

ESTTA Tracking number: **ESTTA1032750**

Filing date: **01/31/2020**

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

Proceeding	92071980
Party	Plaintiff Elevated Faith LLC
Correspondence Address	KEVIN CHRISTOPHER ROCKRIDGE VENTURE LAW 801 BROAD ST , STE 428 CHATTANOOGA, TN 37402 UNITED STATES kevin@rockridgelaw.com 423-708-5310
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Kevin Christopher
Filer's email	kevin@rockridgelaw.com
Signature	/Kevin Christopher/
Date	01/31/2020
Attachments	EF_AmendedCancellationPetition.pdf(203857 bytes) EF_EXHIBIT1.pdf(55158 bytes) EF_EXHIBIT2.pdf(39961 bytes) EF_EXHIBIT3.pdf(444217 bytes) EF_EXHIBIT4rd.pdf(651955 bytes) EXHIBIT 5.pdf(941678 bytes) EF_EXHIBIT6.pdf(975328 bytes) EF_EXHIBIT7.pdf(3331265 bytes) EF_EXHIBIT8.pdf(1427248 bytes) EF-EXHIBIT9.pdf(1845071 bytes) EF_EXHIBIT10.pdf(519221 bytes)

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

ELEVATED FAITH LLC,)	Proceeding No. 92071980
)	
Petitioner,)	Registration No. 5,187,052
)	
vs.)	Mark: G > ^ V
)	
GODISGHL, LLC,)	
)	
Registrant.)	
)	

FIRST AMENDED PETITION TO CANCEL

Elevated Faith LLC (“Petitioner”) hereby files its Petition to Cancel pursuant to Fed. R. Civ. P. 15(a), petitioning for the cancellation of U.S. Registration No. 5187052 for the G V V mark, registered to GODISGHL, LLC, as follows:

The Parties

1. Petitioner is a Wisconsin limited liability company.
2. The United States Patent and Trademark Office (“USPTO”) records identify Registrant, GODISGHL, LLC, with an address of 2315 East Larkwood Street, West Covina, California 91791, as the owner of U.S. Registration No. 5187052 (the “Registrant’s Registration”) for the mark G V V (the “Registered Mark”) for:

International Class 25: “Baseball caps and hats; Bucket caps; Hooded sweatshirts; Shirts; Socks; Sweaters; Sweatshirts; T-shirts; Tank-tops” (the “Registrant’s Goods”).

3. Petitioner is a seller of apparel featuring the Registered Mark, and has an interest in

continuing to freely make use of the Registered Mark. Petitioner is entitled to present this Petition under 15 U.S.C. § 1064.

The Mark

4. The Registrant submitted in its March 16, 2015, application (the “Application”) for the Registered Mark an image consisting of symbols representing as shorthand the phrase “God is Greater than the Highs and Lows,” symbolized as:



See Exhibit 1, Registration Certificate.

5. The Registrant claimed literal elements in its Application consisting of the letters G and V. In describing the Registered Mark the Applicant stated, “The mark consists of the letter G, the symbol greater than, an inverted V, and the letter V.” The Registrant made no mention of any aggregate symbolism, nor did the Registrant define symbols as “higher than” or “lower than,” or make any reference to religious meaning. See Exhibit 2, Application.

6. The Registrant in its February 1, 2017, Statement of Use in support of registration submitted T-shirt specimens emblazoned with the Registered Mark on the left breast portion of said T-shirts, without any additional showings of labels, tags, or retail displays. See Exhibit 3, Statement of Use.

COUNT 1: IMPROPER REGISTRATION AS A GENERIC UNIVERSAL SYMBOL

7. Petitioner sells apparel bearing the Registered Mark, specifically apparel bearing positive and Christian-themed messages. Petitioner sells apparel with the Registered Mark because the Registered Mark is readily apparent as religious symbolism referring to the phrase

“God is greater than the highs and lows.” Petitioner’s customers purchase apparel with the Registered Mark exclusively because of its highly recognizable meaning. This meaning constitutes religious symbolism under Trademark Manual of Examining Procedure (“TMEP”) § 1202.17(e)(iv). The Registered Mark is further a recognized abbreviation, initialism, or acronym within the meaning of TMEP § 1209.03(h).

8. The commonly interpreted meaning of the Registered Mark is exactly the same as that of U.S. Serial No. 88322995, GOD IS GREATER THAN THE HIGHS AND LOWS (the “’995 mark”), which on June 18, 2019, was subject to a refusal to register

because the applied-for-mark is a slogan or term that does not function as a trademark or service mark to indicate the source of applicant’s goods and to identify and distinguish them from others... In this case, the applied-for-mark is a commonplace term, message, or expression widely used by a variety of sources that merely conveys an ordinary, familiar, well-recognized concept or sentiment.

In its Office Action, the Examiner of the ‘995 mark included numerous Attachments showing the very same graphical design as the Registered Mark in connection with the objectionable phrasing. *See Exhibit 4*, Office Action. The Applicant for the ‘996 mark did not oppose the Office Action and the application was abandoned on December 19, 2019.

9. Under TMEP § 1202.17(e)(iv), the Registered Mark is a universal symbol used in an ornamental manner by the Registrant, should not have been registered, and “should be [cancelled] accordingly.”

10. Under TMEP § 1209.03(h), the Registered Mark is recognizable abbreviation, initialism, or acronym, should not have been registered, and should consequently be cancelled.

COUNT TWO: IMPROPER REGISTRATION BY NON-OWNER

11. The Registrant filed its Application on March 16, 2015, and did not submit a specimen alleging use until February 1, 2017.

12. On August 10, 2013, the popular musician Nick Jonas released images of a new tattoo with the exact same design as the Registered Mark (the “Jonas Tattoo”). In response, Mr. Jonas received over 180,000 “likes” of the Jonas Tattoo on his Instagram account. *See Exhibit 5*, Jonas Post. Upon information and belief, in the nearly four years between the Jonas Tattoo release and the Registrant’s specimen submission, hundreds—if not thousands—of vendors sold apparel with the exact same image as the Jonas Tattoo and the Registered Mark. *See Exhibit 6*, Pre-Specimen Vendors. Importantly, vendors were selling apparel bearing the Registered Mark in 2014, well before Registrant’s filing. *See Exhibit 7*, Pre-Filing Vendors. The USPTO even highlighted some of these vendors in rejection of the similarly situated and deficient ‘995 mark. The ‘995 mark and the Registered Mark are the same in that they were both advanced by owners attempting to hijack and monopolize the freely used and traded designs of others.

11. Under TMEP § 1201, an “application that is not filed by the owner is void.” *See also* TMEP § 1201.02(b). The Registrant is not the owner of the mark, but merely an exploiter of a popular interest design, and therefore its registration of the Registered Mark is improper and void.

COUNT THREE: IMPROPER REGISTRATION AS A DECEPTIVE MARK

12. The Registrant claimed in its Application that the literal elements of the design consisted of a G, greater than symbol, a V, and an inverted V.

13. The Registrant submitted its application nearly two years, and its specimen nearly four years, after a celebrity brandished the same design as the Registered Mark on his body, and after hundreds of thousands of people viewed the design and purchased copies of the image on multiple types of apparel by unrelated third parties. In parallel, many online sellers sold copies of the image on apparel and jewelry to consumers wishing to embrace the religious symbolism of the design independent of the acts of Mr. Jonas.

14. Upon information and belief, the Registrant, situated right inside the celebrity and fashion center of Los Angeles, was fully aware of the widespread use and sale of the design that became the Registered Mark.

15. Upon information and belief, the Registrant purposefully misidentified certain design elements in its Application and failed to include a statement defining the true representative nature of these elements in order to avoid rejection by the USPTO examiner in light of widespread use and sale of the design at the time of Registrant's Application.

16. Upon information and belief, the Registrant purposefully submitted deceptive matter to the USPTO in an effort to wrongfully monopolize a popular design as its own for commercial gain. The Registrant has wrongfully accused the Petitioner of trademark infringement and sought compensation from the Petitioner by the same deceptive means.

17. Under TMEP § 1203.02, submission of deceptive matter on either the Principal Register or Supplemental Register is an absolute bar to registration.

COUNT FOUR: FRAUD

18. Upon information and belief, Registrant made false, material representations of fact in connection with the Application with intent to deceive the USPTO.

19. Upon information and belief, Petitioner alleges that the Registered Mark was registered based on a fraudulent declaration made on March 16, 2015, in which the Registrant falsely and knowingly alleged no other person had the right to use the applied-for-mark in commerce.

20. Upon information and belief, Petitioner alleges that the Registered Mark was registered based on a fraudulent declaration made on February 1, 2017, in which the Registrant falsely and knowingly alleged ownership of the applied-for-mark.

21. Upon information and belief, Petitioner alleges that the Registered Mark was registered based on a fraudulent declaration made on February 1, 2017, in which the Registrant falsely and knowingly alleged exclusive use of the applied-for-mark.

22. The Registrant knew, or should have known, the legal requirements for filing sworn declarations before the USPTO.

23. The Petitioner's research has uncovered a factual basis for its claims. Specifically, Petitioner's search of Internet archives has uncovered substantial commercial use and sale of the Registered Mark predating both the Registrant's Application and subsequent statement of use. All allegations of intentional fraud made on information and belief may be proven with information solely within the control of Registrant.

24. Upon information and belief, the Registrant's fraudulent declarations were material to the USPTO's decision to register the Registered Mark, and the Registered Mark would not have been registered but for Registrant's knowingly false and fraudulent declarations.

25. Registrant is not entitled to maintain the Registered Mark because Registrant committed fraud in the procurement of its registration, and said registration is therefore void.

COUNT FIVE: FAILURE TO FUNCTION AS A MARK

26. Petitioner sells apparel and jewelry bearing positive and Christian-themed messages. Some of Petitioner's items bear the Registered Mark, which is the readily apparent shorthand of the phrase "God is Greater than the Highs and Lows."

27. The Registered Mark is considered a symbol of the Christian faith. It is often featured near other religious symbols—such as the cross, doves, and fish—and in connection with biblical scripture, even by the Registrant itself. See Exhibit 8, Religious References.

28. The Registered Mark is extremely popular among the Christian community. Because

of the Registered Mark's popularity, it cannot serve as a trademark as it is not the identifier of a single source.

29. Upon information and belief, in the aftermath of the viral Jonas tattoo posting not a single share or like of the Registered Mark previously presented as the Jonas Tattoo was associated with the Registrant as the source.

30. Since the posting of the Jonas Tattoo, there have been tens of thousands of social media postings featuring the Registered Mark associated with personal tattoos, apparel, jewelry, and artwork and numerous hashtags. *See Exhibit 9, Virality and Widespread Commercial Use.*

31. The Registrant's affiliated hashtag #GODISGHL, which the Registrant created and uses to promote its own products, is simultaneously used for the products of other retailers that bear the Registered Mark. *See Exhibit 10, Widespread Hashtag Use.*

32. Upon information and belief, hundreds—if not thousands—of vendors sell apparel featuring the Registered Mark. Multiple vendors were selling such apparel even prior to the Registrant's filing of the Registered Mark. As stated above, these vendors were cited in the Office Action rejection of the '995 mark.

33. The Registered Mark fails to function as a trademark because it is a symbol belonging to the masses, one with religious significance and in the throes of popular culture. The Registered Mark is merely an informational slogan used by those of Christian faith to express their beliefs and faith-based values.

34. Petitioner has been and will continue to be damaged by registration of the Registrant's Mark. By reason of all of the foregoing, Petitioner individually will be gravely damaged by the continued registration of the Registered Mark, and the public at large will be damaged by improper monopolization of religious symbols and messages.

WHEREFORE, Petitioner prays that Registration No. 5,187,052 be cancelled, and that this Petition be sustained in favor of Petitioner.

Dated: January 31, 2020

Respectfully submitted,
Rockridge Venture Law

/Kevin Christopher/
Kevin Christopher
200 W M.L.K. Blvd. STE 1000
Chattanooga, TN 37402
(423) 708-5310

Attorney for Petitioner Elevated Faith LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the forgoing MOTION FOR LEAVE TO FILE AMENDED PETITION TO CANCEL was delivered through electronic filing in ESTTA to:

John R. Sommer
sommer@stussy.com

DATED: January 31, 2020

Respectfully submitted,
Rockridge Venture Law

/Kevin Christopher/
Kevin Christopher
116 Locust St. STE E
Cookeville, TN 38501
(615) 997-0723

Attorney for Petitioner Elevated Faith LLC

EXHIBIT 1

United States of America

United States Patent and Trademark Office



Reg. No. 5,187,052

Registered Apr. 18, 2017

Int. Cl.: 25

Trademark

Principal Register

Guindi, Jeremy (UNITED STATES INDIVIDUAL)
2315 East Larkwood treet
West Covina, CA 91791

Guindi, Joseph (UNITED STATES INDIVIDUAL)
2315 East Larkwood Street
West Covina, CA 91791

CLASS 25: Baseball caps and hats; Bucket caps; Hooded sweatshirts; Shirts; Socks; Sweaters; Sweatshirts; T-shirts; Tank-tops

FIRST USE 1-27-2017; IN COMMERCE 1-27-2017

The mark consists of the letter "G", the symbol greater than, an inverted "V", and the letter "V".

SER. NO. 86-565,390, FILED 03-16-2015
MICHELE LYNN SWAIN, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 2

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86565390

Filing Date: 03/16/2015

*NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	\\TICRS\EXPORT16\IMAGEOUT\16\865\653\86565390\xml1\FTK0002.JPG
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	G, V
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the letter G, the symbol greater than, an inverted V, and the letter V.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	550 x 700
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Guindi, Joseph
*STREET	2315 East Larkwood Street
*CITY	West Covina
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants)	91791
PHONE	(626) 400-0829
EMAIL ADDRESS	Josephjj125@gmail.com
LEGAL ENTITY INFORMATION	
*TYPE	INDIVIDUAL

* COUNTRY OF CITIZENSHIP	United States
APPLICANT INFORMATION	
* OWNER OF MARK	Guindi, Jeremy
* STREET	2315 East Larkwood treet
* CITY	West Covina
* STATE (Required for U.S. applicants)	California
* COUNTRY	United States
* ZIP/POSTAL CODE (Required for U.S. applicants)	91791
PHONE	(626) 922-7302
EMAIL ADDRESS	Jeremyguindi@gmail.com
LEGAL ENTITY INFORMATION	
* TYPE	INDIVIDUAL
* COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
* INTERNATIONAL CLASS	025
* IDENTIFICATION	Baseball caps and hats; Bucket caps; Hooded sweatshirts; Shirts; Socks; Sweaters; Sweatshirts; T-shirts; Tank-tops
* FILING BASIS	SECTION 1(b)
ADDITIONAL STATEMENTS SECTION	
* TRANSLATION (if applicable)	
* TRANSLITERATION (if applicable)	
* CLAIMED PRIOR REGISTRATION (if applicable)	
* CONSENT (NAME/LIKENESS) (if applicable)	
* CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Thomas L. Difloure
FIRM NAME	Law Office of Thomas L. Difloure
STREET	13952 Bora Bora Way, #317
CITY	Marina Del Rey
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	90292
PHONE	310 578 5141
EMAIL ADDRESS	tdifloure@gmail.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

CORRESPONDENCE INFORMATION	
*NAME	Thomas L. Difloure
FIRM NAME	Law Office of Thomas L. Difloure
*STREET	13952 Bora Bora Way, #317
*CITY	Marina Del Rey
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE	90292
PHONE	310 578 5141
*EMAIL ADDRESS	tdifloure@gmail.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Plus
NUMBER OF CLASSES	1
FEE PER CLASS	225
*TOTAL FEE PAID	225
SIGNATURE INFORMATION	
* SIGNATURE	/Thomas L. Difloure/
* SIGNATORY'S NAME	Thomas L. Difloure
* SIGNATORY'S POSITION	Attorney of record, California bar member
SIGNATORY'S PHONE NUMBER	310-578-5141
* DATE SIGNED	03/16/2015
* SIGNATURE	/Thomas L. Difloure/
* SIGNATORY'S NAME	Thomas L. Difloure
* SIGNATORY'S POSITION	Thomas L. Difloure
SIGNATORY'S PHONE NUMBER	310-578-5141
* DATE SIGNED	03/16/2015

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86565390

Filing Date: 03/16/2015

To the Commissioner for Trademarks:

MARK: G, V (stylized and/or with design, see [mark](#))

The literal element of the mark consists of G, V.

The applicant is not claiming color as a feature of the mark. The mark consists of the letter G, the symbol greater than, an inverted V, and the letter V.

The applicants, Joseph Guindi, a citizen of United States, having an address of
2315 East Larkwood Street
West Covina, California 91791
United States

Jeremy Guindi, a citizen of United States, having an address of
2315 East Larkwood treet
West Covina, California 91791
United States

request registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Baseball caps and hats; Bucket caps; Hooded sweatshirts; Shirts; Socks; Sweaters; Sweatshirts; T-shirts; Tank-tops
Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Thomas L. Difloure of Law Office of Thomas L. Difloure
13952 Bora Bora Way, #317
Marina Del Rey, California 90292
United States

The applicant's current Correspondence Information:

Thomas L. Difloure
Law Office of Thomas L. Difloure
13952 Bora Bora Way, #317
Marina Del Rey, California 90292
310 578 5141(phone)
tdifloure@gmail.com (authorized)

E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or applicant's attorney at the e-mail address provided above. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in an additional processing fee of \$50 per international class of goods/services.

A fee payment in the amount of \$225 has been submitted with the application, representing payment for 1 class(es).

Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Thomas L. Difloure/ Date Signed: 03/16/2015
Signatory's Name: Thomas L. Difloure
Signatory's Position: Attorney of record, California bar member

Signature: /Thomas L. Difloure/ Date Signed: 03/16/2015
Signatory's Name: Thomas L. Difloure
Signatory's Position: Thomas L. Difloure

RAM Sale Number: 86565390
RAM Accounting Date: 03/17/2015

Serial Number: 86565390
Internet Transmission Date: Mon Mar 16 16:16:41 EDT 2015
TEAS Stamp: USPTO/FTK-XXX.XXX.XX.XX-2015031616164106
5732-86565390-530c467ed75f77d86ea45bf9b
2617a98945248d4d8525877f1eab762da5533b-C
C-2494-20150316134015571166

G > ^ v

EXHIBIT 3

Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

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EXTENSION OF USE	NO
MARK SECTION	
MARK FILE NAME	https://tmng-al.uspto.gov/resting2/api/img/86565390/large
LITERAL ELEMENT	G V V
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
OWNER SECTION (1st owner)(current)	
NAME	Guindi, Joseph
STREET	2315 East Larkwood Street
CITY	West Covina
STATE	California
ZIP/POSTAL CODE	91791
COUNTRY	United States
PHONE	(626) 400-0829
EMAIL	tdifloure@gmail.com
OWNER SECTION (1st owner)(proposed)	
NAME	Guindi, Joseph
STREET	2315 East Larkwood Street
CITY	West Covina
STATE	California
ZIP/POSTAL CODE	91791
COUNTRY	United States
PHONE	(626) 400-0829
EMAIL	tdifloure@gmail.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
OWNER SECTION (2nd owner)(current)	
NAME	Guindi, Jeremy
STREET	2315 East Larkwood tree

CITY	West Covina
STATE	California
ZIP/POSTAL CODE	91791
COUNTRY	United States
PHONE	(626) 922-7302
EMAIL	Jeremyguindi@gmail.com
OWNER SECTION (2nd owner)(proposed)	
NAME	Guindi, Jeremy
STREET	2315 East Larkwood Street
CITY	West Covina
STATE	California
ZIP/POSTAL CODE	91791
COUNTRY	United States
PHONE	(626) 922-7302
EMAIL	tdifloure@gmail.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	025
CURRENT IDENTIFICATION	Baseball caps and hats; Bucket caps; Hooded sweatshirts; Shirts; Socks; Sweaters; Sweatshirts; T-shirts; Tank-tops
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	01/27/2017
FIRST USE IN COMMERCE DATE	01/27/2017
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN0-1072072411-20170201125539395724 . Specimen 1.pdf
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ORIGINAL PDF FILE	SPN0-1072072411-20170201125539395724 . Specimen 2.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT17\IMAGEOUT17\865\653\86565390\xml3\SOU0003.JPG
SPECIMEN DESCRIPTION	T-shirts
REQUEST TO DIVIDE	NO
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100
TOTAL AMOUNT	100
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Thomas L. Difloure/
SIGNATORY'S NAME	Thomas L. Difloure

SIGNATORY'S POSITION	Attorney of record, California bar member
DATE SIGNED	02/01/2017
SIGNATORY'S PHONE NUMBER	3105785141
FILING INFORMATION	
SUBMIT DATE	Wed Feb 01 13:21:05 EST 2017
TEAS STAMP	USPTO/SOU-XXX.XXX.XX.XX-2 0170201132105622513-86565 390-58052ba094442da4125f6 72e26e522f760f3da809aefd4 2077269dbbe39415eb0-CC-98 56-20170201125539395724

Trademark/Service Mark Statement of Use
(15 U.S.C. Section 1051(d))

To the Commissioner for Trademarks:

MARK: G V V (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/86565390/large>)

SERIAL NUMBER: 86565390

The applicants, Guindi, Joseph, having an address of

2315 East Larkwood Street
West Covina, California 91791
United States
(626) 400-0829

tdifloure@gmail.com (authorized)

Guindi, Jeremy, having an address of

2315 East Larkwood Street
West Covina, California 91791
United States
(626) 922-7302

tdifloure@gmail.com (authorized)

are submitting the following allegation of use information:

For International Class 025:

Current identification: Baseball caps and hats; Bucket caps; Hooded sweatshirts; Shirts; Socks; Sweaters; Sweatshirts; T-shirts; Tank-tops

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 01/27/2017, and first used in commerce at least as early as 01/27/2017, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) T-shirts.

Original PDF file:

[SPN0-1072072411-20170201125539395724 . . Specimen 1.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPN0-1072072411-20170201125539395724 . . Specimen 2.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

Declaration

- The applicant is the owner of the mark sought to be registered.
- For a trademark or service mark application**, the mark is in use in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified.
For a collective trademark, collective service mark, collective membership mark application, the applicant is exercising legitimate control over the use of the mark in commerce by members on or in connection with all the goods/services/collective membership

organization in the application or notice of allowance, or as subsequently modified.

For a certification mark application, the applicant is exercising legitimate control over the use of the mark in commerce by authorized users on or in connection with the all goods/services in the application or notice of allowance, or as subsequently modified, and the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

- The specimen(s) shows the mark as used on or in connection with the goods/services/collective membership organization in commerce.
- To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.
- To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /Thomas L. Difloure/ Date Signed: 02/01/2017
Signatory's Name: Thomas L. Difloure
Signatory's Position: Attorney of record, California bar member
Signatory's Phone: 3105785141

RAM Sale Number: 86565390
RAM Accounting Date: 02/01/2017

Serial Number: 86565390
Internet Transmission Date: Wed Feb 01 13:21:05 EST 2017
TEAS Stamp: USPTO/SOU-XXX.XXX.XX.XX-2017020113210562
2513-86565390-58052ba094442da4125f672e26
e522f760f3da809aefd42077269dbbe39415eb0-
CC-9856-20170201125539395724





FEE RECORD SHEET

Serial Number: 86565390



RAM Sale Number: 86565390

Total Fees: \$100

RAM Accounting Date: 20170201

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20170201	\$100	1	\$100

Transaction Date: 20170201



EXHIBIT 4

To: Yiwu Guiya Electronic Commerce Co., Lt ETC. (josh@wen-ip.com)
Subject: U.S. TRADEMARK APPLICATION NO. 88322995 - GOD IS GREATER THAN THE HIGHS AND - 201903020679
Sent: 6/18/2019 8:31:22 PM
Sent As: ECOM109@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
[Attachment - 8](#)
[Attachment - 9](#)
[Attachment - 10](#)
[Attachment - 11](#)
[Attachment - 12](#)
[Attachment - 13](#)
[Attachment - 14](#)
[Attachment - 15](#)
[Attachment - 16](#)
[Attachment - 17](#)
[Attachment - 18](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION
SERIAL NO.** 88322995

MARK: GOD IS
GREATER THAN THE
HIGHS AND

88322995

**CORRESPONDENT
ADDRESS:**
ZIHUA HAN
WEN IP LLC
7710 80TH PL SE
MERCER ISLAND,
WA 98040

**CLICK HERE TO RESPOND TO THIS
LETTER:**

http://www.uspto.gov/trademarks/teas/response_forms.jsp

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Yiwu
Guiya Electronic
Commerce Co., Lt ETC.

**CORRESPONDENT'S
REFERENCE/DOCKET
NO:**

201903020679

**CORRESPONDENT E-
MAIL ADDRESS:**

josh@wen-ip.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW. A RESPONSE TRANSMITTED THROUGH THE TRADEMARK ELECTRONIC APPLICATION SYSTEM (TEAS) MUST BE RECEIVED BEFORE MIDNIGHT EASTERN TIME OF THE LAST DAY OF THE RESPONSE PERIOD.

ISSUE/MAILING DATE: **6/18/2019**

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. See 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone or e-mail without incurring this additional fee.

This application was approved for publication on May 11, 2019. See 37 C.F.R. §2.80. However, approval of the application has been withdrawn to address the issue(s) below. See TMEP §706.01. The trademark examining attorney apologizes for any inconvenience this may cause applicant.

Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

Summary of Issues: (*) Indicates Issues Applicant Must Address:

* Section 1, 2 & 45 Refusal – Failure to Function – Widely Used Commonplace Message/Expression

SECTION 1, 2 & 45 REFUSAL – FAILURE TO FUNCTION – WIDELY USED COMMONPLACE MESSAGE/EXPRESSION

Registration is refused because the applied-for mark is a slogan or term that does not function as a trademark or service mark to indicate the source of applicant's goods and to identify and distinguish them from others. Trademark Act Sections 1, 2, 3, and 45, 15 U.S.C. §§1051-1053, 1127. In this case, the applied-for mark is a commonplace term, message, or expression widely used by a variety of sources that merely conveys an ordinary, familiar, well-recognized concept or sentiment. See *In re Volvo Cars of N. Am., Inc.*, 46 USPQ2d 1455, 1460-61 (TTAB 1998) (holding DRIVE SAFELY not registrable for automobiles and automobile parts because the mark would be perceived merely as an "everyday, commonplace safety admonition"); *In re Remington Prods., Inc.*, 3 USPQ2d 1714, 1715-16 (TTAB 1987) (holding PROUDLY MADE IN USA not registrable for electric shavers because the mark would be perceived merely as a common message encouraging the purchase of domestic-made products); TMEP §1202.04(b).

Terms and expressions that merely convey an informational message are not registrable. *In re Eagle Crest, Inc.*, 96 USPQ2d 1227, 1229 (TTAB 2010). Determining whether the term or expression functions as a trademark or service mark depends on how it would be perceived by the relevant public. *In re Eagle Crest, Inc.*, 96 USPQ2d at 1229; *In re Aerospace Optics, Inc.*, 78 USPQ2d 1861, 1862 (TTAB 2006); TMEP §1202.04. "The more commonly a [term or expression] is used, the less likely that the public will use it to identify only one source and the less likely that it will be recognized by purchasers as a trademark [or service mark]." *In re Hulting*, 107 USPQ2d 1175, 1177 (TTAB 2013) (quoting *In re Eagle Crest, Inc.*, 96 USPQ2d at 1229); TMEP §1202.04(b).

The attached evidence from the following internet websites show that the expression GOD IS GREATER THAN THE HIGHS AND LOWS is commonly used religious inspirational message used in connection with jewelry:

<http://www.candycoutureshop.com/product/god-is-greater-necklace>

<https://www.highstylinboutique.com/collections/necklace-1/products/god-is-greater-than-the-highs-and-lows-skosh-necklace-80-706-1>

<https://www.betterwithfaith.com/products/god-is-greater-than-the-highs-and-lows-necklace>

<https://www.mindfuelnest.com/products/god-is-greater-than-the-highs-and-lows-devotional-necklace>

<https://www.everythingcardsandvintage.com/jewelry/god-is-greater-than-the-highs-and-lows>

<https://jaeci.com/products/god-is-greater-than-the-highs-and-lows-bangle#>

Because consumers are accustomed to seeing this term or expression commonly used in everyday speech by many different sources, they would not perceive it as a mark identifying the source of applicant's goods and/or services but rather as only conveying an informational message.

An applicant may not overcome this refusal by amending the application to seek registration on the Supplemental Register or asserting a claim of acquired distinctiveness under Section 2(f). TMEP §1202.04(d); *see In re Eagle Crest, Inc.*, 96 USPQ2d at 1229. Nor will submitting a substitute specimen overcome this refusal. *See* TMEP §1202.04(d).

ASSISTANCE

If applicant has questions about its application or needs assistance in responding to this Office action, please telephone the assigned trademark examining attorney.

/Deborah Lobo/
Trademark Examining Attorney
Law Office 109
(571) 272-3263
deborah.lobos@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



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Necklace Club Wedding Monogram Name Necklaces Flash Sale Mens Tee's Pool Floats and More
Girl Clothes discounts Zodiac Bar Necklaces Teacher Gift Sports Jewelry Coffee Mugs, Totes, and More
Autism Awareness \$10 Necklace Sale PETS Black & items Make Up Bags Socks
12 DAYS OF CHRISTMAS SALE Sun Glasses Xplicit Line All Products

HOME / NECKLACES / GOD IS GREATER NECKLACE



A
S
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F
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M
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A
C
A
C
E
C



GOD IS GREATER NECKLACE

\$25.00

This God is greater necklace comes in 3 colors gold silver and rose gold you have 2 choices as well. You can choose a bar necklace or a round charm necklace. Each necklace come on a card that reads God is greater than the highs and lows.

If you want the arrow design leave it in the note to seller box.

GOLD BAR

[tweet this!](#) [share this!](#) [pin this!](#)

[MORE PRODUCTS](#)

A
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C

A
C
F

MORE PRODUCTS

MODEL



E
C
C
E
C



- Apparel
- Accessories
- Jewelry
- Skosh
- Gifts/Tumblers
- Social Media
- Sale
- Blog

THANKS FOR SHOPPING HIGH STYLIN' BOUTIQUE!

[Home](#) > [Necklace](#) > "God is Greater Than The Highs and Lows" Skosh Necklace 80-706-1



"GOD IS GREATER
THAN THE HIGHS
AND LOWS" SKOSH
NECKLACE 80-706-1



Sold Out

Notify me when this product is available:

Enter your email address:

Send

God is Greater Than The Highs and Lows Skosh Necklace

Collection: Necklaces, Skosh

Type: Skosh

Vendor: Skosh

Tweet Share Like 0

← Previous

Next →

Earn Rewards

RELATED ITEMS



Earn Rewards



"Fabric Tassel" Necklace ~~\$42.00~~ \$28.00 - Sold Out



"Mississippi Bar" Skosh Necklace Silver 58-004-2 \$35.95



"Skosh Heart" Rose Gold Necklace 57-494-8 ~~\$40.00~~ \$34.00 - Sold Out

High Stylin' Info

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- Policies
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Enter your email address...

Sign Up

About Amy & Rhonda

High Stylin' Boutique is Amy Jones and Rhonda High. We are two Southern women, educators, coaches' wives, mothers, and friends.

Earn Rewards

- Apparel
- Accessories
- Jewelry
- Skosh
- Gifts/Tumblers
- Social Media
- Sale
- Blog

Development by 2 Friends Advanced Powered by Shopify



Earn Rewards

HOME > JEWELRY > GOD IS GREATER THAN THE HIGHS AND LOWS NECKLACE



Better With Faith

God is Greater Than the Highs and Lows Necklace

\$27.49

Quantity

- 1 +

ADD TO CART

Ask us a question

God is Greater Than the Highs and Lows Necklace, Christian Necklace, Christian Jewelry, Confirmation Gift, Gift for her, Motivational

"God is greater than the highs and lows."
The perfect reminder that if he brings you to it, he will bring you through it!

- MATERIAL & SIZING •
- Washer pendant - 1 in. x 1 in.
- 17.5" chain with lobster clasp
- Made from Alkanti, a material made to be comparable to sterling silver, these will not tarnish!

• WHAT IS HAND STAMPED JEWELRY? •
Hand stamped jewelry is created by using metal stamps and a hammer to make an impression of the stamp into the metal jewelry piece, one character at a time. Each piece is individually created just for you!
Hand stamped jewelry will vary from piece to piece. The charm of hand stamped jewelry is that each and every piece is unique, and no two people will have the exact same piece of jewelry. How cool is that?

• SHIPPING INFORMATION & ESTIMATED DELIVERY DATES •
Please note: The estimated delivery dates are based on purchase date, recipient's location, my processing time and location, and the shipping method you choose. Other factors—like placing an order on a weekend or a holiday—may end up pushing the arrival of your item beyond the estimated delivery date. These dates are populated by Etsy and I cannot guarantee USPS will deliver on those dates.

More in this Collection



First Class shipping can take up to FIVE business days to arrive - if you need your order by a particular date I recommend choosing Priority shipping (typically 2 day shipping) or Priority Express shipping (typically overnight shipping) at checkout.

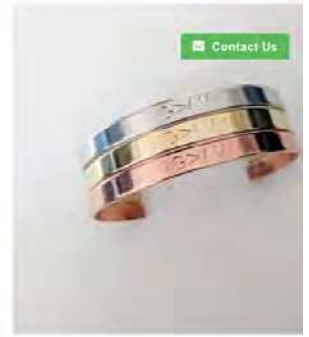
Customer Reviews

No reviews yet

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About

At Better With Faith you will find an array of Christian inspired jewelry, home goods, and various accessories sourced from designers and Christian towns all over the world. We launched in 2017 and are continually building our inventory of beautiful items inspired by our Lord. If you have any questions please feel free to email us at hello@betterwithfaith.com or call us 323-739-0273.



Contact Us

\$55.283.1190 FREE SHIPPING OVER \$35*

inspire the **mindfuelnest** emkindle the
the self

[Jewelry](#) [Home & Gift](#) [Apparel](#) [New](#) [Sale](#) [Gift Cards](#) [Rewards](#) [Refer a Friend](#)

Home / [God is Greater Than the Highs and Lows Necklace](#)



Sold Out
Item: JAE-GODJ-S

God is Greater Than the Highs and Lows Necklace

\$28.00

Finish: Silver



Free shipping over \$25 / [Click for details](#)

Earn \$10

Share      

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Sign up for our e-mail and be the first who know our special offers!

Enter your e-mail

Submit

Earn \$10



Jewelry > God is Greater Than The Highs And Lows

< Previous | Next >



God is Greater Than The Highs And Lows

from \$38.00

COLOR:

Select Color ▾

QUANTITY:

1



ADD TO CART

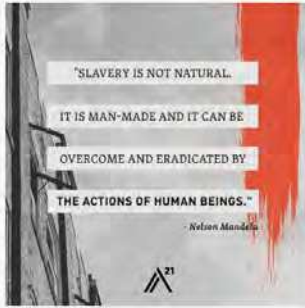
Handmade Bar Necklace. Material: High quality sterling silver, gold filled, rose gold filled. Chain Length: 18", worn slightly below collar bone.

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Comments

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No one has commented yet. Be the first!



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GOD IS GREATER THAN THE HIGHS AND LOWS DELICATE BANGLE

\$15.00

[Write a review](#)

COLOR

- SILVER
- 14K Rose Gold Plated
- 14K Gold Plated

QUANTITY

- 1 +

ADD TO CART

Can I get an AMEN?! Because, let me tell you what, God is GOOD ALL THE TIME!

Fully adjustable bangle engraved with GOD IS GREATER THAN THE HIGHS AND LOWS.



Jill in Detroit, United States purchased a Harmony Symbol Necklace



★ WHAT PEOPLE ARE SAYING



E.A.R.

Reward Program

Available in Silver (Stainless Steel) and *NEW* 14K Rose Gold Plated Stainless Steel and *NEW* 14K Gold Plated Stainless Steel

ONE SIZE

Lead-free and Nickel-free = Irritant-free and Tarnish-free, perfect on sensitive skin

BE SAYING

NO REVIEWS

Reward Program

Share Tweet Pin It



Jill in Detroit, United States purchased a **Harmony Symbol Necklace**



BE SAYING

Powered by

WRITE A REVIEW

BE THE FIRST TO WRITE A REVIEW

Reward Program



Jill in Detroit, United States purchased a **Harmony Symbol Necklace**

WHAT SPIRIT ANIMAL ARE YOU?



BE SAYING



BUY ONE GET ONE 50% OFF

Any necklace you buy get the second one 50% off!
Use code: NECKLACELOVER

SHOP NOW



WHAT'S YOUR SPIRIT ANIMAL?

Have you ever wondered what your Spirit Animal is? Like, the actual animal? We know you have, which is why we came up with this four-question quiz with necklaces & bracelets!



Jill in Detroit, United States purchased a **Harmony Symbol Necklace**



JOIN THE SOCIETY

Every month, you'll receive 4 mystery jewels (up to \$140 value). A combination available only to JAECI Jewels Society members. Shipping is completely **FREE** on all U.S. orders!

JOIN NOW

Reward Program

SHOP

INSTASHOP

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- Necklaces
- Pet Jewelry
- Spirit Animal Jewelry

ABOUT JAECI

- Our Story
- JAECI Jewels Society
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- All Collections
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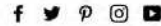
NEED HELP?

- Contact Us
- Store Locator
- Returns
- FAQs
- Custom Jewels
- Corporate Gifts
- Terms & Conditions
- Wholesale Login

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Get first access to special offers, free giveaways, and new jewels!

Enter your email



Reward Program

Reward Program

 Jill in Detroit, United States purchased a **Harmony Symbol Necklace**

 Jill in Detroit, United States purchased a **Harmony Symbol Necklace**

Powered by Shopify

© 2019 Shipping on orders with ZIP

VING

E-NAME SAVING



To: Yiwu Guiya Electronic Commerce Co., Lt ETC. (josh@wen-ip.com)
Subject: U.S. TRADEMARK APPLICATION NO. 88322995 - GOD IS GREATER THAN THE HIGHS AND - 201903020679
Sent: 6/18/2019 8:31:26 PM
Sent As: ECOM109@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **6/18/2019** FOR U.S. APPLICATION SERIAL NO. 88322995

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **6/18/2019** (*or sooner if specified in the Office action*). A response transmitted through the Trademark Electronic Application System (TEAS) must be received before midnight **Eastern Time** of the last day of the response period. For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the TEAS response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

EXHIBIT 5



Instagram



nickjonas • Follow



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amandalfmotta
@matheusfideless



39w Reply



postsbyelizabeth my favorite ♥



31w Reply



deann_ugh @wyatt.schmidt87



18w Reply

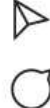
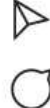
— View replies (2)



ellie_b_ I have the same tattoo :)



5d Reply



182,941 likes

AUGUST 8, 2013

Add a comment...

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🔔 ²⁰⁺ **Notifications**

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← **Tweet**



Goody Two Shoes
@Goody2ShoesGal

Saw this on Instagram and fell in love. It said "God is greater than the highs and lows."



7:55 PM · Aug 8, 2013 · Twitter for iPhone

2 Retweets 6 Likes

EXHIBIT 6



classycraftsbyash • Follow



classycraftsbyash #God
#Godisgreater #upsanddowns
#Godisgreaterthantheupsanddowns
#Cross #Celtic #celticcross
#keychain #faith #christian
#christiankeychain #copper
#silver #silvercross #up #down
#handstamped #handstamping
#metalstamped #metalstamping
#stampedmetal #stampedcopper



263w Reply



christineemay I love this



263w Reply



adam.giola This is sweet



263w Reply

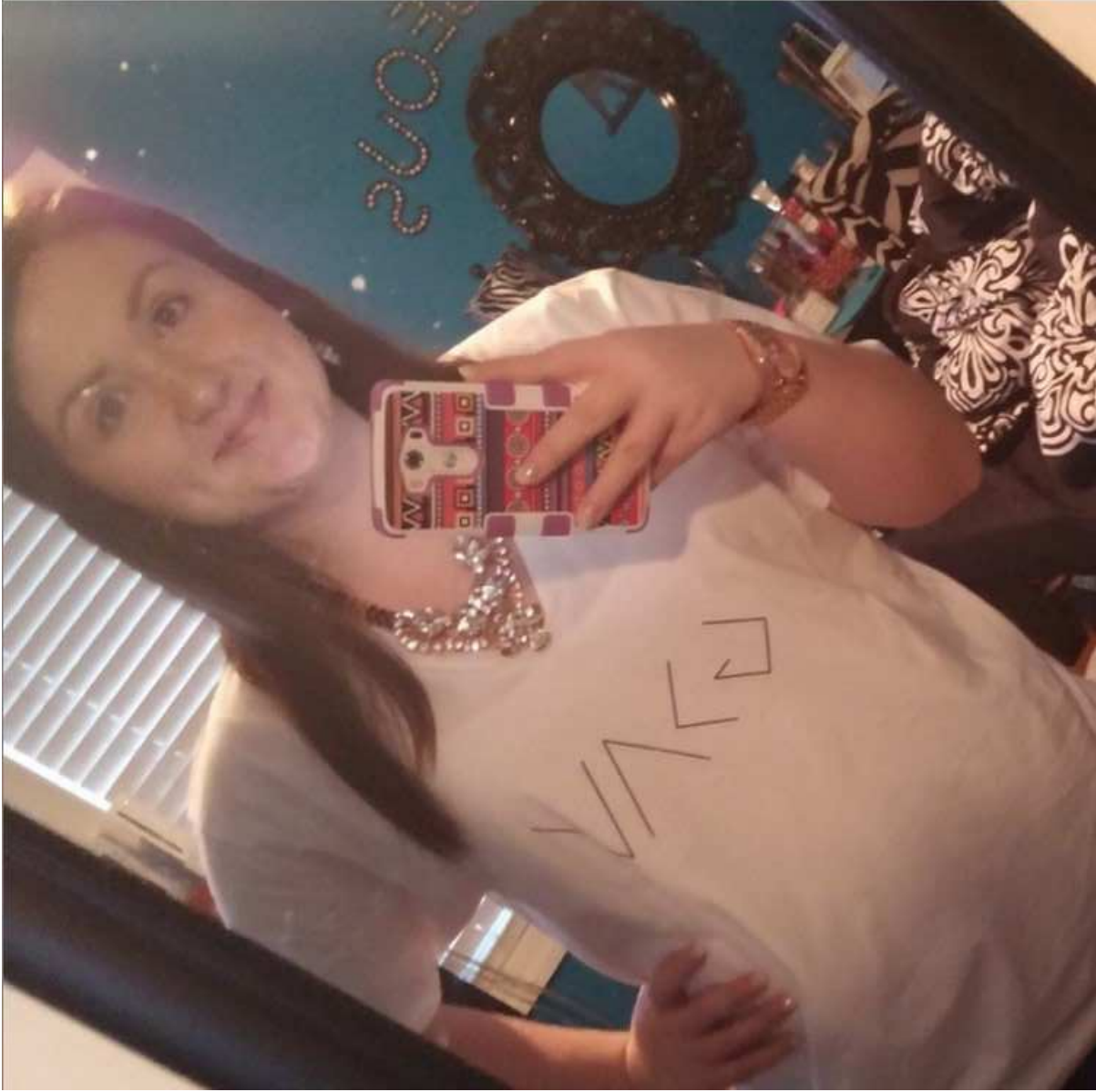


22 likes

JANUARY 5, 2015

Add a comment...

Post



 **gracie_thompson316** • Follow ...

253w Reply

 **lauren.moon** Where did you get this? 😊

252w Reply

 **gracie_thompson316** On skreened! @lauren.moonn

252w Reply

 **lauren.moon** Thank you so much!

252w Reply

 **gracie_thompson316** Your very welcome! 😊 @lauren.moonn

252w Reply



43 likes

MARCH 18, 2015

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Women of Faith
@womenoffaith

Great news! God is greater than the highs and lows -The best-selling is in stock! bit.ly/2ybEa3h




2:09 AM · Oct 12, 2017 · Sprout Social

4 Retweets 16 Likes

EXHIBIT 7






theightblonde • Follow ...

3rdstreetgym Love this shirt  283w Reply

theightblonde Thanks @elanphh!!! @allthingskel it's a unisex style so it runs on the larger size for women and a bit smaller for me. I recommend ladies ordering a size down from their normal shirt size and men a size up! 282w Reply

aubreymeadows Wow. Amazing. In love with your line of TSHIRTS!!! 277w Reply

   **93 likes**

AUGUST 14, 2014

Add a comment... Post



emma.erla • Follow



past half hour lol. I can't find a way to contact them. I just had some questions for them about the internships. Do u know of a way at all?

274w Reply



kaleydignen How stinking cool!!! :) yes!! Go to their website and there should be a contact us spot or email! If not follow them on their Instagram at darajachoir and comment on there!

274w Reply



emma.erla Ok awesome I'm gunna go look!!! :)

274w Reply



70 likes

AUGUST 25, 2014

Add a comment...

Post



thelightblonde

🕒 60m



smokinhotstudio • Follow



smokinhotstudio 🍷❤️🍷 Go follow 📲👉 @thelightblonde 📲👉 now, thank me later 🙌 #yourwelcome #thelightblonde

287w



elizabelle27 @livispill



287w

Reply



thelightblonde Yesssssss 🍷🍷🍷🍷



287w

Reply



livispill Love it!! @elizabelle27



287w

Reply



30 likes

JULY 24, 2014


Add a comment...

Post



 **she_simply_shines** • Follow ...

 @laurenmatzek I got one too! 😊
268w Reply

 **thelightblonde** Yay!!!! Thanks for sharing!! So glad that you love it!! 😄😄😄😄
268w Reply

 **memawmisa** Love this shirt!!
268w Reply

 **she_simply_shines** I adore the shirt @thelightblonde! Would you be interested in doing a collaboration for @trs_foundation??
268w Reply

30 likes
NOVEMBER 30, 2014

Add a comment... [Post](#)



meganjmora • Follow



new \$19.99 bling necklace from Target
💎 #ootd #thelightblonde
#Godisgreaterthan #target
#girlonabudget 🙏🏻

264w



meganjmora #fashion
#fashionobsessed #instagreat
#instagood #targetstyle #preach
#bling #style
#greatstyleisntexpensive #prep
#ootd #wiv #outfitoftheday
#whatiwore



264w Reply



themodelhunter @TarekHijazi :)
@Aboutalook



264w Reply



18 likes

JANUARY 1, 2015

Add a comment...

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SALTWATER AND STILETTOS

NOVEMBER 13, 2014

God is Greater than the Highs and Lows





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[KXX86MjXe74/VGLK7mCTLBI/AAAAAAAAABsc/Y81qXYT_wJA/s1600/BayBay%2B227%2BFIX.jpg](https://1.bp.blogspot.com/-KXX86MjXe74/VGLK7mCTLBI/AAAAAAAAABsc/Y81qXYT_wJA/s1600/BayBay%2B227%2BFIX.jpg)





https://4.bp.blogspot.com/-iQHQwptkz5U/VGLKz_rVSiI/AAAAAAAAABr8/AjavA8O5UI0/s1600/BayBay%2B109%2BFIX.jpg





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[CiRorIUzifo/VGLLD7nkitI/AAAAAAAAABtE/7wieH_h3ZjA/s1600/Sitting%2Bon%2Bthe%2Bdock%2Bof%2Bthe%2Bbay%2B565%2BFIX.jpg](https://4.bp.blogspot.com/-CiRorIUzifo/VGLLD7nkitI/AAAAAAAAABtE/7wieH_h3ZjA/s1600/Sitting%2Bon%2Bthe%2Bdock%2Bof%2Bthe%2Bbay%2B565%2BFIX.jpg)





https://4.bp.blogspot.com/-FrvPgTy3F1U/VGLKzHYkSCI/AAAAAAAAABr0/hwr_u4pF5PA/s1600/BayBay%2B009%2BFIX.jpg





(<https://4.bp.blogspot.com/-9Qzzy8wjzRI/VGLK6EGSeAI/AAAAAAAAABsU/-FXUyHOTd9E/s1600/BayBay%2B223%2BFIX.jpg>)





<https://3.bp.blogspot.com/-AgSNgA1iRkc/VGLK9Kr9Fsi/AAAAAAAAABsk/MlbC2srg8fo/s1600/Sitting%2Bon%2Bthe%2Bdock%2Bof%2Bthe%2Bbay%2B464%2BFIX.jpg>





(https://1.bp.blogspot.com/-lelWNYXT_C0/VGLLA9phOVI/AAAAAAAAABs0/PTt2sc8tl-w/s1600/Sitting%2Bon%2Bthe%2Bdock%2Bof%2Bthe%2Bbay%2B482%2BFIX.jpg)

Shirt (<http://www.thelightblonde.com/collections/frontpage/products/god-is-greater-tee-pre-order>) | Sweater (<http://oldnavy.gap.com/browse/product.do?cid=89219&vid=1&pid=144321012>) | Jeans (http://shop.nordstrom.com/s/rag-bone-jean-rip-detail-skinny-jeans-kensington-nordstrom-exclusive/3747542?origin=category-personalizedsort&contextualcategoryid=0&fashionColor=&resultback=4686&cm_sp=personalizedsort--browseresults--1_12_D) | Boots (http://www.toryburch.com/claremont-tall-boot/32148369.html?start=41&dwvar_32148369_color=009&cgid=shoes-boots-booties) | Bracelet (<http://www.kendrascott.com/cassie-bracelet-in-white.html/>) | Bag (http://www.toryburch.com/robinson-open-dome-satchel/31149769.html?start=22&cgid=handbags-the-robinson-collection&dwvar_31149769_color=250) (similar)

Happy Thursday loves! What a week it's been! Turns out last night was a horrible night's sleep, but on a good note I did get a new jacket! 😊 Check out my Instagram [here](#)

(<http://instagram.com/lawrenbagley>) to see a little peek of it! It's a cute little polka dot number and is currently on sale!! You can buy the jacket [here](http://www.target.com/p/women-s-wool-coat-black-polka-dot/-/A-15582754#prodSlot=medium_1_19&term=merona+jackets) (http://www.target.com/p/women-s-wool-coat-black-polka-dot/-/A-15582754#prodSlot=medium_1_19&term=merona+jackets). I attempted to walk around last night with just my sweater on and it didn't cut it! It's so cold in Dallas, and is even in the 20's tonight! It wouldn't be so bad if it wasn't windy! Any excuse for me to buy a new item of clothing, right?! 😊 Now to talk about a wonderful company that prints awesome shirts, and spreads amazing messages. [The Light Blonde](http://www.thelightblonde.com/) (<http://www.thelightblonde.com/>) is all about sharing the light, and the owner and creator Ali was inspired to start this venture by Matthew 5:14: "You are the light of the world. A town built on a hill cannot be hidden...In the same way, let your light shine before others, that they may see you good deeds and glorify you Father in heaven." This shirt is just one of the many great ones in her line, and my favorite. It means God is greater than the highs and lows. This is such a strong and true message. God is greater than we could ever imagine. One of the things I love about this shirt is people have to ask about the meaning, so it gives one the chance to speak about the goodness of God.

Just this week one of the wisest men I know, my father, sent me an e-mail and it shared this verse:

Hebrews:10:24-25

"And let us consider how to stir up one another to love and good works, not neglecting to meet together, as is the habit of some, but encouraging one another, and all the more as you see the Day drawing near."

It's amazing how talking about the word of the Lord can lift someone up. [The Light Blonde](http://www.thelightblonde.com/) (<http://www.thelightblonde.com/>) line of shirts do just that. We too often fear to speak our feelings of the Lord with our mouth. Let your shirt help to get the message started.

A huge thanks to Ali for inspiring, uplifting, and working her butt off to do something she loves to do, all while making the world a better and chicer place. Go spread God's word, and remember that no matter where he leads us, his presence is always with us.

*xo,
Lawren*

0 Comments

Saltwater and Stiletto

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lawrenbagley
(https://www.instagram.com/lawrenbagley)

Placeholder text for the first row of content.

Placeholder text for the second row of content.

Placeholder text for the third row of content.

[Load More...](#)

[Follow on Instagram \(https://www.instagram.com/lawrenbagley\)](https://www.instagram.com/lawrenbagley)

EXHIBIT 8



ohsnap_itse • Follow



305w Reply



haileyylane Wow Em these are really good! 😊



305w Reply



jcfreak819 Stunning...



305w Reply



ohsnap_itse Thank you Hailey! And brad 😊 hahaha thanks @jcfreak819 @haileyylane



305w Reply



music_g33k Follow back?



297w Reply



52 likes

MARCH 15, 2014

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Anna Espera Tinaya updated her cover photo.



May 1, 2014 · 🌐

GOD is greater than HIGHS and LOWS



👍 12

🔗 Share



stevensalcedo_s • Follow



stevensalcedo_s :)#soloartattoo
#chesttattoos #smalltattoos #jususfish
#tattoos #tatujes #inked
#girlwithtattoos
#godisgreaterthanthehighsandlows

231w



saphirerose02 I love it!! Thank ...
you so much!!

230w Reply



12 likes

AUGUST 20, 2015

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Forgot to post this more Jesus tats holla





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Gods Of Ink - Gloucester



kelsmartyn Romans 8:39

129w



kelsmartyn #godisghl
#minimalism #tattoo #inked
#romans839 #bible #faith



129w Reply



11 likes

AUGUST 7, 2017

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#minimalism #love #hope #verse
#romans #clothing #shirt
#dailypic #instatattoo
#godisgreaterthanthehighsandlo
ws #picoftheday #instagod
#religion #beautiful #romans839
#donate #philanthropy

140w Reply



texasdoll88 😊



140w 1 like Reply



anastasia_bachykala Interesting...



140w Reply



145 likes

MAY 22, 2017

Add a comment...

Post

EXHIBIT 9



Alejandro Valdes Ferriño updated his cover photo.

October 20, 2013 · 🌐



God is greater than the highs and lows!



*God is greater than
the highs and lows*

👍 6

🔗 Share



Hannah Trimor updated her cover photo.

December 4, 2014 ·



God is greater than the highs and lows.



3

Share



Anjelica Avila updated her cover photo.



January 8, 2014 · 🌐

be happy rain or shine, be a friend in heaven or in hell, & always always know GOD is greater than the highs and the lows.



2



mollipop • Follow
Southeastern University



mollipop My painting that I did the other day! It means "God is greater than the highs and lows." Thanks for inspiring me to paint, Sarah! #painting #GodIsGreaterThanTheHighsAndLows

278w



crystal_cassidy 🍷💜💛💙💖💗



278w

Reply



aliburdin Perfect! :)



278w

Reply



60 likes

SEPTEMBER 23, 2014

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Arlet Ramirez updated her cover photo.

October 13, 2013 · 🌐



God is greater than the highs and lows



👍 10

21 Comments

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Haleigh Kiser updated her cover photo.



March 8, 2014 · 🌐

God is Greater than the Highs and Lows ❤️



👍 6

1 Share

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Price (\$) ▾

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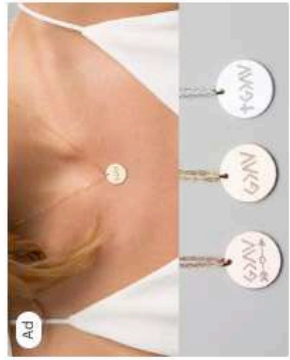
God Is Greater Sweatshirt | Christia...
rootedgroundedhome
★★★★★ (4,438)
\$35.70 ~~\$42.00~~ (15% off)
FREE shipping



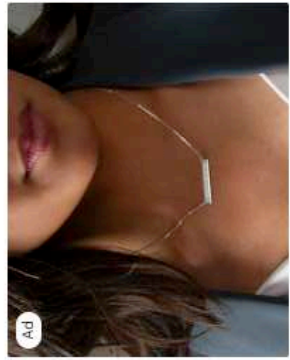
God Is Greater Than the Highs and ...
BellaAndBlush
★★★★★ (2,145)
\$34.00 FREE shipping



Personalized God is greater than th...
ajscustomjewelry
★★★★★ (3,434)
\$12.50
Bestseller



God is Greater than the Highs and L...
ChicInGold
★★★★★ (2,132)
\$29.95
Bestseller



God Is Great Necklace, Christian Ne...
GIGIMEY
★★★★★ (4,482)
\$43.55 FREE shipping

EXHIBIT 10



Instagram

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#godisgreaterthanmyhighsandlows

441 posts

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Instagram

Search



#godisgreaterthanhighsandlows

615 posts

Follow



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21,713 posts

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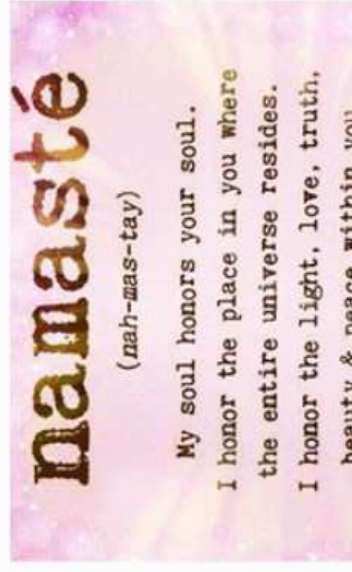
Related Hashtags: #godsgotthis #godisfaithful #havefaith #godknowsbest #trustgod #godspromises #trustingod #godlovesyou #jesusistheonlyway #giveittogod



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