22314

FOR: PRINTED GUIDES FOR REAL PROPERTY; PRINTED GUIDES FOR RESIDENTIAL SUPPORT SERVICES AND COMMUNITY INFORMATION; PERIODICAL PUBLICATIONS, NAMELY, NEWS-LETTERS IN THE FIELD OF REAL PROPERTY, RESIDENTIAL SUPPORT SERVICES, AND COM-MUNITY INFORMATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 3-0-2001; IN COMMERCE 3-0-2001.

FOR: PROVIDING ONLINE TOURS AND IMA-GES OF REAL ESTATE; PROVIDING ONLINE CLASSIFIED ADVERTISEMENTS; REAL ESTATE MARKETING SERVICES, NAMELY, PROVIDING ADVERTISING INFORMATION FOR OTHERS IN THE FIELD OF RESIDENTIAL SUPPORT SERVICES AND COMMUNITY INFORMATION; BRINGING TOGETHER, FOR THE BENEFIT OF OTHERS, A VARIETY OF GOODS AND SERVICES TO ENABLE CUSTOMERS TO CONVENIENTLY VIEW AND PURCHASE THOSE GOODS AND SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-0-2001; IN COMMERCE 3-0-2001.

FOR: MULTI-FAMILY HOUSING MANAGE-MENT, NAMELY, REAL ESTATE MANAGEMENT; RESIDENTIAL SUPPORT SERVICES, NAMELY, MANAGING AND LEASING REAL PROPERTY; PROVIDING ONLINE INFORMATION FOR REN-TERS AND PROSPECTIVE RENTERS OF REAL PROPERTY; AND PROVIDING INFORMATION REGARDING REAL ESTATE AND RENTAL IN-SURANCE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-26-1999; IN COMMERCE 6-26-1999.

FOR: REAL ESTATE DEVELOPMENT, CON-STRUCTION, AND MAINTENANCE; AND PROVID-ING ONLINE INFORMATION IN THE FIELD OF RESIDENTIAL SERVICES, NAMELY, MAINTE-NANCE AND REPAIR OF BUILDINGS, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 12-0-1994; IN COMMERCE 12-0-1994.

FOR: PROVIDING RECREATIONAL AND EXER-CISE FACILITIES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 12-0-2001; IN COMMERCE 12-0-2001.

FOR: COMPUTER SERVICES, NAMELY, PRO-VIDING AN ONLINE COMMUNITY FOR SOCIAL NETWORKING, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 12-0-2001; IN COMMERCE 12-0-2001.

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

OWNER OF U.S. REG. NOS. 2,931,998, 3,101,896 AND OTHERS.

SER. NO. 77-073,494, FILED 12-29-2006.

ROBIN CHOSID, EXAMINING ATTORNEY