

ESTTA Tracking number: **ESTTA1097174**

Filing date: **11/23/2020**

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

**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Marvel Characters, Inc.
Granted to Date of previous extension	11/22/2020
Address	500 SOUTH BUENA VISTA STREET BURBANK, CA 91521 UNITED STATES
Attorney information	LINDA K. MCLEOD KELLY IP, LLP 1300 19TH STREET, NW, SUITE 300 WASHINGTON, DC 20036 UNITED STATES Primary Email: linda.mcleod@kelly-ip.com Secondary Email(s): hani.gazal@kelly-ip.com, lit-docketing@kelly-ip.com No phone number provided.
Docket Number	

**Applicant Information**

Application No.	88586865	Publication date	05/26/2020
Opposition Filing Date	11/23/2020	Opposition Period Ends	11/22/2020
Applicant	Spyder Active Sports, Inc. AUTHENTIC BRANDS GROUP, LLC 1411 BROADWAY NEW YORK, NY 10018 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Ski and snowboard wear, namely, jackets, pants, insulated jackets, insulated pants, one piece insulated suits, fleece tops, fleece jackets, sweaters, fleece pants, shirts, t-shirts, gloves, hats, caps being headwear, hoods, mittens, sweatshirts, waterproof and water repellent jackets and pants
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**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act Section 2(d)
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**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	1844354	Application Date	04/22/1992
Registration Date	07/12/1994	Foreign Priority Date	NONE
Word Mark	VENOM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1990/12/00 First Use In Commerce: 1990/12/00 publications; namely, comic books and magazines and stories in illustrated form; trading cards		

U.S. Registration No.	2117538	Application Date	06/21/1996
Registration Date	12/02/1997	Foreign Priority Date	NONE
Word Mark	VENOM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1991/12/00 First Use In Commerce: 1991/12/00 toys, games and playthings, namely, toyaction figures and accessories there-fore; [ mechanical action toys; battery-operated action toys; ] toy vehicles, [ ac-tion playset consisting of a decorated plastic chest plate and clip-on belt, two-piece articulated face mask and plastic bands with attached toy dart launcher toattach to a child's forearms for character role-playing; ] toy environments for-use with action figures; [ toy model hobby craft kits; ] [ electronic hand-heldgames; ][ video game cartridges and software programs for video games ]; cartridges and software for hand-held game systems ]		

U.S. Application/ Registra-tion No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	VENOM		
Goods/Services	Entertainment services, films, television programs, video games, com-ic books, magazines, printed materials, clothing, hats, accessories, toys, games, playthings, action figures; toy vehicles, toy environments for use with action figures, jewelry, watches		

Attachments	VENOM NOO.pdf(273246 bytes )
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Signature	/Linda K. McLeod/
Name	LINDA K. MCLEOD
Date	11/23/2020

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

MARVEL CHARACTERS, INC.,  Opposer,  v.  SPYDER ACTIVE SPORTS, INC.,  Applicant.	Opposition No. _____  Mark: VENOM Serial No.: 88586865 Filed: August 21, 2019
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**NOTICE OF OPPOSITION**

Marvel Characters, Inc. (“Opposer” or “Marvel”), a Delaware corporation, having a principal place of business at 500 South Buena Vista Street, Burbank, California, 91521, believes that it is being damaged, and will be damaged, by the registration of Spyder Active Sports, Inc.’s (“Applicant”) mark shown in U.S. Application No. 88586865 and hereby opposes the same. As grounds for its opposition, Opposer alleges that, upon actual knowledge with respect to itself and its own acts, and upon information and belief as to other matters:

**Marvel and Its Business**

1. Opposer, by and through its predecessors-in-interest, related companies, and licensees (collectively, “Marvel” or “Opposer”), is one of the world’s leading entertainment companies, with a library of more than 8,000 characters featured in numerous entertainment franchises and properties and in a variety of media for more than seventy years.

2. Marvel’s character-based entertainment franchises include the well-known

and famous SPIDER-MAN, AVENGERS, IRON MAN, CAPTAIN AMERICA, THOR, GUARDIANS OF THE GALAXY, and BLACK PANTHER franchises, just to name a few.

3. In addition to Marvel's own commercialization of its entertainment franchises and properties, Marvel has for many years engaged in a vast licensing program of characters, character names, and other elements from its character-based entertainment properties, including the entertainment franchises listed in Paragraph 2 above, under which it licenses and has licensed the use of its properties in connection with a wide variety of products and services including, but not limited to, entertainment services, television programs, motion picture films, comic books, trading cards, collectible figures, food and beverages, beverage ware and drinkware, stationery, calendars, school supplies, sporting goods, toys, bags, linens, towels, apparel, headwear, footwear, eyewear, charitable services, interactive and online games, computer games, computer game software, video games, music, theme parks, and/or mobile applications.

**Marvel's VENOM Mark**

4. For decades, Marvel has used its VENOM mark, name, and character (collectively, the "VENOM Mark") in commerce in connection with a variety of products and services.

5. Since 1988, Marvel has used its VENOM Mark in commerce in connection with comic books and its iconic VENOM character. Marvel's VENOM character was first introduced in *The Amazing Spider-Man* comic book series in 1988, and it has been ranked as one of the greatest comic book villains of all time. Representative examples

showing use of Marvel's VENOM Mark in commerce as a trademark for comic books are shown below.



6. Over the years, Marvel has expanded its use of the VENOM Mark from comic books, magazines, and other print materials to entertainment services such as films, television programs, and video games, as shown in the representative examples below:



7. Since at least 1994, Marvel has continuously used Marvel's VENOM Mark as a trademark in commerce for a variety of merchandise, including shirts, sweatshirts, jackets, and hats among other things. Marvel has also used its VENOM Mark in

commerce for jewelry and watches. Representative examples of such use are shown below:



8. In addition to its longstanding common law rights, Marvel owns the following valid and subsisting United States trademark registrations for Marvel's VENOM Mark:

Mark	Reg. No./ Reg. Date	Class/Goods
VENOM	Reg. No.: 1844354 Reg. Date: Jul. 12, 1994	Publications; namely, comic books and magazines and stories in illustrated form; trading cards in Class 16 First Use in Commerce: December 1990

Mark	Reg. No./ Reg. Date	Class/Goods
VENOM	Reg. No.: 2117538 Reg. Date: Dec. 2, 1997	Toys, games and playthings, namely, toy action figures and accessories therefore; toy vehicles, toy environments for use with action figures in Class 28 First Use in Commerce: December 1991

Attached as Exhibit A are printouts of the TSDR and assignment records from the USPTO database showing particulars of the marks in the chart above.

9. Through Marvel’s long use of its distinctive VENOM Mark, including in connection with the goods and services described in Paragraphs 5-8 above (collectively, “Marvel’s Goods and Services”), the public has come to associate Marvel’s VENOM Mark uniquely with Marvel.

#### **Applicant and its VENOM Mark**

10. Applicant, Spyder Active Sports, Inc., is a Colorado corporation with an address of 1411 Broadway, New York, New York 10018.

11. Applicant is the listed owner of Application Serial No. 88586865 (the “Application”) for the mark VENOM (“Applicant’s Mark”), filed on August 21, 2019, under Section 1(b), 15 U.S.C. § 1051(b), covering “Ski and snowboard wear, namely, jackets, pants, insulated jackets, insulated pants, one piece insulated suits, fleece tops, fleece jackets, sweaters, fleece pants, shirts, t-shirts, gloves, hats, caps being headwear, hoods, mittens, sweatshirts, waterproof and water repellent jackets and pants” in International Class 25 (“Applicant’s Goods”).

12. On May 26, 2020, the Application was published for Opposition in the Trademark Official Gazette. On June 8, 2020, Opposer filed a timely request for a 90-day extension of time to oppose the Application. On September 15, 2020, Opposer, with

Applicant's consent, filed a timely request for a 60-day extension of time to oppose the Application.

**Likelihood of Confusion, 15 U.S.C. § 1052(d)**

13. Marvel repeats and realleges each and every allegation set forth above.

14. Marvel has priority based on its prior use in commerce of Marvel's VENOM Mark in connection with Marvel's Goods and Services before the filing date of the Application and any date of first use that Applicant can prove in connection with Applicant's Mark. Marvel also has priority based on its pleaded valid and subsisting registrations for its VENOM Mark.

15. Applicant's Mark is identical in sound, appearance, connotation, and overall commercial impression to Marvel's VENOM Mark, and appropriates the entirety of Marvel's VENOM Mark.

16. In addition, Applicant's Goods are identical and/or closely related to Marvel's Goods and Services advertised, promoted, offered, and/or sold in connection with Marvel's VENOM Mark.

17. Accordingly, Applicant's Mark so resembles Marvel's prior used and registered VENOM Mark as to be likely, when used and registered in connection with Applicant's Goods, to cause confusion, or to cause mistake, or to deceive under Section 2(d) of the Lanham Act, as amended, 15 U.S.C. § 1052(d).

WHEREFORE, Marvel believes that it is being damaged, and will be damaged, by the registration of Applicant's Mark, as shown in the Application. Accordingly, Marvel respectfully requests that the Notice of Opposition be sustained, and that registration to Applicant be refused.



A filing fee has been submitted electronically. If the filing fee is found to be insufficient for any reason, please charge such deficiency to our Deposit Account No. 506154.

Respectfully submitted,

MARVEL CHARACTERS, INC.

Dated: November 23, 2020

By: /Linda K. McLeod/  
Linda K. McLeod  
linda.mcleod@kelly-ip.com  
David M. Kelly  
david.kelly@kelly-ip.com  
Hani Sam Gazal  
hani.gazal@kelly-ip.com  
Kelly IP, LLP  
1300 19<sup>th</sup> Street, Suite 300  
Washington, DC 20036  
Telephone: 202-808-3570  
Facsimile: 202-354-5232

Attorneys for Opposer  
Marvel Characters, Inc.

# **EXHIBIT A**

Generated on: This page was generated by TSDR on 2020-11-23 13:05:22 EST

Mark: VENOM <img>

US Serial Number: 74268250 Application Filing Date: Apr. 22, 1992 US Registration Number: 1844354 Registration Date: Jul. 12, 1994

Register: Principal Mark Type: Trademark

TM5 Common Status Descriptor: <img> LIVE/REGISTRATION/Issued and Active The trademark application has been registered with the Office.

Status: The registration has been renewed. Status Date: Jun. 12, 2014

Publication Date: Apr. 19, 1994

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## Mark Information

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

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## Goods and Services

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**Note:**

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

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

For: publications; namely, comic books and magazines and stories in illustrated form; trading cards

International Class(es): 016 - Primary Class U.S Class(es): 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 1990 Use in Commerce: Dec. 1990

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## Basis Information (Case Level)

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Filed Use: Yes Currently Use: Yes

Filed ITU: No Currently ITU: No

Filed 44D: No Currently 44E: No

Filed 44E: No Currently 66A: No

Filed 66A: No Currently No Basis: No

Filed No Basis: No

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## Current Owner(s) Information

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Owner Name: MARVEL CHARACTERS, INC.

Owner Address: 500 South Buena Vista Street Burbank, CALIFORNIA UNITED STATES 91521

Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

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## Attorney/Correspondence Information

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**Attorney of Record**

Attorney Name: Eli Bard

**Correspondent**

Correspondent Name/Address: Eli Bard Marvel Entertainment, LLC 135 West 50th Street, 7th Floor New York, NEW YORK UNITED STATES 10020

Phone: 212.576.8501 Fax: 212.576.8569

Correspondent e-mail: ebard@marvel.com cpinkus@marvel.com Correspondent e-mail Authorized: Yes

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Jun. 12, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 12, 2014	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68335
Jun. 12, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68335
Jun. 10, 2014	TEAS SECTION 8 & 9 RECEIVED	
Jun. 10, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

Jan. 28, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 28, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 26, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 25, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 19, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Oct. 19, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 21, 2007	CASE FILE IN TIGRS	
Jan. 19, 2006	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 03, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 09, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 09, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 08, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 08, 2004	TEAS SECTION 8 & 9 RECEIVED	
Oct. 23, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 26, 2000	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 12, 1994	REGISTERED-PRINCIPAL REGISTER	
Apr. 19, 1994	PUBLISHED FOR OPPOSITION	
Mar. 18, 1994	NOTICE OF PUBLICATION	
Oct. 21, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 27, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 27, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 25, 1993	NON-FINAL ACTION MAILED	
Feb. 03, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 04, 1992	NON-FINAL ACTION MAILED	
Jul. 13, 1992	ASSIGNED TO EXAMINER	70427

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

Current Location: GENERIC WEB UPDATE Date in Location: Jun. 12, 2014

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## Assignment Abstract Of Title Information

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### Summary

Total Assignments: 11 Registrant: Marvel Entertainment Group, Inc.

#### Assignment 1 of 11

Conveyance: AMENDMENT TO A PREVIOUSLY RECORDED SECURITY AGREEMENT DATED 12-30-1988. SEE RECORD FOR DETAILS.

Reel/Frame: 0891/0518 Pages: 17

Date Recorded: Sep. 01, 1992

Supporting Documents: No Supporting Documents Available

#### Assignor

Name: MARVEL ENTERTAINMENT GROUP, INC. Execution Date: Sep. 01, 1992

Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

#### Assignee

Name: CHEMICAL BANK

Legal Entity Type: A NEW YORK BANKING CORPORATION State or Country Where Organized: NEW YORK

Address: No Assignee Address Found

#### Correspondent

Correspondent Name: AMSTER ROTHSTEIN & EBENSTEIN

Correspondent Address: BELINDA I. BERMAN 90 PARK AVENUE NEW YORK, NY 10016

**Domestic Representative - Not Found**

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#### Assignment 2 of 11

Conveyance: SECURITY INTEREST

Reel/Frame: 0902/0861 Pages: 45

Date Recorded: Oct. 27, 1992

Supporting Documents: No Supporting Documents Available

#### Assignor

Name: MARVEL ENTERTAINMENT GROUP, INC. Execution Date: Oct. 19, 1992

Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

#### Assignee

Name: CHEMICAL BANK  
Legal Entity Type: A BANKING CORPORATION State or Country Where Organized: NEW YORK  
Address: 270 PARK AVENUE NEW YORK, NY 10017

**Correspondent**

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN  
Correspondent Address: BELINDA I. BERMAN, ESQ. 90 PARK AVE. NEW YORK, NY 10016

**Domestic Representative - Not Found**

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**Assignment 3 of 11**

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Conveyance: RELEASE BY SECURED PARTY  
Reel/Frame: 0899/0723 Pages: 6  
Date Recorded: Oct. 22, 1992  
Supporting Documents: No Supporting Documents Available

**Assignor**

Name: CHEMICAL BANK (AS SUCCESSOR BY MERGER TO MANUFACTURERS HANOVER TRUST COMPANY) Execution Date: Oct. 22, 1992  
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: MARVEL ENTERTAINMENT GROUP, INC.  
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found  
Address: 387 PARK AVENUE SOUTH NEW YORK, NEW YORK 10016

**Correspondent**

Correspondent Name: BELINDA I. BERMAN  
Correspondent Address: AMSTER, ROTHSTEIN & EBENSTEIN 90 PARK AVENUE NEW YORK, NY 10016

**Domestic Representative - Not Found**

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**Assignment 4 of 11**

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Conveyance: ASSIGNS THE ENTIRE INTEREST  
Reel/Frame: 1439/0578 Pages: 25  
Date Recorded: Mar. 15, 1996  
Supporting Documents: No Supporting Documents Available

**Assignor**

Name: MARVEL ENTERTAINMENT GROUP, INC. Execution Date: Sep. 01, 1995  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

**Assignee**

Name: MARVEL CHARACTERS, INC.  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE  
Address: 26707 WEST AGOURA ROAD CALABASAS, CALIFORNIA 91302

**Correspondent**

Correspondent Name: MARVEL ENTERTAINMENT GROUP, INC.  
Correspondent Address: PAMELA G. BRADFORD 387 PARK AVENUE SOUTH NEW YORK, NEW YORK 10016

**Domestic Representative - Not Found**

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**Assignment 5 of 11**

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Conveyance: ASSIGNS THE ENTIRE INTEREST  
Reel/Frame: 1478/0894 Pages: 25  
Date Recorded: Mar. 19, 1996  
Supporting Documents: No Supporting Documents Available

**Assignor**

Name: MARVEL ENTERTAINMENT GROUP, INC. Execution Date: Sep. 01, 1995  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

**Assignee**

Name: MARVEL CHARACTERS, INC.  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE  
Address: 26707 WEST AGOURA ROAD CALABASAS, CALIFORNIA 91302

**Correspondent**

Correspondent Name: MARVEL ENTERTAINMENT GROUP, INC.  
Correspondent Address: PAMELA G. BRADFORD VICE PRESIDENT, LEGAL AFFAIRS 387 PARK AVENUE SOUTH NEW YORK, NEW YORK 10016

**Domestic Representative - Not Found**

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**Assignment 6 of 11**

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Conveyance: SECURITY AGREEMENT  
Reel/Frame: 1472/0301 Pages: 70  
Date Recorded: May 20, 1996  
Supporting Documents: No Supporting Documents Available

**Assignor**

Name: MARVEL CHARATERS, INC. Execution Date: Mar. 27, 1996  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

**Assignee**

Name: CHEMICAL BANK  
Legal Entity Type: BANKING CORPORATION State or Country Where Organized: NEW YORK  
Address: 270 PARK AVENUE NEW YORK, NEW YORK 10017

**Correspondent**

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN  
Correspondent Address: JAMES TRAMONTANA, ESQ. 90 PARK AVENUE NEW YORK, NY 10016

**Domestic Representative - Not Found**

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**Assignment 7 of 11**

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Conveyance: RELEASE OF SECURITY AGREEMENT

Reel/Frame: 1842/0267 Pages: 45

Date Recorded: Dec. 31, 1998

Supporting Documents: assignment-tm-1842-0267.pdf

**Assignor**

Name: CHASE MANHATTAN BANK, THE, F/K/A CHEMICAL BANK, AS ADMINISTRATIVE AGENT Execution Date: Sep. 29, 1998

Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: MARVEL CHARACTERS, INC.

Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Address: 1880 WILSHIRE BLVD. LOS ANGELES, CALIFORNIA 90024

**Correspondent**

Correspondent Name: ACCESS INFORMATION SERVICES, INC.

Correspondent Address: J. LEE 1773 WESTERN AVENUE ALBANY, NY 12203

**Domestic Representative - Not Found**

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**Assignment 8 of 11**

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Conveyance: SECURITY AGREEMENT

Reel/Frame: 1819/0457 Pages: 38

Date Recorded: Dec. 04, 1998

Supporting Documents: assignment-tm-1819-0457.pdf

**Assignor**

Name: MARVEL CHARACTERS, INC. Execution Date: Sep. 30, 1998

Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: UBS AG, STAMFORD BRANCH, AS COLLATERAL AGENT

Legal Entity Type: BANK State or Country Where Organized: CONNECTICUT

Address: 677 WASHINGTON BOULEVARD STAMFORD, CONNECTICUT 06901

**Correspondent**

Correspondent Name: ACCESS INFORMATION SERVICES, INC.

Correspondent Address: JACKIE LEE 1773 WESTERN AVENUE ALBANY, NY 12203

**Domestic Representative - Not Found**

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**Assignment 9 of 11**

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Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: 2505/0736 Pages: 22

Date Recorded: May 24, 2002

Supporting Documents: assignment-tm-2505-0736.pdf

**Assignor**

Name: UBS AG, STAMFORD BRANCH Execution Date: Feb. 25, 1999

Legal Entity Type: ASSOCIATION State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: MARVEL CHARACTERS, INC.

Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Address: C/O MARVEL ENTERTAINMENT GROUP INC. 387 PARK AVENUE SOUTH NEW YORK, NEW YORK 10016

**Correspondent**

Correspondent Name: PAUL, HASTINGS, JANOFSKY ET AL.

Correspondent Address: KEITH M. WIXSON 75 E. 55TH ST. NEW YORK, NY 10022

**Domestic Representative - Not Found**

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**Assignment 10 of 11**

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Conveyance: SECURITY AGREEMENT

Reel/Frame: 2307/0239 Pages: 40

Date Recorded: May 23, 2001

Supporting Documents: assignment-tm-2307-0239.pdf

**Assignor**

Name: MARVEL ENTERPRISE, INC. Execution Date: May 14, 2001

Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

**Assignee**

Name: CITIBANK, N.A.

Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found

Address: 6TH FLOOR 399 PARK AVENUE, NEW YORK, NEW YORK 10043

**Correspondent**

Correspondent Name: CHRISTOPHER E. KONDRACKI

Correspondent Address: 2001 JEFFERSON DAVIS HWY, SUITE 505 ARLINGTON, VA 22202

**Domestic Representative - Not Found**

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**Assignment 11 of 11**

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Conveyance: PAYOFF AND RELEASE LETTER

Reel/Frame: 2382/0289 Pages: 37

Date Recorded: Oct. 12, 2001

Supporting Documents: assignment-tm-2382-0289.pdf

**Assignor**

Name: CITIBANK, N.A. Execution Date: Oct. 05, 2001

Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: MARVEL ENTERPRISES, INC.

Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE  
Address: 10 EAST 40TH STREET NEW YORK, NEW YORK 10066

**Correspondent**

Correspondent Name: CHRISTOPHER E. KONDRACKI

Correspondent Address: 2001 JEFFERSON DAVIS, HWY., SUITE 505 ARLINGTON, VA 22202

**Domestic Representative - Not Found**

Generated on: This page was generated by TSDR on 2020-11-23 13:05:59 EST

Mark: VENOM <img>

US Serial Number: 75123093 Application Filing Date: Jun. 21, 1996US Registration Number: 2117538 Registration Date: Dec. 02, 1997

Register: PrincipalMark Type: Trademark

TM5 Common Status Descriptor: <img> LIVE/REGISTRATION/Issued and Active The trademark application has been registered with the Office.

Status: The registration has been renewed.Status Date: Jun. 20, 2017

Publication Date: Sep. 09, 1997

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## Mark Information

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Mark Literal Elements: VENOMStandard Character Claim: NoMark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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## Goods and Services

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**Note:**

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

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

For: toys, games and playthings, namely, toy action figures and accessories therefore; [ mechanical action toys; battery-operated action toys; ] toy vehicles, [ action playset consisting of a decorated plastic chest plate and clip-on belt, two-piece articulated face mask and plastic bands with attached toy dart launcher to attach to child's forearms for character role-playing; ] toy environments for use with action figures; [ toy model hobby craft kits; ] [ electronic hand-held games; ][ video game cartridges and software programs for video games ]; cartridges and software for hand-held game systems ]

International Class(es): 028 - Primary Class U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 1991 Use in Commerce: Dec. 1991

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## Basis Information (Case Level)

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Filed Use: No Currently Use: Yes

Filed ITU: Yes Currently ITU: No

Filed 44D: No Currently 44E: No

Filed 44E: No Currently 66A: No

Filed 66A: No Currently No Basis: No

Filed No Basis: No

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## Current Owner(s) Information

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Owner Name: Marvel Characters, Inc.

Owner Address: 500 South Buena Vista Street Burbank, CALIFORNIA UNITED STATES 91521

Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

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## Attorney/Correspondence Information

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**Attorney of Record**

Attorney Name: ELI BARD

Attorney Primary Email Address: ebard@marvel.com Attorney Email Authorized: Yes

**Correspondent**

Correspondent Name/Address: Eli Bard Marvel Entertainment, LLC 135 West 50th Street, 7th Floor New York, NEW YORK UNITED STATES 10020

Phone: 212.576.8501 Fax: 212.576.8569

Correspondent e-mail: ebard@marvel.com cpinkus@marvel.com Correspondent e-mail Authorized: Yes

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Jun. 20, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 20, 2017	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	76293
Jun. 20, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76293



Jun. 19, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Mar. 02, 2017	TEAS SECTION 8 & 9 RECEIVED	
Mar. 02, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 02, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jan. 28, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 28, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 26, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 25, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 19, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Oct. 19, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 24, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69934
Oct. 24, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 24, 2007	ASSIGNED TO PARALEGAL	69934
Jul. 18, 2007	TEAS SECTION 8 & 9 RECEIVED	
Feb. 08, 2007	CASE FILE IN TICRS	
Jan. 19, 2006	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 03, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 30, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 29, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 29, 2003	TEAS SECTION 8 & 15 RECEIVED	
Aug. 27, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 02, 1997	REGISTERED-PRINCIPAL REGISTER	
Sep. 09, 1997	PUBLISHED FOR OPPOSITION	
Aug. 08, 1997	NOTICE OF PUBLICATION	
Jul. 09, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 09, 1997	USE AMENDMENT ACCEPTED	
Jun. 10, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 30, 1997	AMENDMENT TO USE PROCESSING COMPLETE	
Jun. 10, 1997	USE AMENDMENT FILED	
Dec. 11, 1996	NON-FINAL ACTION MAILED	
Dec. 09, 1996	ASSIGNED TO EXAMINER	72414
Nov. 29, 1996	ASSIGNED TO EXAMINER	69798

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

Current Location: GENERIC WEB UPDATE Date in Location: Jun. 20, 2017

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## Assignment Abstract Of Title Information

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### Summary

Total Assignments: 4 Registrant: Marvel Characters, Inc.

### Assignment 1 of 4

Conveyance: SECURITY AGREEMENT

Reel/Frame: 1819/0457 Pages: 38

Date Recorded: Dec. 04, 1998

Supporting Documents: assignment-tm-1819-0457.pdf

#### Assignor

Name: MARVEL CHARACTERS, INC. Execution Date: Sep. 30, 1998

Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

#### Assignee

Name: UBS AG, STAMFORD BRANCH, AS COLLATERAL AGENT

Legal Entity Type: BANK State or Country Where Organized: CONNECTICUT

Address: 677 WASHINGTON BOULEVARD STAMFORD, CONNECTICUT 06901

#### Correspondent

Correspondent Name: ACCESS INFORMATION SERVICES, INC.

Correspondent Address: JACKIE LEE 1773 WESTERN AVENUE ALBANY, NY 12203

#### Domestic Representative - Not Found

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## Assignment 2 of 4

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Conveyance: RELEASE OF SECURITY INTEREST  
Reel/Frame: 2505/0736 Pages: 22  
Date Recorded: May 24, 2002  
Supporting Documents: assignment-tm-2505-0736.pdf

### Assignor

Name: UBS AG, STAMFORD BRANCH Execution Date: Feb. 25, 1999  
Legal Entity Type: ASSOCIATION State or Country Where Organized: No Place Where Organized Found

### Assignee

Name: MARVEL CHARACTERS, INC.  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE  
Address: C/O MARVEL ENTERTAINMENT GROUP INC. 387 PARK AVENUE SOUTH NEW YORK, NEW YORK 10016

### Correspondent

Correspondent Name: PAUL, HASTINGS, JANOFSKY ET AL.  
Correspondent Address: KEITH M. WIXSON 75 E. 55TH ST. NEW YORK, NY 10022

**Domestic Representative - Not Found**

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## Assignment 3 of 4

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Conveyance: SECURITY AGREEMENT  
Reel/Frame: 2307/0239 Pages: 40  
Date Recorded: May 23, 2001  
Supporting Documents: assignment-tm-2307-0239.pdf

### Assignor

Name: MARVEL ENTERPRISE, INC. Execution Date: May 14, 2001  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

### Assignee

Name: CITIBANK, N.A.  
Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found  
Address: 6TH FLOOR 399 PARK AVENUE, NEW YORK, NEW YORK 10043

### Correspondent

Correspondent Name: CHRISTOPHER E. KONDRACKI  
Correspondent Address: 2001 JEFFERSON DAVIS HWY, SUITE 505 ARLINGTON, VA 22202

**Domestic Representative - Not Found**

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## Assignment 4 of 4

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Conveyance: PAYOFF AND RELEASE LETTER  
Reel/Frame: 2382/0289 Pages: 37  
Date Recorded: Oct. 12, 2001  
Supporting Documents: assignment-tm-2382-0289.pdf

### Assignor

Name: CITIBANK, N.A. Execution Date: Oct. 05, 2001  
Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found

### Assignee

Name: MARVEL ENTERPRISES, INC.  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE  
Address: 10 EAST 40TH STREET NEW YORK, NEW YORK 10066

### Correspondent

Correspondent Name: CHRISTOPHER E. KONDRACKI  
Correspondent Address: 2001 JEFFERSON DAVIS, HWY., SUITE 505 ARLINGTON, VA 22202

**Domestic Representative - Not Found**