

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
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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 SD/TX P O Box 61010 Houston on the following Patents or Trademarks:

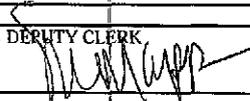
DOCKET NO. H-08-2497	DATE FILED 8/14/2008	U.S. DISTRICT COURT SD/TX P O Box 61010 Houston, TX 77208
PLAINTIFF American Automobile Association		DEFENDANT K V Dental PA dba AAA Dentist and Kevin VU
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 1,807,963	3,171,606	Copy of Complaint mailed to Trademark
2 2,158,654	3,171,632	
3 2,659,703	3,233,408	
4 2,817,549	3,247,223	
5 3,046,905	3,316,227	

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

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Filing
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK			
1 3,056,077	829,265				
2 3,082,880					
3 3,102,319					
4 3,162,780					
5 3,162,781					

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

DECISION/JUDGEMENT	
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CLERK MICHAEL N. MILBY	(BY) DEPUTY CLERK 	DATE 8/15/2008
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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

- d. 1520 Mason Rd., Ste. B, Katy, Texas 77450;
- e. 16605 El Camino Real, Houston, Texas 77062; and
- f. 4816 Fairmont Parkway, Pasadena, Texas 77505.

3. This Court has jurisdiction under 28 U.S.C. 1338(a) as this action arises under the Lanham Act, 15 U.S.C. §§ 1114, 1125(a) and 1125(c)(1) and (2), as well as under pendant jurisdiction.

4. This Court also has jurisdiction under 28 U.S.C. § 1332 because Plaintiff and Defendants are citizens of different states and the matter in controversy exceeds \$75,000, exclusive of interest and costs.

5. Venue in this judicial district is proper under 28 U.S.C. § 1391(b), as Defendants reside in this judicial district and all or a substantial part of the events giving rise to this action occurred in this judicial district.

Nature of the Case

6. Plaintiff seeks injunctive relief, damages, attorneys' fees, and costs against Defendants for service mark infringement under 15 U.S.C. § 1114(1)(a) and (b); false designation of origin and/or sponsorship under 15 U.S.C. 1125(a); trademark dilution under 15 U.S.C. § 1125(c); common law trademark dilution, palming off, trademark and trade name infringement, and unfair competition; and unfair and deceptive trade practices under Tex. Bus. & Com. Code § 17.41 et seq.

Factual Allegations Common to All Counts

7. AAA is the owner of the famous AAA (in an oval) mark used in connection with a wide variety of goods and services.

8. AAA is the owner of the famous AAA (in an oval) mark of U.S. service mark registration No. 1,807,963 used in connection with home equity loan services in International Class 36. A copy of this registration is attached hereto as Exhibit 1.

9. AAA is the owner of the famous AAA (in an orbit) mark of U.S. service mark registration No. 2,158,654 used in connection with magazines, pamphlets, booklets, and directories in the fields of travel information, traffic safety, vehicle information and repair, and vehicle information and repair, and driver instruction; maps, groups of strip and other maps, and printed booklets and pamphlets featuring touring and route information in International Class 16; arranging for discount purchases in International Class 35; adjusting and collecting insurance damage claims; insurance brokerage services, namely obtaining insurance, placing insurance with underwriters; financial services, namely, issuing, paying, and collecting traveler's checks; banking services, namely, time deposits; investment advice counseling services; credit card and auto loan services, reimbursement for legal services, in International Class 36; emergency road services in International Class 37; travel agency services, namely, making reservations and booking for transportation in International Class 39; automobile club services, namely, rating tourist accommodations; promoting public awareness of the need for traffic and pedestrian safety by means of sponsoring school safety patrols and conducting traffic and pedestrian safety campaigns; promoting the interests of automobile travelers by advocating legislation favorable to safe and economical motor vehicle travel, operation, and maintenance; consumer product safety testing and consultation, namely, conducting motor vehicle tests and endurance tests,

and making tests of automotive and related products; travel arranging services, namely, making reservations and booking for lodging in International Class 42. A copy of this registration is attached hereto as Exhibit 2.

10. AAA is the owner of the famous AAA (in an orbit) mark of U.S. service mark registration No. 2,659,703 used in connection with credit card and auto loan services in International Class 36. A copy of this registration is attached hereto as Exhibit 3.

11. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 2,817,549 for non-luminous and non-mechanical metal signs in International Class 6; paper emblems; bumper and window stickers in International Class 16; safety patrol badges in International Class 20. A copy of this registration is attached hereto as Exhibit 4.

12. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,046,905 for glass repair services for vehicles in International Class 37. A copy of this registration is attached hereto as Exhibit 5.

13. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,056,077 for travel related toys and games, namely, toy cars and trucks, plush toys, electronic games, and board games in International Class 28. A copy of this registration is attached hereto as Exhibit 6.

14. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,082,880 used in connection with metal key chains in International Class 6, clocks and watches in International Class 14, pens, pencils, decals, crayons,

and children's activity books in International Class 16, handbags, tote bags, travel bags, and garment bags in International Class 18, rain coats, shirts, jackets, sweaters, and hats in International Class 25, and stuffed toy animals in International Class 28. A copy of this registration is attached hereto as Exhibit 7.

15. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,102,319 used in connection with batteries for use in motor vehicles in International Class 9. A copy of this registration is attached hereto as Exhibit 8.

16. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,162,364 used in connection with playing cards in International Class 28. A copy of this registration is attached hereto as Exhibit 9.

17. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,162,780 used in connection with printed maps, magazines, pamphlets and books featuring travel information, traffic safety information, vehicle and vehicle repair information, driver instruction information, and touring and route information, stickers, poster, and printed paper signs in International Class 16. A copy of this registration is attached hereto as Exhibit 10.

18. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,162,781 used in connection with briefcase-type portfolios, pocketbooks, and tote bags in International Class 18. A copy of this registration is attached hereto as Exhibit 11.

19. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,171,606 used in connection with flashlights in International Class 11. A copy of this registration is attached hereto as Exhibit 12.

20. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,171,632 used in connection with paper and printed membership emblems in International Class 16 and with cloth and fabric flags in International Class 24. A copy of this registration is attached hereto as Exhibit 13.

21. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,233,408 used in connection with memorandum pads and printed blank business forms in International Class 16. A copy of this registration is attached hereto as Exhibit 14.

22. AAA is the owner of the famous AAA (in an orbit) mark of U.S. trademark registration No. 3,247,223 used in connection with first aid kits in International Class 5, videotapes, DVDs and CD-ROMS relating to driver training in International Class 9, and driver training services in International Class 41. A copy of this registration is attached hereto as Exhibit 15.

23. AAA is the owner of the famous AAA American Automobile Association (in an orbit) U.S. collective membership registration No. 3,316,227 used to indicate membership in the American Automobile Association. A copy of this registration is attached hereto as Exhibit 16.

24. AAA is the owner of the famous AAA mark of U.S. trademark registration No. 829,265 for automobile association services rendered to motor vehicle owners,

motorists, and travelers generally - namely, obtaining motor vehicle license plates and title certificates; sponsoring school safety patrols; advocating legislation favorable to safe and economical motor vehicle travel, operation, and maintenance; conducting motor vehicle tests and making tests of automotive and related products; and rating tourist accommodations, in International Class 42; arranging for discount purchases, collecting damage claims; offering rewards for information leading to arrest and conviction of persons stealing members' automobiles; and placing insurance with underwriters, in International Class 35; providing bail bond, in International Class 36; providing emergency road service, in International Class 37; disseminating travel information and making travel arrangements, in International Class 39; teaching motor vehicle operation; conducting traffic and pedestrian safety campaigns, and giving traffic safety lessons, in International Class 41. A copy of this registration is attached hereto as Exhibit 17.

25. AAA is the owner of numerous other registered trademarks incorporating the mark AAA in the United States and throughout the world.

26. AAA has used the AAA (in an oval) mark in commerce in the United States for more than 100 years.

28. In 1997, AAA adopted a more modern version of its emblem. The current emblem includes the AAA (in an oval) mark surrounded by an orbit. The AAA (in an oval) and AAA (in an orbit) marks and the AAA mark are recognized throughout the world as source identifiers for a wide variety of goods and services emanating from AAA.

29. On information and belief, Defendants promote their services under an AAA (in an oval) mark which is virtually identical to the famous AAA (in an oval) marks of AAA.

30. On information and belief, Defendants display the AAA (in an oval) mark at their offices as a means to promote its goods and services.

31. On information and belief, Defendants advertise their services under the AAA (in an oval) and AAA marks in local telephone directories and use the mark on printed materials.

32. On or about March 22, 2005, Plaintiff learned that a shopping center identified as AAA Plaza was being built at 11602 Veterans Memorial Drive in Houston Texas. A unit in the shopping center included a sign identical to the AAA (in an oval) mark in connection with a dental office.

33. On information and belief, Defendant Kevin Vu is the owner of the shopping center known as AAA Plaza.

34. In a letter dated March 22, 2005, Plaintiff's counsel wrote to Kevin Vov (sic) and requested that he immediately cease and desist from using the AAA (in an oval) mark in connection with his services. Subsequent letters were sent on April 27, 2005 and May 23, 2005. No reply was received to any of the letters.

35. On information and belief, the dental office at the Veterans Memorial Drive location bearing the AAA (in an oval) sign opened for business in October, 2007.

36. Plaintiff's counsel sent additional cease and desist letters to Defendant Kevin Vu on October 31, 2007 and April 28, 2008. Defendants did not respond to either letter.

37. Plaintiff's counsel received return receipts from the April 25, 2005 and April 28, 2008 letters confirming that they were received by Defendants.

COUNT I

Federal Service Mark Infringement Under 15 U.S.C. § 1114(1)(a) and (b)

38. Plaintiff realleges and incorporates by reference paragraphs 1 through 37 above.

39. Plaintiff's registered trademarks and services marks identified in Exhibits 1 through 17 are valid and subsisting and remain in full force and effect as evidence of the validity thereof and of Plaintiff's ownership of the marks in connection with the services specified in the registration.

40. Since long before the acts complained of herein, travelers and members of the general consumer population in the United States and across the world have recognized the mark AAA (in an oval) as an exclusive source identifier for goods and services originating from Plaintiff.

41. As a result of the long period of use and extensive advertisement and sale of goods and services under the AAA, AAA (in an oval) and AAA (in an orbit) marks, travelers and members of the general consumer population in the United States and across the world recognize the marks AAA, AAA (in an oval) and AAA (in an orbit) as exclusive source identifiers for goods and services originating from Plaintiff.

42. Defendants' use of the AAA and AAA (in an oval) marks in interstate commerce in connection with dental services is causing and will continue to cause a likelihood of confusion, mistake, and deception with respect to: (a) the source and origin of the services offered by Defendants; (b) the affiliation, connection, and association of AAA with Defendants; and (c) AAA's sponsorship, approval, and/or control of the services offered under Defendants' AAA and AAA (in an oval) marks, all in violation of the Lanham Act, 15 U.S.C. § 1114(1)(a) and (b).

43. On information and belief, Defendants are now committing the acts complained of above, have continued to do so in defiance of Plaintiffs' request that they cease such acts, and threaten to continue such conduct.

44. On information and belief, Defendants' acts of trademark and service mark infringement in violation of the Lanham Act have caused financial injury and damages to AAA and have been willful, making this an exceptional case within the meaning of the Lanham Act, 15 U.S.C. § 1117, thereby entitling AAA to damages, attorneys' fees, and costs.

45. Defendants' acts and conduct constitute federal service mark infringement that has caused and, unless restrained and enjoined by this Court, will continue to cause a likelihood of consumer confusion, mistake, and deception.

46. Plaintiff is entitled to damages as a result of Defendants' actions and conduct and, because such damages alone do not provide Plaintiff with an adequate remedy at law, Plaintiff is entitled to injunctive relief.

COUNT II

Unfair Competition by False Designation of Origin by Trade
Name and Service Mark Infringement Under 15 U.S.C. § 1125(a)

47. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 46 above.

48. Defendants are using the AAA (in an oval) mark in connection with dental services.

49. On information and belief, Defendants use the AAA and AAA (in an oval) marks in commerce, which use has been done with the deliberate intent of capitalizing and trading on the good will and reputation of Plaintiff.

50. Defendants' use in commerce of the AAA and AAA (in an oval) marks will tend to cause and, upon information and belief, has caused the relevant public and trade to believe erroneously that Defendants' goods and services are associated, authorized, or sponsored or controlled by Plaintiff.

51. Defendants' use in commerce of the AAA and AAA (in an oval) marks in connection with various goods and services constitutes a false designation of the origin and/or sponsorship of such services and falsely describes and represents such goods and services.

52. By their acts as alleged herein, Defendants have falsely designated and represented services sold in commerce in violation of Section 43(a) of the Trademark Act of 1946, 15 U.S.C. § 1125(a), and have otherwise used the good will of Plaintiff to sell Defendants' own services and have otherwise competed unfairly with Plaintiff.

53. On information and belief, Defendants are now committing the acts complained of above, have continued to do so in defiance of Plaintiff's request they cease such acts, and threaten to continue such conduct.

54. Defendants, after due notice, have displayed a willful course of conduct toward appropriation and destruction of Plaintiff's rights in and to the AAA and AAA (in an oval) marks.

55. Defendants' wrongful acts and conduct as alleged herein have permitted or will permit it to generate substantial sales and profits on the strength of Plaintiff's substantial advertising, sales, consumer recognition, and good will in connection with the AAA and AAA (in an oval) marks.

56. As a result of Defendants' wrongful acts alleged herein, Plaintiff has suffered and will continue to suffer monetary damage in an amount not thus far determined.

57. Defendants' acts and conduct constitute unfair competition that has caused and, unless restrained and enjoined by this Court, will continue to cause irreparable harm, damage, and injury to Plaintiff's good will and business reputation.

58. Plaintiff is entitled to damages as a result of Defendants' actions and conduct and, because such damages alone do not provide Plaintiff with an adequate remedy at law, Plaintiff is entitled to injunctive relief.

COUNT III
Trade Name or Service Mark
Dilution in Violation of 15 U.S.C. § 1125(c)(1)

59. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 58 above.

60. Plaintiff's AAA and AAA (in an oval) marks were used in commerce long before Defendants' adoption and use of AAA and AAA (in an oval) in connection with dental services.

61. Plaintiff's AAA and AAA (in an oval) service marks have become famous due to long, extensive, continuous and exclusive use by Plaintiff in connection with a wide variety of goods and services, such fame occurring long before Defendant's adoption and use of AAA and AAA (in an oval) in connection with dental services.

62. Plaintiff's AAA and AAA (in an oval) marks are recognized and famous in a multitude of areas and channels of trade.

63. On information and belief, Defendants' use of the AAA and AAA (in an oval) marks has lessened the capacity of Plaintiff's famous AAA and AAA (in an oval) marks to identify and distinguish the goods and services of Plaintiff.

64. Defendants' acts and conduct as alleged herein have tarnished the reputation and recognition of Plaintiff's famous AAA and AAA (in an oval) marks.

65. Plaintiff has no adequate remedy at law and is being irreparably damaged by dilution of its famous marks, in violation of 15 U.S.C. § 1125(c).

COUNT IV
Unfair and Deceptive Trade Practices
in Violation of Tex. Bus. & Com. Code § 17.41 et seq.

66. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 65 above.

67. The acts and practices of Defendants as alleged herein violate the Texas Deceptive Trade Practices - Consumer Protection Act, Tex. Bus. & Com. Code § 17.41 et seq., because (a) the actions and conduct of Defendants causes a likelihood of confusion or of misunderstanding as to the source, sponsorship, approval, or certification of services, and (b) the actions and conduct of Defendants causes a likelihood of confusion or misunderstanding as to affiliation, connection, or association with or certification by another.

68. Defendants have caused, and unless restrained and enjoined by this Court, will continue to cause irreparable harm, damage, and injury to Plaintiff, including but not limited to injury to Plaintiff's good will and business reputation.

69. Plaintiff is being irreparably damaged by Defendants' acts in violation of Tex. Bus. & Com. Code § 17.41 et seq.

COUNT V
Common Law Trademark Dilution

70. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 69 above.

71. Plaintiff is the owner of a number of marks that are distinctive and famous in the State of Texas, including, but not limited to AAA (in an oval) and AAA (in an orbit) and AAA in Exhibits 1 through 17 attached hereto.

72. On information and belief, Defendants have used and continue to use the famous AAA and AAA (in an oval) marks after the marks became famous, which use dilutes the distinctive quality of Plaintiff's marks.

73. On information and belief, Defendants' actions described herein were taken and continue to be taken with full knowledge that such actions would and do dilute the AAA and AAA (in an oval) marks.

74. As a result of the actions described herein, Defendants have caused, and unless restrained and enjoined by this Court, will continue to cause irreparable harm, damage, and injury to Plaintiff, including but not limited to injury to Plaintiff's good will and business reputation.

75. Plaintiff is being irreparably damaged by Defendants' acts in violation of Texas common law.

COUNT VI
Common Law Unfair Competition, Palming Off,
Trade Name and Trademark Infringement

76. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 75 above.

77. Plaintiff is the owner of a number of marks that are distinctive and famous in the State of Texas, including, but not limited to AAA (in an oval) and AAA (in an orbit) and AAA as shown in Exhibits 1 through 17 attached hereto.

78. Defendants' actions and conduct as alleged herein constitute palming off its services as Plaintiff's goods and services offered under the famous AAA and AAA (in an oval) marks.

79. Such actions and conduct by Defendants constitutes unfair competition under Texas common law.

80. Defendants' actions and conduct in adopting and using the AAA and AAA (in an oval) marks in Texas constitute trademark infringement under Texas common law.

81. Defendants have caused and, unless restrained and enjoined by this Court, will continue to cause, irreparable harm, damage, and injury to Plaintiff, including but not limited to injury to Plaintiff's good will and business reputation.

82. Plaintiff has no adequate remedy at law and Plaintiff is being irreparably damaged by Defendants' acts in violation of Texas common law.

WHEREFORE, Plaintiff prays as follows:

A. That Defendants, Defendant AAA Dentist's officers, directors, partners, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through or under Defendants, and any others within their control or supervision, and all others in active concert or participation with the above, be enjoined during the pendency of this action and permanently thereafter from directly or indirectly using the AAA and AAA (in an oval) marks in any manner in connection with the advertising or promotion of goods and services, or any other designation, trade name, or trademark, or service mark that is confusingly similar to Plaintiff's marks.

B. That Defendants account for all profits made by Defendants as a result of its acts constituting infringement of Plaintiff's registered trade marks and service marks.

C. That Defendants account for all profits made by Defendants and all damages incurred by Plaintiff as a result of Defendants' acts of unfair competition in an amount not yet ascertained but believed to exceed \$1,000,000.

D. That Plaintiff be awarded its reasonable attorneys' fees as a result of Defendants' willful acts continued after reasonable notice thereof under 15 U.S.C. § 1117.

E. That Plaintiff be awarded its costs and disbursements incurred in this action.

F. That Plaintiff be awarded such further relief as this Court shall deem just and proper.

Respectfully submitted,

AHMAD, ZAVITSANOS & ANAIPAKOS, P.C.

/s/ John Zavitsanos

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Int. Cl.: 36

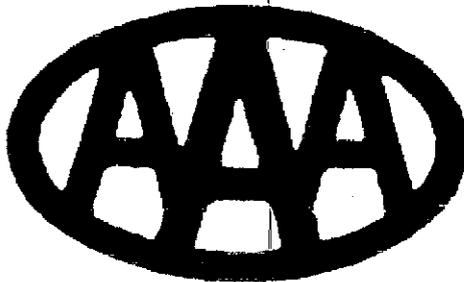
Prior U.S. Cl.: 102

United States Patent and Trademark Office

Reg. No. 1,807,963

Registered Nov. 30, 1993

**SERVICE MARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION,
INC. (CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FOR: HOME EQUITY LOAN SERVICES, IN
CLASS 36 (U.S. CL. 102).

FIRST USE 9-0-1992; IN COMMERCE
9-0-1992.

SER. NO. 74-368,384, FILED 3-16-1993.

JESSIE B. BILLINGS, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 1

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

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

Reg. No. 2,158,654

Registered May 19, 1998

United States Patent and Trademark Office

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION,
INC. (CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 327465063

FOR: MAGAZINES, PAMPHLETS, BOOK-
LETS, AND DIRECTORIES IN THE FIELDS OF
TRAVEL INFORMATION, TRAFFIC SAFETY,
VEHICLE INFORMATION AND REPAIR, AND
DRIVER INSTRUCTION; MAPS, GROUPS OF
STRIP AND OTHER MAPS, AND PRINTED
BOOKLETS AND PAMPHLETS FEATURING
TOURING AND ROUTE INFORMATION, IN
CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND
50).

FIRST USE 3-1-1997; IN COMMERCE
3-1-1997.

FOR: ARRANGING FOR DISCOUNT PUR-
CHASES, IN CLASS 35 (U.S. CLS. 100, 101 AND
102).

FIRST USE 3-1-1997; IN COMMERCE
3-1-1997.

FOR: ADJUSTING AND COLLECTING IN-
SURANCE DAMAGE CLAIMS; INSURANCE

BROKERAGE SERVICES, NAMELY, OBTAIN-
ING INSURANCE, PLACING INSURANCE
WITH UNDERWRITERS; FINANCIAL SERV-
ICES, NAMELY, ISSUING, PAYING, AND COL-
LECTING TRAVELER'S CHECKS; BANKING
SERVICES, NAMELY, TIME DEPOSITS; IN-
VESTMENT ADVICE COUNSELING SERV-
ICES; CREDIT CARD AND AUTO LOAN
SERVICES; REIMBURSEMENT FOR LEGAL
SERVICES, IN CLASS 36 (U.S. CLS. 100, 101
AND 102).

FIRST USE 3-1-1997; IN COMMERCE
3-1-1997.

FOR: EMERGENCY ROAD SERVICES, IN
CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 3-1-1997; IN COMMERCE
3-1-1997.

FOR: TRAVEL AGENCY SERVICES,
NAMELY, MAKING RESERVATIONS AND
BOOKING FOR TRANSPORTATION, IN CLASS
39 (U.S. CLS. 100 AND 105).

FIRST USE 3-1-1997; IN COMMERCE
3-1-1997.

Plaintiff's
Exhibit No. 2

2

2,158,654

FOR: AUTOMOBILE CLUB SERVICES, NAMELY, RATING TOURIST ACCOMMODATIONS; PROMOTING PUBLIC AWARENESS OF THE NEED FOR TRAFFIC AND PEDESTRIAN SAFETY BY MEANS OF SPONSORING SCHOOL SAFETY PATROLS AND CONDUCTING TRAFFIC AND PEDESTRIAN SAFETY CAMPAIGNS; PROMOTING THE INTERESTS OF AUTOMOBILE TRAVELERS BY ADVOCATING LEGISLATION FAVORABLE TO SAFE AND ECONOMICAL MOTOR VEHICLE TRAVEL, OPERATION, AND MAINTENANCE; CONSUMER PRODUCT SAFETY TESTING AND CONSULTATION, NAMELY, CONDUCTING MOTOR VEHICLE TESTS AND ENDUR-

ANCE TESTS, AND MAKING TESTS OF AUTOMOTIVE AND RELATED PRODUCTS; TRAVEL ARRANGING SERVICES, NAMELY, MAKING RESERVATIONS AND BOOKING FOR LODGING, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 3-1-1997; IN COMMERCE 3-1-1997.

OWNER OF U.S. REG. NOS. 547,321, 1,784,437 AND OTHERS.

SER. NO. 75-263,675, FILED 3-25-1997.

ANDREW BENZMILLER, EXAMINING ATTORNEY

Int. Cl.: 36

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

United States Patent and Trademark Office

Reg. No. 2,659,703

Registered Dec. 10, 2002

**SERVICE MARK
PRINCIPAL REGISTER**



**AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1600 AAA DRIVE
HEATHROW, FL 32746**

**OWNER OF U.S. REG. NOS. 1,685,564, 1,807,963
AND OTHERS.**

**FOR: CREDIT CARD AND AUTO LOAN SERVI-
CES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).**

SER. NO. 78-168,169, FILED 2-12-2002.

FIRST USE 3-31-1997; IN COMMERCE 3-31-1997.

KEVIN DYNALLO, EXAMINING ATTORNEY

**Plaintiff's
Exhibit No. 3**

Int. Cls.: 6, 16 and 20

Prior U.S. Cls.: 2, 5, 12, 13, 14, 22, 23, 25, 29, 32, 37, 38
and 50

United States Patent and Trademark Office

Reg. No. 2,817,549
Registered Feb. 24, 2004

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FOR: NON-LUMINOUS AND NON-MECHANICAL METAL SIGNS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 3-1-1997; IN COMMERCE 3-1-1997.

FOR: PAPER EMBLEMS; BUMPER AND WINDOW STICKERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 3-1-1997; IN COMMERCE 3-1-1997.

FOR: SAFETY PATROL BADGES, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 3-1-1997; IN COMMERCE 3-1-1997.

SER. NO. 78-240,604, FILED 4-22-2003.

CHERYL CLAYTON, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 4

Int. Cl.: 37

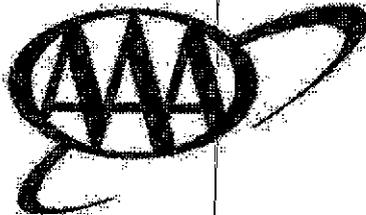
Prior U.S. Cls.: 100, 103, and 106

United States Patent and Trademark Office

Reg. No. 3,046,905

Registered Jan. 17, 2006

**SERVICE MARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

OWNER OF U.S. REG. NOS. 645,541, 2,817,549,
AND OTHERS.

FOR: GLASS REPAIR SERVICES FOR VEHICLES,
IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

SN 78-384,897, FILED 3-16-2004.

FIRST USE 7-0-2004; IN COMMERCE 7-0-2004.

SHARON MEIER, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 5

Int. Cl.: 28

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

United States Patent and Trademark Office

Reg. No. 3,056,077

Registered Jan. 31, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FOR: TRAVEL RELATED TOYS AND GAMES,
NAMELY, TOY CARS AND TRUCKS, PLUSH TOYS,
ELECTRONIC GAMES, AND BOARD GAMES, IN
CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 3-0-2003; IN COMMERCE 3-0-2003.

OWNER OF U.S. REG. NOS. 623,784, 2,367,088,
AND OTHERS.

SN 78-131,484, FILED 5-28-2002.

RON FAIRBANKS, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 6

Int. Cls.: 6, 14, 16, 18, 25 and 28

Prior U.S. Cls.: 1, 2, 3, 5, 12, 13, 14, 22, 23, 25, 27, 28,
29, 37, 38, 39, 41 and 50

United States Patent and Trademark Office

Reg. No. 3,082,880

Registered Apr. 18, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)

1000 AAA DRIVE
HEATHORW, FL 32746

FOR: METAL KEY CHAINS, IN CLASS 6 (U.S.
CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

FOR: CLOCKS AND WATCHES, IN CLASS 14 (U.S.
CLS. 2, 27, 28 AND 50).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

FOR: PENS, PENCILS, DECALS, CRAYONS,
CHILDREN'S ACTIVITY BOOKS, IN CLASS 16
(U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

FOR: HANDBAGS, TOTE BAGS, TRAVEL BAGS,
GARMENT BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22
AND 41).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

FOR: RAIN COATS, SHIRTS, JACKETS, SWEATERS,
HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

FOR: STUFFED TOY ANIMALS, IN CLASS 28
(U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

OWNER OF U.S. REG. NOS. 2,158,654, 2,659,703,
AND 2,817,549.

SER. NO. 78-688,691, FILED 8-9-2005.

RON FAIRBANKS, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 7

Int. Cl.: 9

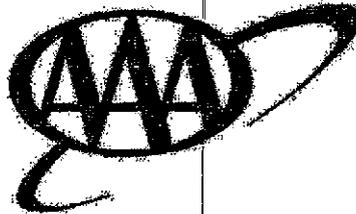
Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 3,102,319

United States Patent and Trademark Office

Registered June 6, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FOR: BATTERIES FOR USE IN MOTOR VEHICLES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-0-2005; IN COMMERCE 5-0-2005.

OWNER OF U.S. REG. NOS. 829,265, 2,900,596,
AND OTHERS.

SN 78-597,887, FILED 3-30-2005.

GENE MACIOL, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 8

Int. Cl.: 28

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

United States Patent and Trademark Office

Reg. No. 3,162,364

Registered Oct. 24, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 21403

FOR: PLAYING CARDS, IN CLASS 28 (U.S. CLS.
22, 23, 38 AND 50).

FIRST USE 5-0-1997; IN COMMERCE 5-0-1997.

OWNER OF U.S. REG. NOS. 2,158,654, 2,817,549,
AND 2,971,005.

SER. NO. 78-755,117, FILED 11-16-2005.

CHRISTOPHER OTT, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 9

Int. Cl: 16

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

United States Patent and Trademark Office

Reg. No. 3,162,780

Registered Oct. 24, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, PL 32746

FOR: PRINTED MAPS; MAGAZINES, PAMPHLETS, AND BOOKS FEATURING TRAVEL INFORMATION, TRAFFIC SAFETY INFORMATION, VEHICLE AND VEHICLE REPAIR INFORMATION, DRIVER INSTRUCTION INFORMATION, AND TOURING AND ROUTE INFORMATION; STICK-

ERS; POSTERS; PRINTED PAPER SIGNS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

OWNER OF U.S. REG. NO. 629,128.

SER. NO. 78-849,200, FILED 3-29-2006.

CHRISTOPHER OTT, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 10

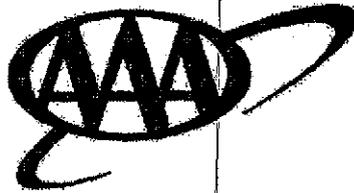
Int. Cl.: 18

Prior U.S. Cls.: 1, 2, 3, 22 and 41

United States Patent and Trademark Office

Reg. No. 3,162,781
Registered Oct. 24, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1600 AAA DRIVE
HEATHROW, FL 32746

FOR: BRIEFCASE-TYPE PORTFOLIOS, POCKET-
BOOKS, AND TOTE BAGS, IN CLASS 18 (U.S. CLS. 1,
2, 3, 22 AND 41).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

OWNER OF U.S. REG. NO. 625,182.

THE MARK CONSISTS OF AAA IN AN ORBIT.

SER. NO. 78-850,114, FILED 3-30-2006.

CHRISTOPHER OTT, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 11

Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31 and 34

United States Patent and Trademark Office

Reg. No. 3,171,606

Registered Nov. 14, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FOR: FLASHLIGHTS, IN CLASS 11 (U.S. CLS. 13,
21, 23, 31 AND 34).

FIRST USE 3-1-1997; IN COMMERCE 3-1-1997.

THE MARK CONSISTS OF AAA IN AN ORBIT.

SER. NO. 78-809,064, FILED 2-7-2006.

CHRISTOPHER OTT, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 12

Int. Cls.: 14, 16 and 24

Prior U.S. Cls.: 2, 5, 22, 23, 27, 28, 29, 37, 38, 42 and 50

United States Patent and Trademark Office

Reg. No. 3,171,632

Registered Nov. 14, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FOR: LAPEL AND TIE PINS, IN CLASS 14 (U.S.
CLS. 2, 27, 28 AND 50).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

FOR: PAPER AND PRINTED MEMBERSHIP EM-
BLEMS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38
AND 50).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

FOR: CLOTH AND FABRIC FLAGS, IN CLASS 24
(U.S. CLS. 42 AND 50).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

OWNER OF U.S. REG. NO. 625,602

THE MARK CONSISTS OF AAA IN AN ORBIT.

SER. NO. 78-850,124, FILED 3-30-2006.

CHRISTOPHER OTT, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 13

Int. Cl.: 16

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

United States Patent and Trademark Office

Reg. No. 3,233,408

Registered Apr. 24, 2007

**TRADEMARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

SER. NO. 78-917,908, FILED 6-27-2006.

FOR: MEMORANDUM PADS AND PRINTED
BLANK BUSINESS FORMS, IN CLASS 16 (U.S. CLS.
2, 5, 22, 23, 29, 37, 38 AND 50).

SAMUEL B. SHARPER JR., EXAMINING ATTOR-
NEY

Plaintiff's
Exhibit No. 14

Int. Cls.: 5, 9 and 41

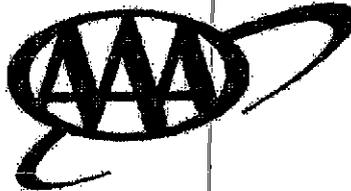
Prior U.S. Cls.: 6, 18, 21, 23, 26, 36, 38, 44, 46, 51, 52,
100, 101 and 107

United States Patent and Trademark Office

Reg. No. 3,247,223

Registered May 29, 2007

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FOR: FIRST AID KITS, IN CLASS 5 (U.S. CLS. 6, 18,
44, 46, 51 AND 52).

FIRST USE 5-0-1997; IN COMMERCE 5-0-1997.

FOR: VIDEOTAPES, DVDS AND CD-ROMS RE-
LATING TO DRIVER TRAINING, IN CLASS 9 (U.S.
CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-0-1997; IN COMMERCE 5-0-1997.

FOR: DRIVER TRAINING SERVICES, IN CLASS
41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 5-0-1997; IN COMMERCE 5-0-1997.

OWNER OF U.S. REG. NOS. 3,046,905, 3,102,319
AND OTHERS.

SER. NO. 78-932,486, FILED 7-19-2006.

SAMUEL B. SHARPER JR., EXAMINING ATTOR-
NEY

Plaintiff's
Exhibit No. 15

Prior U.S. CL: 200

United States Patent and Trademark Office

Reg. No. 3,316,227

Registered Oct. 23, 2007

**COLLECTIVE MEMBERSHIP
PRINCIPAL REGISTER**



AMERICAN AUTOMOBILE ASSOCIATION, INC.
(CONNECTICUT CORPORATION)
1000 AAA DRIVE
HEATHROW, FL 32746

FOR INDICATING MEMBERSHIP IN A(N) AU-
TOMOBILE MEMBERSHIP CLUB, IN CLASS 200
(U.S. CL. 200).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

OWNER OF U.S. REG. NO. 1,066,462.

SER. NO. 77-078,675, FILED 1-9-2007.

ZACHARY BELLO, EXAMINING ATTORNEY

Plaintiff's
Exhibit No. 16

United States Patent Office

829,265
Registered May 23, 1967

PRINCIPAL REGISTER Service Mark

Ser. No. 230,991, filed Oct. 22, 1965

AAA

The American Automobile Association (Incorporated)
(Connecticut corporation)
1712 G St. NW.
Washington, D.C. 20006

For: AUTOMOBILE ASSOCIATION SERVICES RENDERED TO MOTOR VEHICLE OWNERS, MOTORISTS, AND TRAVELERS GENERALLY—NAMESLY, OBTAINING MOTOR VEHICLE LICENSE PLATES AND TITLE CERTIFICATES; SPONSORING SCHOOL SAFETY PATROLS; ADVOCATING LEGISLATION FAVORABLE TO SAFE AND ECONOMICAL MOTOR VEHICLE TRAVEL, OPERATION, AND MAINTENANCE; CONDUCTING MOTOR VEHICLE TESTS AND MAKING TESTS OF AUTOMOTIVE AND RELATED PRODUCTS; AND RATING TOURIST ACCOMMODATIONS—in CLASS 100.

First use 1903; in commerce 1903.

For: ARRANGING FOR DISCOUNT PURCHASES, COLLECTING DAMAGE CLAIMS; OFFERING REWARDS FOR INFORMATION LEADING TO AR-

REST AND CONVICTION OF PERSONS STEALING MEMBERS' AUTOMOBILES; AND PLACING INSURANCE WITH UNDERWRITERS, in CLASS 101.

First use 1916; in commerce 1916.

For: PROVIDING BAIL BOND, in CLASS 102.
First use 1916; in commerce 1916.

For: PROVIDING EMERGENCY ROAD SERVICE, in CLASS 103.

First use 1916; in commerce 1916.

For: DISSEMINATING TRAVEL INFORMATION AND MAKING TRAVEL ARRANGEMENTS, in CLASS 105.

First use 1902; in commerce 1902.

For: TEACHING MOTOR VEHICLE OPERATION; CONDUCTING TRAFFIC AND PEDESTRIAN SAFETY CAMPAIGNS, AND GIVING TRAFFIC SAFETY LESSONS, in CLASS 107.

First use 1924; in commerce 1924.

Owner of Reg. Nos. 547,321 and 703,556.

Plaintiff's
Exhibit No. 17