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CLERK US DISTRICT COURT
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**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

2012 SEP -5 PM 1:35

ORIGINAL

DEPUTY CLERK YJP

INTERNATIONAL DRIVER
TRAINING, INC.,

Plaintiff,

v.

STEVEN ANDREW SCHLOSSER d/b/a 3D
DEFENSIVE DRIVING,

Defendant.

CIVIL ACTION FILE
NO. _____

8-12CV-3613B

COMPLAINT

COMES NOW International Driver Training, Inc. ("Plaintiff") and herewith sets forth its Complaint against Steven Andrew Schlosser d/b/a 3D Defensive Driving ("3D" and/or "Defendant") as follows:

JURISDICTION

1. This is an action for trademark infringement and unfair competition arising under the Trademark Act of 1946, as amended, 15 U.S.C. § 1051 *et seq.*; trademark infringement and unfair competition under Texas common law; and trademark infringement and dilution under the Texas Business and Commerce Code ("Tx. Bus. & Com. Code").

2. This Court has jurisdiction over all causes of action set forth herein pursuant to 15 U.S.C. § 1121, 28 U.S.C. §§ 1331, 1338(a) and 1338(b), and the supplemental jurisdiction of this Court as provided in 28 U.S.C. § 1367.

3. Venue is proper in this judicial district and division pursuant to 28 U.S.C. § 1391(b), and §1391(c).

4. This Court has personal jurisdiction over Defendant insofar as Defendant is a resident of the State of Texas, and Defendant committed the acts referenced in this Complaint within the State of Texas and within this judicial district and division.

THE PARTIES

5. Plaintiff is a Texas corporation with its principal place of business at 8200 Springwood Dr. #250, Irving, Texas 75063.

6. Defendant is an individual resident of the State of Texas, doing business under the assumed name 3D Defensive Driving. Defendant has an address of 3714 Rocky Woods Drive, Kingwood, Texas 77339.

RELEVANT FACTS

7. Plaintiff commenced its business operations in 1989. Since 1989, Plaintiff has been providing live classroom and online educational services, namely, conducting state approved driver safety courses taught by local and nationally recognized comedians. As of June 2012, Plaintiff has provided services to over three million (3,000,000) students throughout the state of Texas.

8. Since at least as early as 1990, Plaintiff has used the marks "COMEDY DEFENSIVE DRIVING SCHOOL" ("Mark 1") and "COMEDY DEFENSIVE DRIVING" ("Mark 2") in association with its educational services, namely its defensive driving courses (collectively, Mark 1 and Mark 2 are hereinafter referred to as "Marks 1-2").

9. Since at least as early as 1993, Marks 1-2 have been used in interstate commerce in various capacities to promote Plaintiff's educational services by, without limitation, displaying the Marks on Plaintiff's Internet web site; and distributing coupons and advertisements

displaying the Marks. True and correct examples of Plaintiff's broad use of Marks 1-2 in association with its educational services are attached hereto as Exhibit A.

10. Since at least as early as 2009, Plaintiff has used the mark "COMEDY DRIVING SCHOOL" ("Mark 3") in association with its educational services, namely its defensive driving courses (collectively, Mark 1, Mark 2, and Mark 3 are hereinafter referred to as the "Marks").

11. Since at least as early as 2009, Mark 3 has been used in interstate commerce in various capacities to promote Plaintiff's educational services by, without limitation, displaying Mark 3 on Plaintiff's Internet web site; and distributing coupons and advertisements displaying Mark 3. True and correct examples of Plaintiff's broad use of Mark 3 in association with its educational services are attached hereto as Exhibit B.

12. Plaintiff is the owner of U.S. Service Mark Registration Nos. 1,798,916 (standard word mark) and 1,798,917 (stylized word mark) for Mark 1, both of which were registered on October 12, 1993 for "educational services, namely, conducting state approved driver safety courses taught by local and nationally recognized comedians" (the "Mark 1 Registrations"). The Mark 1 Registrations are registered on the Principal Register and are valid and incontestable. True and correct extracts from the U.S. Trademark Office's TARR server summarizing the details of Plaintiff's Mark 1 Registrations are attached hereto as Exhibits C-E.

13. Plaintiff is the owner of Texas Service Mark Registration No. 051427 for Mark 1, which was registered on December 11, 1991 in association with education and entertainment services in Class 41 (the "Texas Registration"). A true and correct copy of the Certificate of Registration for the Texas Registration, as well as a true and correct extract from the Texas Secretary of State trademark database summarizing the details of Plaintiff's Texas Registration, are attached hereto as Exhibit F.

14. Plaintiff is the owner of U.S. Service Mark Registration No. 3,727,846 for Mark 2, which was registered on December 22, 2009 for “educational services, namely, conducting state approved driver safety courses taught by local and nationally recognized comedians” (the “Mark 2 Registration”). The Mark 2 Registration is registered on the Principal Register and is valid and subsisting. A true and correct extract from the U.S. Trademark Office’s TARR server summarizing the details of Plaintiff’s Mark 2 Registration is attached hereto as Exhibit G.

15. Plaintiff is the owner of U.S. Service Mark Registration No. 3,997,184 for Mark 3, which was registered on July 19, 2011 for “educational services, namely conducting driver safety courses, defensive driving courses, traffic school courses and driver education taught by comedians” (the “Mark 3 Registration”). The Mark 3 Registration is registered on the Principal Register and is valid and subsisting. A true and correct extract from the U.S. Trademark Office’s TARR server summarizing the details of Plaintiff’s Mark 3 Registration is attached hereto as Exhibit H.

16. According to <whois.com> (the “Who Is Database”), Defendant owns and operates an online website located at <3ddefensivedriving.com> (the “3D Website”). A true and correct extract from the Whois Database dated July 11, 2012 is attached hereto and incorporated herein as Exhibit I. Defendant provides online driver safety courses to Texas residents via the 3D Website.

17. On or about January 10, 2012, well-subsequent to Plaintiff’s widespread use of the Marks, Plaintiff became aware that Defendant was using the Marks in association with his online driver safety courses, provided under the company name, 3D Defensive Driving. Several examples of Defendant’s unauthorized use of the Marks are set forth in Exhibit J, attached hereto and incorporated herein by reference. Specifically, Exhibit J contains a screen shot from the 3D

Website dated January 10, 2012, the results of a Google® search conducted on January 10, 2012, and an extract from the 3D Website's metadata, dated January 10, 2012.

18. On or about January 25, 2012, Plaintiff's counsel sent a letter to Defendant via electronic mail, with confirmation via U.S. Mail, informing Defendant that his unauthorized use of Plaintiff's Marks constituted trademark infringement and unfair competition under federal and Texas state law (the "January Letter"). The January Letter is attached hereto and incorporated herein as Exhibit K. In the January Letter, Plaintiff's counsel demanded that Defendant immediately and permanently cease any and all use of the Marks, and requested a response to its letter by no later than February 1, 2012.

19. Subsequent to the January Letter, Plaintiff's counsel and Defendant engaged in a series of correspondences, wherein Defendant refused to cease its use of the Marks in two capacities: (1) In the body of the 3D Website; and (2) In the metadata for the 3D Website.

20. As of the date of filing this Complaint, Defendant continues to use and display Plaintiff's Marks, both in the body of the 3D Website and at least seventeen (17) times in the 3D Website's metadata. An example of Defendant's use of Plaintiff's Marks on its website, dated July 11, 2012, is attached hereto and incorporated herein as Exhibit L. A printout of the 3D Website's metadata, dated July 11, 2012 is attached hereto and incorporated herein as Exhibit M.

21. The services offered by Defendant are identical to those offered by Plaintiff.

22. The consumers catered to by both Plaintiff's and Defendant's online and classroom driver safety courses are identical.

23. Prior to first use of the Marks Defendant, Defendant had constructive notice of Plaintiff's Mark 1 Registrations, Mark 2 Registration, and Mark 3 Registration, pursuant to 15 U.S.C. §1072.

24. Since at least as early as January 25, 2012, Defendant has had actual notice of Plaintiff's Mark 1 Registration and Mark 2 Registration. Such actual notice is based on Defendant's acknowledgement of receipt of the January Letter, as well as Defendant's numerous correspondences with Plaintiff's attorney during the period of January 25, 2012 through June, 2012.

25. Notwithstanding such constructive and actual notice, Defendant has and continues to prominently use the Marks in association with his driver safety courses and related services, which are marketed under the assumed name, 3D Defensive Driving.

26. Defendant's offering of services under the Marks are without the consent, sponsorship or authorization of Plaintiff.

27. Due to Defendant's use of the Marks in commerce, members of the purchasing public are likely to be confused as to the source or sponsorship of Defendant's services.

28. Defendant's actions were in bad faith and forced Plaintiff to bring this action in this Court to protect its trademark rights in the Marks.

COUNT I
FEDERAL TRADEMARK INFRINGEMENT

29. Paragraphs 1-28 are realleged and incorporated herein by reference.

30. Defendant's unauthorized use of the Marks constitutes a use in commerce of a reproduction, counterfeit, copy, or colorable imitation of Plaintiff's Marks in connection with the sale, offering for sale, and/or advertising of services that are identical to the services provided under Plaintiff's registered trademarks, and that are marketed through the same channels of trade and to the same class of consumers. Such use of the Marks by Defendant is likely to cause confusion, or to cause mistake, or to deceive; and will cause purchasers and potential purchasers

to falsely believe that the goods and services of the Defendant have a sponsorship, approval, status, affiliation or connection with Plaintiff.

31. Defendant's use of the Marks is confusingly similar to the Plaintiff's use of its registered Marks, and the unauthorized use of the Marks by Defendant has caused, is causing, and will continue to cause damage and other irreparable injury to Plaintiff unless such use is enjoined by this Court, Plaintiff having no adequate remedy at law.

32. Upon information and belief, the aforementioned acts of Defendant have been and are being committed with the knowledge that such acts are causing confusion, or are likely to cause confusion, or to cause mistake, or to deceive. Defendant's acts are therefore intentional, willful, and are maliciously calculated to cause confusion, to cause mistake, or to deceive. As such, this is an exceptional case.

33. Defendant's use of a mark confusingly similar to Plaintiff's registered Marks, as set forth in U.S. Service Mark Registration Nos. 1,798,916, 1,798,917, 3,727,846, and 3,997,184, is an infringement of Plaintiff's rights in and to its federally registered trademarks in violation of 15 U.S.C. § 1114.

34. In accordance with 15 U.S.C. § 1117, Plaintiff is entitled to recover from Defendant: (1) Defendant's profits, (2) any damages sustained by Plaintiff, and (3) the costs of the instant action. Further, based upon the nature of Defendant's violation of Plaintiff's trademark rights, Plaintiff is entitled to reasonable attorney's fees and the trebling of such profits or damages.

COUNT II
FEDERAL UNFAIR COMPETITION

35. Paragraphs 1-34 are realleged and incorporated herein by reference.

36. In marketing its aforementioned services under the Marks, Defendant has affixed, applied, annexed, or used in connection with its services, a false designation of origin, or a false or misleading description or representation of fact, that is likely to cause confusion, to cause mistake, or to deceive others to believe that Defendant's services are sponsored by, approved by, originate with, or are affiliated with Plaintiff. Defendant has caused, with knowledge of such false designation of origin or description or representation, such services to be offered for sale or use in interstate commerce.

37. Defendant has willfully promoted in interstate commerce the sale of its services, in a manner so as to designate falsely an origin or an association with Plaintiff, with Plaintiff's registered Marks, and with Plaintiff's services, so as to cause confusion or mistake among purchasers as to the true origin, source, sponsorship, or affiliation of Defendant's services, all to Defendant's profit and to Plaintiff's damage.

38. Plaintiff has been irreparably damaged by the use of such false designation and/or representation, and will continue to be irreparably damaged unless Defendant's acts are enjoined by this Court, Plaintiff having no adequate remedy at law.

39. Defendant has intentionally traded upon the goodwill established by Plaintiff through Defendant's advertising and sales of identical services under an identical mark, and by marketing its services under this identical mark in interstate commerce.

40. Defendant's acts, as set forth above, constitute unfair competition, false designation of origin, and false description in violation of 15 U.S.C. § 1125(a).

41. In accordance with 15 U.S.C. § 1117, Plaintiff is entitled to recover from Defendant: (1) Defendant's profits, (2) any damages sustained by Plaintiff, and (3) the costs of the instant action. Further, based upon the nature of Defendant's violation of Plaintiff's trademark rights, Plaintiff is entitled to reasonable attorney's fees and the trebling of such profits or damages.

COUNT III
COMMON LAW TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION

42. Paragraphs 1-41 are realleged and incorporated herein by reference.

43. As a result of the public's association of the Marks with Plaintiff, Defendant's use of an identical or deceptively similar mark in connection with its services, which are the same as or are substantially the same as the services of Plaintiff, is likely to cause confusion, to cause mistake, and to deceive.

44. Upon information and belief, Defendant has offered for sale and has provided his services with full prior knowledge of the Marks, and Defendant's offering of such services was and is for the willful and calculated purpose of trading on the goodwill and business reputation of Plaintiff as embodied in and symbolized by the Marks.

45. Upon information and belief, Defendant has developed, promoted, and offered his services in such a manner as to inevitably suggest an association, affiliation, or sponsorship with, or approval by Plaintiff, so as to cause, or likely cause, confusion or mistake among purchasers as to the origin or sponsorship of Defendant's services, all to Defendant's profit and to Plaintiff's damage.

46. The aforesaid conduct of Defendant constitutes infringement of Plaintiff's common law rights in and to the Marks, and further constitutes common law unfair competition

with Plaintiff, all of which has irreparably damaged and will continue to irreparably damage Plaintiff, together with its goodwill and reputation, unless Defendant is enjoined and restrained by this Court, Plaintiff having no adequate remedy at law.

COUNT IV

TEXAS TRADEMARK INFRINGEMENT

47. Paragraphs 1-46 are realleged and incorporated herein by reference.

48. In marketing its aforementioned services under the Marks, Defendant has used, within the state of Texas, and without Plaintiff's consent, a reproduction, counterfeit, copy, or colorable imitation of Mark 1, which is registered under Tex. Bus. & Com. Code §16.01 *et seq.*

49. Defendant has reproduced, copied, and colorably imitated Plaintiff's Mark 1, and applied such reproductions, copies, and colorable imitations to labels, signs, and advertisements in connection with the distribution of services within the state of Texas.

50. Plaintiff has been irreparably damaged by such infringement, and will continue to be irreparably damaged unless Defendant's acts are enjoined by this Court, pursuant to Tex. Bus. & Com. Code §16.26.

51. Defendant's acts, as set forth above, constitute trademark infringement in violation of Tex. Bus. & Com. Code §16.26.

52. In accordance with Tex. Bus. & Com. Code §16.26, Plaintiff is entitled to recover from Defendant, all of Defendant's profits derived from or damages resulting from Defendant's infringement of Tex. Bus. & Com. Code §16.26. Further, based upon the nature of Defendant's violation of Plaintiff's trademark rights, Plaintiff is entitled to reasonable attorney's fees and the trebling of such profits or damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for a judgment of the Court as follows:

1. That Defendant, and those persons in active concert or participation with Defendant, be preliminarily and permanently enjoined and restrained from offering or providing services, or promoting and/or authorizing the sale or providing of services, under the Marks, or any other designation, trademark or service mark that is likely to cause confusion, mistake, or deception as to the source or sponsorship of Defendant's services or from otherwise infringing Plaintiff's registered trademarks.

2. That this Court order Defendant to deliver up for destruction all documents, signs, packages, forms, advertisements, business cards, letterheads, and/or other representations and means for reproducing the same, or any printed or recorded material that makes references to or depicts the Marks or any designation or mark similar to the Marks, and to destroy or remove all other uses of marks similar to Plaintiff's registered Marks.

3. That Defendant be directed to file with the Court and serve upon Plaintiff, no later than thirty (30) days after the issuance of an injunction, a report in writing and under oath, setting forth in detail the manner and form in which Defendant has complied with the injunctions of the immediately preceding paragraphs and any other provision of this Court's Order.

4. That an accounting be conducted and judgment be rendered against Defendant for:

a. all profits received by Defendant from the sale of services under the Marks and any other trademark, service mark or other designation confusingly similar to the Marks;

b. all damages in an amount proven at trial from, *inter alia*, Defendant's trademark infringement, unfair competition, false designation of origin and false description or

representation of Plaintiff's trademarks, pursuant to 15 U.S.C. § 1051 *et seq.* and Tex. Bus. & Com. Code §16.01 *et seq.*; and

c. any other actual and compensatory damages in an amount not presently known, but to be computed during the pendency of this action.

5. That such damages assessed against Defendant be trebled as provided by 15 U.S.C. § 1117 and Tex. Bus. & Com. Code §16.26.

6. That Defendant be required to pay to Plaintiff monetary damages to be used for corrective advertising to be conducted by Plaintiff.

7. That Plaintiff have and recover its expenses in this suit, including but not limited to its reasonable attorneys' fees and expenses, recoverable not only under 15 U.S.C. § 1117(a), but also under Tex. Bus. & Com. Code §16.26 and Texas common law.

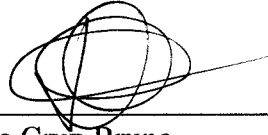
8. That Plaintiff have and recover damages for Plaintiff's loss of business and goodwill suffered.

9. That Plaintiff have such other and further relief as this Court may deem just and proper.

JURY DEMAND

Plaintiff demands a trial by jury of all issues so triable.

Respectfully submitted, this 5th of September, 2012.



Delia Cruz-Bruno
Texas State Bar No. 24034346
Ryan Michael Miller
Texas State Bar No. 24070281

CRUZ-BRUNO, PLLC
680 North Carroll Ave., Suite 130
Southlake, Texas 76092
817-328-1590
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Attorneys for Plaintiff
International Driver Training, Inc.

Exhibit A

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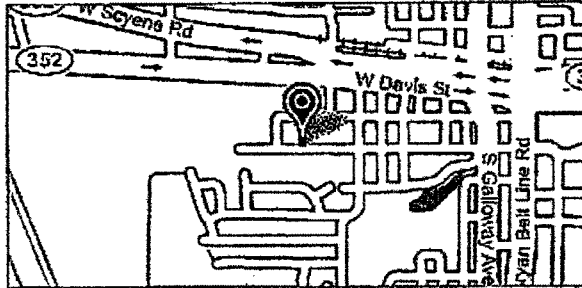
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Online **Defensive Driving** Dallas, Texas **Defensive Driving** - Got A Ticket? Comedy Guys Entertainment, **Ticket 2 Laff**, Dfw **Defensive Driving** Classes - Funny ...
www.officialdefensivedriving.com/ directory/defensivedrivingtexasonline/ - 16k - Cached - Similar pages

Defensive Driving - Plano Defensive Driving

Home Dallas, Texas **Defensive Driving** - Got A Ticket? Comedy Guys Entertainment, **Ticket 2 Laff**, Dfw **Defensive Driving** Classes - Funny **Defensive Driving** ...
www.officialdefensivedriving.com/ directory/planodefensivedriving/ - 31k - Cached - Similar pages

Driving School - Dallas, Texas

Comedy Guy's **Defensive Driving** Ent. Richardson, TX 75081 972-7COMEDY ... Dallas, **Ticket 2 Laff** (214) 426-6339 1219 Abrams Rd # 109 Dallas, TX ...
www.thecityofdallas.org/drivingschool/ - 8k - Cached - Similar pages

NEW JERSEY DEFENSIVE DRIVING - NJ DMV Department of Motor Vehicles ...

Finding information about **DEFENSIVE DRIVING** in New Jersey can be confusing. DMV. ... Sole provider of Improv's "Aware Driver"™ **Laff 'n' Learn** Program ...
www.dmv.org/nj-new-jersey/defensive-driving.php - 58k - Cached - Similar pages

NEW JERSEY TRAFFIC SCHOOLS - NJ DMV Department of Motor Vehicles ...

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www.dmv.org/nj-new-jersey/traffic-schools.php - 64k - Cached - Similar pages

Insurance Savings - That's The Ticket Defensive Driving School

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If you take a class for insurance only and receive a Traffic **Ticket** the very ...
www.thatstheticketdds.com/insurance.htm - 10k - Cached - Similar pages

That's The Ticket Defensive Driving School - Reservations ...

Make a reservation at That's The **Ticket Defensive Driving** School Northwest San Antonio Location. ... Friend 2 E-mail Address:. Friend 3 E-mail Address: ...
www.thatstheticketdds.com/reservationsnw.htm - 15k - Cached - Similar pages

TEXAS DEFENSIVE DRIVING COURSE LOCATIONS, Classroom, Video, and Online

Texas TEA approved online **Defensive Driving** Course for **ticket** dismissal and ...
View 2 RS **Defensive Driving** School 409/857-5633 Washington County ...
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- Comedy Defensive Driving** - 0.5 miles NW - Dallas, 75201 - (214) 826-6339
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Texas **Defensive Driving** Class Locations, DVD/Video and Online Courses in Texas.
... **driving dallas** ,online **defensive driving** course ,**defensive driving** on ...
www.defensivedrivingfortworth.com/ - 93k - Aug 5, 2005 - Cached - Similar pages

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Comedy format **defensive driving** school in fort worth texas. texas online ...
driving dallas ,online **defensive driving** course ,**defensive driving** on line ...
www.defensivedrivingfortworth.com/page4 - 52k - Cached - Similar pages

Driving Schools in Dallas, TX on Yahoo! Local

Comedy Defensive Driving School (214) 826-6339, 5550 W Lovers Ln **Dallas**, TX Map | Drive To | Send to Phone · Review this, 4.35 mi. Why not learn **defensive** ...
local.yahoo.com/TX/Dallas/7737167/ Automotive/7843834/Driving+Schools/ - 62k - Cached - Similar pages

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Comedy Defensive Driving Courses Online. **Comedy Defensive Driving** course is easy & DWI/DUI ... **Dallas Defensive Driving** Online Courses: I DRIVE SAFELY ...
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Yellow Pages Merchandise eBay Results Web Results

Keyword (browse) Or Business Name Street Location (City & State or ZIP) Search Within 20 miles Find It

Home -> Category Browser -> Search By Distance -> Driver Training (Results 46 - 60 of 109)

Related Categories

- Automotive
Driver Training & Auto Registration
Driver Training
Defensive Driving Instruction
Traffic Ticket Dismissal
Truck Driving Schools
Traffic Schools
Equipment & Supplies
Motorcycle Riding & Safety Instruction

Narrow Your Results

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Types of Products Sold (20)
Types of Brands Offered (4)
Services Offered (44)
Other (22)

Yellow Pages - Listings

Previous | Next

Display Options: Within 20 miles On a Map

Results sorted by distance from: Dallas TX (edit address) miles

- 11.1 Outlaw Driving School
11.5 A Vision For People
11.7 Desi Driving School
12.0 Comedy Defensive Driving School School
12.1 A Sense of Humor Defensive Driving
12.1 Ndcs Inc
12.2 Quad-Cities Driver Training School
12.2 Quad-Cities Driver Training School - Espanol
12.3 Tri-State Semi Driver Training
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Improv Comedy Club Defensive Driving - 12 miles N - 4980 Belt Line Rd,
Dallas, 75254 - (972) 404-8501

Comedy Defensive Driving South - 0.5 miles NW - Dallas, 75201 - (214) 826-7092

Comedy Defensive Driving Scho - 12 miles S - 1003 N Beckley Ave, Desoto,
75115 - (972) 223-8669

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www.hyenascomedy nightclub.com/ - Similar pages

DRIVING SCHOOLS in Dallas, TX on Yahoo! Local.

See all: **Driving Schools** · Rate it · **Comedy Defensive Driving** School. (214) 826-6339.

5550 W Lovers Ln, Dallas, TX 4.35 mi ...
local.yahoo.com/TX/Dallas/Automotive/Driving+Schools - 74k -
Cached - Similar pages

Comedy Defensive Driving, Dallas, TX 75201, SuperPages.com:

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yellowpages.superpages.com/profile~SRC_portals~T_
Dallas~S_TX~PP_N~L_Dallas+TX~C_Driver+Training~CID_51724... - Similar pages

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Home -> Yellow Pages -> Comedy defensive driving (Results 1 - 14 of 14)

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Types of Products Sold (5)

Services Offered (20)

Other (15)

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business profile | phone | email | save

http://www.afuntimetrafficschool.com

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DEFENSIVE DRIVING**

TICKET DISMISSAL
INSURANCE REDUCTION

PRSRT STD
US POSTAGE
PAID
DALLAS, TX
PERMIT 2650

check out our
CORPORATE TRAINING
online & classroom

2 HOURS

*WITH CERTIFICATE
UPON COMPLETION!*



**FLORIDA
TRAFFIC SCHOOL**

NO POINTS WILL BE ADDED
ON YOUR DRIVING RECORD
APPROVED IN ALL
67 COUNTIES
INSURANCE WILL NO GO UP



www.ComedyDefensiveDriving.com Toll Free: 866-540-0584

Exhibit C

Int. Cl.: 41

Prior U.S. Cl.: 107

United States Patent and Trademark Office

Reg. No. 1,798,916
Registered Oct. 12, 1993

SERVICE MARK
PRINCIPAL REGISTER

COMEDY DEFENSIVE
DRIVING SCHOOL

RTKB, INC. (TEXAS CLOSELY HELD CORPORATION)
5500 GREENVILLE AVE., SUITE 108
DALLAS, TX 75206

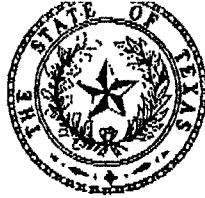
FOR: EDUCATIONAL SERVICES; NAMELY,
CONDUCTING STATE APPROVED DRIVER
SAFETY COURSES TAUGHT BY LOCAL AND
NATIONALLY RECOGNIZED COMEDIANS, IN
CLASS 41 (U.S. CL. 107).

FIRST USE 11-1-1990; IN COMMERCE
4-27-1993.

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

SN 74-201,113, FILED 9-6-1991.

LINDA K. MCLEOD, EXAMINING ATTORNEY



The State of Texas
Secretary of State

CERTIFICATE OF TRADEMARK OR SERVICE MARK REGISTRATION

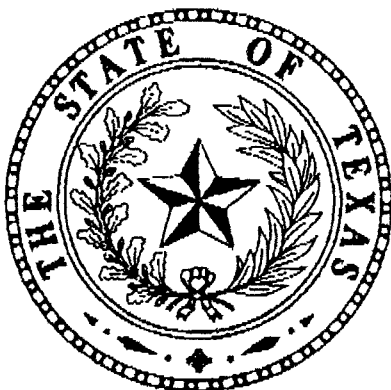
FOR

COMEDY DEFENSIVE DRIVING SCHOOL & DESIGN

REGISTRATION NUMBER 051427

The undersigned, as Secretary of State of the State of Texas, by virtue of the authority vested in the Secretary by CHAPTER 16, TEXAS BUSINESS AND COMMERCE CODE hereby issues this Certificate of Trademark or Service Mark Registration and attaches hereto a copy of the application for registration. Such registration is effective for a term of ten years from the date of registration of the application and shown below.

DATED: 12-11-91



John Hannah Jr.
Secretary of State

Exhibit D

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-06-18 15:53:47 ET

Serial Number: 74201113 Assignment Information Trademark Document Retrieval

Registration Number: 1798916

Mark

COMEDY DEFENSIVE DRIVING SCHOOL

(words only): COMEDY DEFENSIVE DRIVING SCHOOL

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-10-01

Filing Date: 1991-09-06

Transformed into a National Application: No

Registration Date: 1993-10-12

Register: Principal

Law Office Assigned: LAW OFFICE 8

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: SH0 -Office Of Public Record - Special Handling

Date In Location: 2009-03-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. INTERNATIONAL DRIVER TRAINING, INC.

Address:

INTERNATIONAL DRIVER TRAINING, INC.

7531 Summitview Drive

Irving, TX 75063

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Texas

GOODS AND/OR SERVICES

International Class: 041

Class Status: Active

educational services; namely, conducting state approved driver safety courses taught by local and nationally recognized comedians

Basis: 1(a)

First Use Date: 1990-11-01

First Use in Commerce Date: 1993-04-27

ADDITIONAL INFORMATION

Disclaimer: "DEFENSIVE DRIVING SCHOOL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-02-18 - Case File In TICRS

2006-04-12 - Assignment Of Ownership Not Updated Automatically

2005-01-16 - TEAS Change Of Owner Address Received

2004-10-01 - First renewal 10 year

2004-10-01 - Section 8 (10-year) accepted/ Section 9 granted

2004-06-30 - Response received to Post Registration action - Sections 8 & 9

2003-12-30 - Post Registration action correction

2003-12-30 - Post Registration action mailed Sections 8 & 9

2003-10-09 - Combined Section 8 (10-year)/Section 9 filed

2003-10-09 - Section 8 (6-year) and Section 15 Filed

2003-10-09 - TEAS Section 8 & 15 Received

1999-10-27 - Section 8 (6-year) accepted & Section 15 acknowledged

1999-07-02 - Section 8 (6-year) and Section 15 Filed

1998-11-06 - Cancellation terminated for Proceeding

1998-11-06 - Cancellation dismissed for Proceeding

1995-10-27 - Cancellation Instituted No. 999999

1993-10-12 - Registered - Principal Register

1993-07-02 - Allowed for Registration - Principal Register (SOU accepted)

1993-06-22 - Statement Of Use Processing Complete

1993-05-03 - Use Amendment Filed

1992-11-17 - NOA Mailed - SOU Required From Applicant

1992-08-25 - Published for opposition

1992-07-24 - Notice of publication

1992-01-17 - Approved For Pub - Principal Register

1992-01-13 - Examiner's amendment mailed

1992-01-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Richard Schiller

IDT, Inc.

7531 Summitview Drive

Irving TX 75063

Phone Number: 214-826-6339

Fax Number: 214-260-0727

Exhibit E

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-06-18 15:54:42 ET

Serial Number: 74201114 Assignment Information Trademark Document Retrieval

Registration Number: 1798917

Mark

Comedy
**DEFENSIVE
DRIVING SCHOOL**

(words only): COMEDY DEFENSIVE DRIVING SCHOOL

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-10-01

Filing Date: 1991-09-06

Transformed into a National Application: No

Registration Date: 1993-10-12

Register: Principal

Law Office Assigned: LAW OFFICE 8

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-10-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. INTERNATIONAL DRIVER TRAINING, INC.**Address:**

INTERNATIONAL DRIVER TRAINING, INC.

7531 Summitview Drive

Irving, TX 75063

United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Texas

GOODS AND/OR SERVICES

International Class: 041**Class Status:** Active

educational services; namely, conducting state approved driver safety courses taught by local and nationally recognized comedians

Basis: 1(a)**First Use Date:** 1990-11-01**First Use in Commerce Date:** 1993-03-16

ADDITIONAL INFORMATION

Disclaimer: "DEFENSIVE DRIVING SCHOOL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-04-12 - Assignment Of Ownership Not Updated Automatically

2005-01-16 - TEAS Change Of Owner Address Received

2004-10-01 - First renewal 10 year

2004-10-01 - Section 8 (10-year) accepted/ Section 9 granted

2004-06-30 - Response received to Post Registration action - Sections 8 & 9

2003-12-30 - Post Registration action mailed Sections 8 & 9

2003-10-09 - Combined Section 8 (10-year)/Section 9 filed

2003-10-09 - Section 8 (6-year) and Section 15 Filed

2003-10-09 - TEAS Section 8 & 15 Received

1999-10-27 - Section 8 (6-year) accepted & Section 15 acknowledged

1999-07-02 - Section 8 (6-year) and Section 15 Filed

1998-11-06 - Cancellation terminated for Proceeding

1998-11-06 - Cancellation dismissed for Proceeding

1995-10-27 - Cancellation Instituted No. 999999

1993-10-12 - Registered - Principal Register

1993-07-02 - Allowed for Registration - Principal Register (SOU accepted)

1993-06-24 - Statement Of Use Processing Complete

1993-05-03 - Use Amendment Filed

1992-11-17 - NOA Mailed - SOU Required From Applicant

1992-08-25 - Published for opposition

1992-07-24 - Notice of publication

1992-01-17 - Approved For Pub - Principal Register

1992-01-13 - Examiner's amendment mailed

1992-01-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Richard Schiller

IDT, Inc.
7531 Summitview Drive
Irving TX 75063
Phone Number: 214-826-6339
Fax Number: 214-260-0727

Exhibit F



The State of Texas
Secretary of State

CERTIFICATE OF TRADEMARK OR SERVICE MARK REGISTRATION

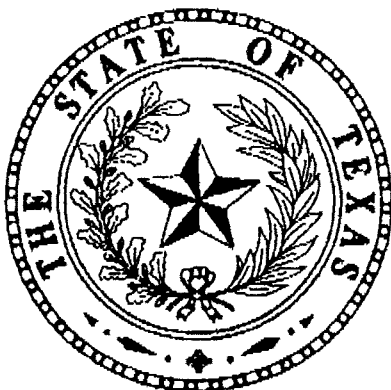
FOR

COMEDY DEFENSIVE DRIVING SCHOOL & DESIGN

REGISTRATION NUMBER 051427

The undersigned, as Secretary of State of the State of Texas, by virtue of the authority vested in the Secretary by CHAPTER 16, TEXAS BUSINESS AND COMMERCE CODE hereby issues this Certificate of Trademark or Service Mark Registration and attaches hereto a copy of the application for registration. Such registration is effective for a term of ten years from the date of registration of the application and shown below.

DATED: 12-11-91



John Hannah Jr
Secretary of State

TEXAS SECRETARY of STATE HOPE ANDRADE

[UCC](#) | [Business Organizations](#) | [Trademarks](#) | [Notary](#) | [Account](#) | [Help/Fees](#) | [Briefcase](#) | [Logout](#)

TRADEMARK INQUIRY - VIEW TRADEMARK

Registration Number: 800176149 **Registration Date:** March 31, 2003
Status: Registered **Date of Expiration:** March 31, 2013
Classification: Education & **Design Code:** N/A
Entertainment: Class 41
Entertainment: Class 41

Word Description: Comedy Defense Driving School
Disclaimer: Defense Driving School

<u>REGISTRANTS</u>	<u>FILING HISTORY</u>	<u>CLASSIFICATION</u>
Last Update February 21, 2003	Name Richard Schiller	Address 7531 Summitview Irving, TX 75063 USA

[Return to Search](#)

Exhibit G

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-06-18 15:45:24 ET

Serial Number: 77734670 Assignment Information Trademark Document Retrieval

Registration Number: 3727846

Mark

COMEDY DEFENSIVE DRIVING

(words only): COMEDY DEFENSIVE DRIVING

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2009-12-22

Filing Date: 2009-05-12

Transformed into a National Application: No

Registration Date: 2009-12-22

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2009-12-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. International Driver Training, Inc.

Address:

International Driver Training, Inc.
7531 Summitview Drive
Irving, TX 75063
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Texas

GOODS AND/OR SERVICES

International Class: 041**Class Status:** Active

Educational services; namely, conducting state approved driver safety courses taught by local and nationally recognized comedians

Basis: 1(a)**First Use Date:** 1990-11-01**First Use in Commerce Date:** 1993-03-16

ADDITIONAL INFORMATION

Section 2(f), in part, as to "DEFENSIVE DRIVING"

Prior Registration Number(s):

1798916

1798917

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-12-22 - Registered - Principal Register

2009-10-06 - Official Gazette Publication Confirmation E-Mailed

2009-10-06 - Published for opposition

2009-08-28 - Law Office Publication Review Completed

2009-08-28 - Assigned To LIE

2009-08-25 - Approved for Pub - Principal Register (Initial exam)

2009-08-10 - Assigned To Examiner

2009-05-15 - New Application Office Supplied Data Entered In Tram

2009-05-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jeffrey Sladkus

Correspondent

JEFFREY SLADKUS

JEFFREY B. SLADKUS, LLC

1827 POWERS FERRY RD SE BLDG 6

ATLANTA, GA 30339-5687

Phone Number: 404-252-0900

Fax Number: 404-252-0970

Exhibit H

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-07-11 12:50:49 ET

Serial Number: 85190406 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3997184

Mark

COMEDY DRIVING SCHOOL

(words only): COMEDY DRIVING SCHOOL

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2011-07-19

Filing Date: 2010-12-03

Transformed into a National Application: No

Registration Date: 2011-07-19

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-07-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. International Driver Training, Inc.

Address:

International Driver Training, Inc.
Suite 250 8200 Springwood Drive
Irving, TX 75063
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Texas

GOODS AND/OR SERVICES

International Class: 041**Class Status:** Active

Educational services, namely, conducting driver safety courses, defensive driving courses, traffic school courses and driver education courses taught by comedians

Basis: 1(a)**First Use Date:** 2009-01-01**First Use in Commerce Date:** 2009-01-01

ADDITIONAL INFORMATION

Disclaimer: "DRIVING SCHOOL"**Section 2(f)****Prior Registration Number(s):**

1798916

1798917

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-07-19 - Registered - Principal Register

2011-05-03 - Official Gazette Publication Confirmation E-Mailed

2011-05-03 - Published for opposition

2011-03-29 - Law Office Publication Review Completed

2011-03-24 - Approved for Pub - Principal Register (Initial exam)

2011-03-24 - Examiner's Amendment Entered

2011-03-23 - Assigned To LIE

2011-03-23 - Notification Of Examiners Amendment E-Mailed

2011-03-23 - EXAMINERS AMENDMENT E-MAILED

2011-03-23 - Examiners Amendment - Written

2011-03-10 - Notification Of Non-Final Action E-Mailed

2011-03-10 - Non-final action e-mailed

2011-03-10 - Non-Final Action Written

2011-03-09 - Assigned To Examiner

2010-12-07 - New Application Office Supplied Data Entered In Tram

2010-12-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jeffrey B. Sladkus, Esq.

Correspondent

JEFFREY B. SLADKUS, ESQ.
THE SLADKUS LAW GROUP
1827 POWERS FERRY RD SE BLDG 6
ATLANTA, GA 30339-5687
Phone Number: 404-252-0900
Fax Number: 404-252-0970