AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	**REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of Illinois on the following

☑ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
16cv9267	9/27/2016	Northern District of Illinois

PLAINTIFF	DEFENDANT
Fitness Anywhere LLC	The Partnerships and Unincorporated Associations Identified on Schedule "A"

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 See attached		
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
Thomas G. Bruton	Kerwin Posley	11/23/2016

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

United States of America

United States Patent and Trademark Office

RIP

Reg. No. 4,187,178

Registered Aug. 7, 2012

Int. Cl.: 28

TRADEMARK

PRINCIPAL REGISTER

FITNESS ANYWHERE LLC (DELAWARE LIMITED LIABILITY COMPANY)
755 SANSOME ST., STE. 600
SAN FRANCISCO, CA 94111

FOR: FITNESS AND EXERCISE EQUIPMENT, NAMELY, EXERCISE BARS FOR USE IN RESISTANCE TRAINING, CARDIOVASCULAR TRAINING, AND WEIGHT TRAINING , IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 9-30-2011; IN COMMERCE 9-30-2011.

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

SN 77-912,036, FILED 1-14-2010.

RUDY R. SINGLETON, EXAMINING ATTORNEY

David J. Kappos

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

TRX

Reg. No. 4,731,160

Registered May 5, 2015

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

FITNESS ANYWHERE LLC (DELAWARE LIMITED LIABILITY COMPANY)
755 SANSOME STREET, SUITE 600
SAN FRANCISCO, CA 94111

FOR: APPAREL, NAMELY, HATS AND CAPS, T-SHIRTS, HOODIES, SHORTS, AND SOCKS, IN CLASS 25 (U.S. CLS. 22 AND 39)

FIRST USE 6-1-2007; IN COMMERCE 6-1-2007.

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

OWNER OF U.S. REG. NOS. 3,202,696, 4,018,159 AND OTHERS.

SER. NO. 86-387,726, FILED 9-8-2014.

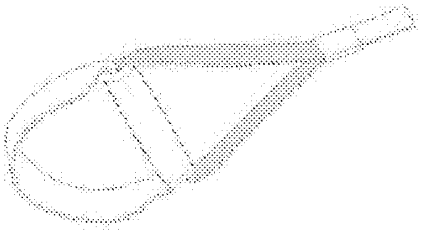
MARILYN IZZI, EXAMINING ATTORNEY

Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 4,741,049

Registered May 19, 2015

Int. Cl.: 28

TRADEMARK

SUPPLEMENTAL REGISTER

FITNESS ANYWHERE, LLC (DELAWARE LIMITED LIABILITY COMPANY)
755 SANSOME ST., STE 600
SAN FRANCISCO, CA 94133

FOR. MANUALLY-OPERATED EXERCISE EQUIPMENT, NAMELY, EXTENDIBLE NYLON STRAP-BASED TRAINER WITH TWO HANDLES AND FIXED AT A MIDPOINT BETWEEN THE HANDLES TO A STRUCTURE FOR ALLOWING A USER TO USE BODY WEIGHT TO MODULATE THE RESISTANCE FELT DURING EXERCISING WITH THE TRAINER, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 1-31-2005; IN COMMERCE 1-31-2005.

THE MARK CONSISTS OF THE COLOR YELLOW AS APPLIED TO THE STRAPS BETWEEN THE HANDLES AND FIXED MIDPOINT OF MANUALLY-OPERATED EXERCISE EQUIPMENT. THE SHAPE OF THE GOODS AS DEPICTED IN DOTTED LINES IS SHOWN TO INDICATE THE POSITION OF THE MARK ON THE GOODS AND IS NOT CLAIMED AS A FEATURE OF THE MARK.

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

SER. NO. 86-082,712, FILED PR. 10-4-2013; AM. S.R. 1-25-2015.

VERNA BETH RIBIE, EXAMINING ATTORNEY

Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office

TRX

Reg. No. 4,998,892

Registered July 12, 2016

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

FITNESS ANYWHERE LLC (DELAWARE LIMITED LIABILITY COMPANY)
755 SANSOME STREET
SUITE 600
SAN FRANCISCO, CA 94111

FOR: APPAREL FOR USE IN CONJUNCTION WITH GYM EXERCISING AND FITNESS CLASSES, NAMELY, LONG SLEEVE SHIRTS, SHIRTS, JERSEY'S, MOCK TURTLE NECKS, JACKETS, SKIRTS, ATHLETIC SLEEVES, HOODS, VESTS, TANK TOPS, BASELAYER TOPS, RAINPROOF JACKETS, UNDERSHIRTS, YOGA SHIRTS, ATHLETIC UNIFORMS, PADDED ELBOW COMPRESSION SLEEVES, CAMOUFLAGE JACKETS, CAMOUFLAGE SHIRTS, CAMOUFLAGE VESTS, PADDED SHIRTS, MOISTURE-WICKING SPORTS BRAS, MOISTURE-WICKING SPORTS SHIRTS, LEGGINGS, PANTS, PADDED PANTS, PADDED SHORTS, BASELAYER BOTTOMS, BOXER BRIEFS, BOXER SHORTS, UNDER WEAR, BRIEFS, JOGGING PANTS, CAMOUFLAGE PANTS, SWIMWEAR, YOGA PANTS, CAPRI PANTS, MOISTURE-WICKING SPORTS PANTS, SKORTS, UNITARDS, TRIATHLON CLOTHING, HATS, HEADWEAR FOR WINTER AND SUMMER, WRISTBANDS, SKULL CAPS, GLOVES, MITTENS, VISORS, BANDANAS, BEACHWEAR, BIKINIS, CAMOUFLAGE GLOVES, SWEATSHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-0-2015; IN COMMERCE 9-0-2015.

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

OWNER OF U.S. REG. NOS. 3,202,696, 4,018,159, AND OTHERS.

SN 86-388,661, FILED 9-8-2014.

WARREN L. OLANDRIA, EXAMINING ATTORNEY

Michelle K. Lee

Director of the United States
Patent and Trademark Office

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FITNESS ANYWHERE LLC,	)	
	)	
Plaintiff,	)	Case No. 16-cv-09267
	)	
v.	)	
	)	
THE PARTNERSHIPS and UNINCORPORATED ASSOCIATIONS IDENTIFIED ON SCHEDULE "A,"	)	
	)	
Defendants.	)	

Schedule A – Sealed Document Pursuant to LR26.2

This document is being filed under seal with a Motion for Leave to File Documents under Seal. A full version of Schedule A will be delivered to the Court in a sealed envelope and will remain under seal until further order of this Court.

Dated this 27th day of September 2016.

Respectfully submitted,

/s/ Justin R. Gaudio
Paul G. Juettner
Justin R. Gaudio
Jessica L. Bloodgood
Greer, Burns & Crain, Ltd.
300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
312.360.0080 / 312.360.9315 (facsimile)
pjuettner@gbc.law
jgaudio@gbc.law
jbloodgood@gbc.law

Counsel for Fitness Anywhere LLC

Exhibit 1

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

Reg. No. 2,975,844

United States Patent and Trademark Office

Registered July 26, 2005

TRADEMARK
PRINCIPAL REGISTER

FITNESS ANYWHERE

TRAVELFIT, INC. (CALIFORNIA CORPORATION)

58 WEST PORTAL AVENUE, #108

SAN FRANCISCO, CA 94127

FOR: MANUALLY OPERATED EXERCISE EQUIPMENT, AND INSTRUCTIONAL MATERIAL SOLD TOGETHER THEREWITH AS A UNIT, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 12-1-2003; IN COMMERCE 12-1-2003.

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

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

SER. NO. 78-338,775, FILED 12-10-2003.

DAVID MURRAY, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38, and 50

Reg. No. 3,202,696

United States Patent and Trademark Office

Registered Jan. 23, 2007

TRADEMARK
PRINCIPAL REGISTER

TRX

FITNESS ANYWHERE, INC. (CALIFORNIA CORPORATION)
1716 TARAVAL STREET
SAN FRANCISCO, CA 94116

FOR: MANUALLY OPERATED MULTIPURPOSE EXERCISE, FITNESS, AND SPORTING EQUIPMENT, AND INSTRUCTIONAL MATERIAL SOLD TOGETHER THEREWITH AS UNIT, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 1-31-2006; IN COMMERCE 3-31-2006.

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

SN 78-512,032, FILED 11-5-2004.

TARAH HARDY, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 3,255,160
Registered June 26, 2007

TRADEMARK
PRINCIPAL REGISTER

SUSPENSION TRAINING

FITNESS ANYWHERE, INC. (CALIFORNIA CORPORATION)

1716 TARAVAL STREET

SAN FRANCISCO, CA 94116

FOR: MANUALLY-OPERATED EXERCISE EQUIPMENT, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 12-1-2005; IN COMMERCE 12-1-2005.

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

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

SER. NO. 78-787,949, FILED 1-9-2006.

DAWN FELDMAN, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 3,328,634
Registered Nov. 6, 2007

TRADEMARK
PRINCIPAL REGISTER

MAKE YOUR BODY YOUR MACHINE

FITNESS ANYWHERE, INC. (CALIFORNIA CORPORATION)
1716 TARAVAL STREET
SAN FRANCISCO, CA 94116

FOR: MANUALLY OPERATED MULTIPURPOSE EXERCISE EQUIPMENT, AND INSTRUCTIONAL MATERIAL SOLD TOGETHER THEREWITH AS A UNIT, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 1-4-2006; IN COMMERCE 1-5-2006.

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

SER. NO. 77-106,318, FILED 2-13-2007.

GENE MACIOL, EXAMINING ATTORNEY

Int. Cl.: 28

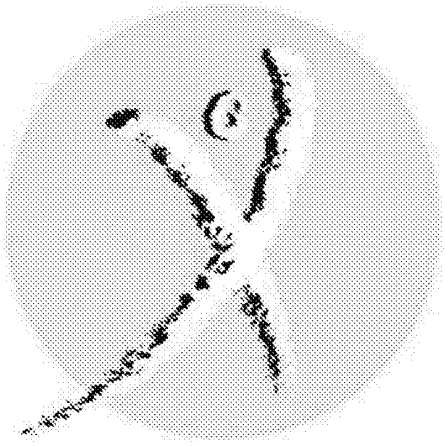
Prior U.S. Cls.: 22, 23, 38 and 50

Reg. No. 3,329,137

United States Patent and Trademark Office

Registered Nov. 6, 2007

TRADEMARK
PRINCIPAL REGISTER



FITNESS ANYWHERE, INC. (CALIFORNIA CORPORATION)

1716 TARAVAL STREET

SAN FRANCISCO, CA 94116

FOR: MANUALLY-OPERATED EXERCISE EQUIPMENT, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 12-1-2003; IN COMMERCE 12-1-2003.

OWNER OF U.S. REG. NO. 2,945,125.

THE COLOR(S) YELLOW, BLACK, AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE COLOR YELLOW AS A CIRCULAR BACKGROUND FOR THE LETTER X, THE COLOR WHITE USED TO DEPICT THE LETTER X, AND THE COLOR BLACK USED TO HIGHLIGHT THE LETTER X.

SER. NO. 78-707,653, FILED 9-6-2005.

SHAUNIA CARLYLE, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

TRX FORCE

Reg. No. 4,027,129

Registered Sep. 13, 2011

Int. Cl.: 28

TRADEMARK

PRINCIPAL REGISTER

FITNESS ANYWHERE, LLC (DELAWARE LIMITED LIABILITY COMPANY)
615 SOUTH DUPONT HWY
DOVER, DE 19901

FOR: MANUALLY-OPERATED EXERCISE EQUIPMENT, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 1-1-2010; IN COMMERCE 1-1-2010.

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

OWNER OF U.S. REG. NOS. 3,202,696 AND 3,384,871.

SN 85-202,015, FILED 12-20-2010.

KEVIN DINALLO, EXAMINING ATTORNEY

David J. Kappos

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

XMOUNT

Reg. No. 4,125,533

Registered Apr. 10, 2012

Int. Cl.: 6

TRADEMARK

PRINCIPAL REGISTER

FITNESS ANYWHERE LLC (DELAWARE LIMITED LIABILITY COMPANY), DBA FITNESS ANYWHERE LLC
755 SANSOME ST, STE 600
SAN FRANCISCO, CA 94111

FOR: HARDWARE MOUNTING SYSTEMS FOR USE WITH EXERCISE TRAINING EQUIPMENT COMPRISED OF A STEEL PLATE, LAG SCREWS AND ANCHORS FOR ATTACHMENT TO WALLS, VERTICAL STUDS AND SECURE OVERHEAD BEAMS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 12-8-2008; IN COMMERCE 12-8-2008.

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

SER. NO. 85-404,701, FILED 8-23-2011.

ALEXANDER L. POWERS, EXAMINING ATTORNEY

David J. Kappos

Director of the United States Patent and Trademark Office