



Canadian Intellectual Property Office

THE REGISTRAR OF TRADEMARKS

Citation: 2023 TMOB 141

Date of Decision: 2023-08-10

IN THE MATTER OF SIX OPPOSITIONS

Opponent: Gang Cao

Applicant: Apple Inc.

Applications: 1971882 for LIVE PHOTOS,
1971883 for LIVE PHOTOS,
1971884 for LIVE PHOTOS,
1971885 for LIVE PHOTOS,
1971886 for LIVE PHOTOS, and
1971887 for LIVE PHOTOS

INTRODUCTION

[1] Gang Cao (the Opponent) opposes registration of the trademark LIVE PHOTOS (the Mark), which is the subject of application Nos. 1971882, 1971883, 1971884, 1971885, 1971886, and 1971887 (collectively, the Applications) by Apple Inc. (the Applicant).

[2] Across each of the Applications, the Mark is applied for in association with a variety of goods and services, as set out in Schedule A of this decision.

[3] The oppositions are based on various grounds, in particular that the Applications were filed in bad faith and that the statement(s) of goods and/or services are not in ordinary commercial terms or sufficiently specific.

[4] All references are to the *Trademarks Act*, RSC 1985, c T 13 as amended June 17, 2019 (the Act).

THE RECORD

[5] The Applications for the Mark were each filed on June 19, 2019 and advertised for opposition purposes on various dates between February and April 2021. On various dates between August and October 2021, the Opponent opposed the Applications by filing a statement of opposition under section 38 of the Act in each case. The particular advertisement and opposition dates for each of the Applications are also set out in Schedule A of this decision.

[6] The grounds of opposition are essentially the same in each proceeding, based on non-conformance with sections 30(2)(a) of the Act; bad faith under section 38(2)(a.1) of the Act; non-registrability under section 12(1)(b) of the Act; and non-distinctiveness under section 2 of the Act.

[7] The Applicant filed counter statements in each case.

[8] The Opponent elected not to submit evidence.

[9] In support of the Applications, in each case, the Applicant submitted certified copies of three registrations and the following affidavits:

- Affidavit of David Kincaid, affirmed June 7, 2022 (the Kincaid Affidavit);
- Affidavit of Ruth Corbin, sworn June 10, 2022 (the Corbin Affidavit);
- Affidavit of Shana Poplack, affirmed April 12, 2022 (the Poplack Affidavit); and
- Affidavit of Rachel Barker, affirmed May 25, 2022 (the Barker Affidavit).

[10] None of the affiants were cross-examined.

[11] Only the Applicant submitted written representations (essentially identical in each case), but both parties were represented at an oral hearing. The hearing was conducted concurrently with respect to the opposition proceedings for Protocol application No. 1979565 (also for the Mark) and Protocol application No. 1995940 (for the design trademark LivePhotosKit). Separate decisions will issue in respect of those proceedings.

[12] I also note that the parties have a history in this and other jurisdictions. In particular, the Registrar has recently issued decisions involving the Mark [*Gang Cao v Apple Inc*, 2023 TMOB 6 re: application No. 1745321] and the LivePhotosKit (stylized) trademark [*Gang Cao v Apple Inc*, 2023 TMOB 14 re: application No. 1853995]. The former decision is currently under appeal by the Applicant, having turned in part on a section 12(1)(d) ground that was not raised and is not at issue in these proceedings.

OVERVIEW OF THE APPLICANT'S EVIDENCE

[13] Given the reasons below, it is not necessary to describe the Applicant's evidence in detail. In particular, with respect to the four affidavits, it is not necessary to rule on the admissibility of – or weight to be given – each affidavit. Suffice to say, the Kincaid Affidavit purports to be expert opinion evidence on the distinctiveness of the “Live Photos” brand. Similarly, the Poplack Affidavit purports to be expert opinion evidence on whether the Mark constitutes a generic term and whether it is inherently distinctive, from that affiant's perspective as a sociolinguist. The Corbin Affidavit evidences a survey of Canadian owners of smartphone or tablet devices, seeking to assess the extent to which the term LIVE PHOTO(S) is used generically in the context of photo and video applications for such devices. Finally, the Barker Affidavit evidences Internet, online dictionary, and Google Trends searches for the terms “LIVE PHOTOS” and “LivePhotosKit”.

[14] Otherwise, the Applicant furnished certified copies of its Canadian trademark registrations for LIVETYPE (TMA646444), LIVE LISTEN (TMA1003358), and LIVE TITLES (TMA1067498).

EVIDENTIAL BURDEN AND LEGAL ONUS

[15] In accordance with the usual rules of evidence, there is an evidential burden on the Opponent to prove the facts inherent in its allegations pleaded in the statement of opposition [*John Labatt Ltd v Molson Companies Ltd*, 1990 CarswellNat 1053 (FCTD)]. The presence of an evidential burden on the Opponent with respect to a particular issue means that in order for the issue to be considered at all, there must be sufficient evidence from which it could reasonably be concluded that the facts alleged to support that issue exist.

[16] For those allegations for which the Opponent has met its evidential burden, the legal onus is on the Applicant to show that the application does not contravene the provisions of the Act as alleged in the statement of opposition. The presence of a legal onus on the Applicant means that, if a determinate conclusion cannot be reached once all the evidence has been considered, then the issue must be decided against it.

[17] In the absence of written representations, I note that the Opponent focused its submissions at the hearing on the grounds based on sections 30(2)(a) and 38(2)(a.1) of the Act. In this respect, the Opponent withdrew the grounds based on sections 12(1)(b) and 2 of the Act. Nonetheless, I will address each of the pleaded grounds in turn.

GOODS SPECIFIED IN ORDINARY COMMERCIAL TERMS – SECTION 30(2)(A)

[18] Pursuant to section 38(2)(a) of the Act, the Opponent pleads that the Applications do not conform to the requirements of section 30(2)(a) of the Act because the applied-for goods and services i) are not in ordinary commercial terms, and ii) are not stated in a manner that identifies the specific good or service in association with which the Mark has been used.

[19] I note that the pleading in each case reproduces the entirety of the statement of goods and/or services from the relevant application.

[20] The material date for this ground is the filing date of the application, being June 19, 2021 in all six cases.

[21] At the hearing, the Opponent echoed and relied on a previous decision involving the parties, the aforementioned 2023 TMOB 6, for the proposition that the initial burden on an opponent under a section 30(2)(a) ground is a light one and can succeed through argumentation alone; however, as noted in that decision, this proposition is better understood by the explanation that “the Registrar may take judicial notice of facts in support of the Opponent’s pleading” [at para 42].

[22] In the circumstances of this case, I do not consider it appropriate to take judicial notice of any facts that might assist the Opponent in meeting its initial burden. In this respect, I am sympathetic to the Applicant’s submission that the Opponent waiting until the hearing to make its arguments with respect to this ground amounts to a “trial by ambush”. As noted by the Applicant, most of the Applications include multiple goods or services and, as such – in the absence of evidence from the Opponent or even written representations – it remained unclear what the Opponent’s issues were or where the Applicant should focus its attention and/or evidence in response.

[23] Furthermore, I do not consider anything in the Applicant’s evidence to put this ground into issue.

[24] In view of the foregoing, I agree with the Applicant that the Opponent fails to meet its initial burden [Applicant’s written representations at paras 9 to 11].

[25] In any event, I note that the subject statement(s) of goods and/or services largely differ from the goods considered in the aforementioned decision, such that, even if I were to take judicial notice of the *Goods and Services Manual* as was referenced in that case, it is at best not clear whether this would satisfy the Opponent’s initial burden in any of these cases.

[26] Accordingly, the ground of opposition based on section 30(2)(a) of the Act is rejected in each case.

BAD FAITH – SECTION 38(2)(A.1)

[27] Pursuant to section 38(2)(a.1) of the Act, the Opponent pleads that the Applications were filed in bad faith since the Applicant filed multiple trademark registrations in Canada for the Mark, namely the subject Applications as well as application Nos. 1745321 and 1979565.

[28] The material date for assessing this ground of opposition is the filing date of the application, being June 19, 2021 in all six cases.

[29] In my view, on its face, the ground is insufficiently pleaded in each case. The mere fact that the Applicant has applied for multiple applications in association with the same trademark is not, in itself, a basis for a bad faith ground. In this respect, nothing in the Act or *Trademarks Regulations* prevents an applicant from filing multiple applications for the same trademark. As submitted by the Applicant in its written representations, there is no reason to question the business decision of an applicant that files multiple applications for the same trademark, especially when those applications cover different goods and services [at para 90]. At the hearing, the Applicant further noted that the Protocol application, No. 1979565, takes advantage of the efficiencies inherent in the international registration system, submitting that it should not be “punished” for such, even if there may be overlap in the goods between that application and any of its other applications.

[30] In support of its pleading, the Opponent argued that the Applicant’s multiple applications in association with a diverse range of goods and services is an improper attempt to prevent others from entering the market and/or using the Mark. In this respect, the Opponent appears to be suggesting that the Applicant has and/or had no intention of using the Mark in association with any goods or services that are unrelated to photo and video applications for smartphone and tablet devices.

[31] I note that evidence may be taken into consideration when assessing the sufficiency of pleadings to determine whether an applicant knows the case to be met and, under some circumstances, evidence may cure deficient pleadings [*Novopharm Ltd v Astrazeneca AB*, 2002 FCA 387]. However, the Opponent elected not to submit

evidence in these cases. Furthermore, again, I am sympathetic to the Applicant's submission that the Opponent waiting until the hearing to make its arguments with respect to this ground amounts to a "trial by ambush".

[32] In any event, I do not consider anything in the Applicant's evidence to either cure the deficient pleading or to otherwise put this ground into issue.

[33] In view of the foregoing, at a minimum, I agree with the Applicant that the Opponent fails to meet its initial burden [Applicant's written representations at paras 9 to 11].

[34] Accordingly, the ground of opposition based on bad faith is rejected in each case.

CLEARLY DESCRIPTIVE OR DECEPTIVELY MISDESCRIPTIVE – SECTION 12(1)(B)

[35] Pursuant to section 38(2)(b) of the Act, the Opponent pleads that, by virtue of section 12(1)(b) of the Act, the Mark is not registrable since it is clearly descriptive or deceptively misdescriptive of a character or quality of one, more, or all of the applied-for goods and services.

[36] The material date for a ground of opposition based on section 12(1)(b) of the Act is the filing date of the application.

[37] At the hearing, the Opponent withdrew this ground of opposition against each of the Applications. In any event, in the absence of evidence from the Opponent, suffice to say that I ultimately agree with the Applicant that the Opponent fails to meet its initial burden with respect to this ground [Applicant's written representations at paras 9 to 11].

[38] Accordingly, the ground of opposition based on section 12(1)(b) of the Act is rejected in each case.

NON-DISTINCTIVENESS – SECTION 2

[39] Pursuant to section 38(2)(d) of the Act, the Opponent pleads that, having regard to section 2 of the Act, the Mark is not distinctive of the goods and/or services of the Applicant within the meaning of "distinctive" as set out in section 2 of the Act because

as of the material date the Applicant had not used the Mark to such an extent that it acquired any distinctiveness, and the Mark is not inherently distinctive.

[40] The material date for this ground is the filing date of the opposition, as the case may be [*Metro-Goldwyn-Mayer Inc v Stargate Connections Inc*, 2004 FC 1185].

[41] At the hearing, the Opponent withdrew this ground of opposition against each of the Applications. In any event, again, in the absence of evidence from the Opponent, suffice to say that I ultimately agree with the Applicant that the Opponent fails to meet its initial burden with respect to this ground [Applicant's written representations at paras 9 to 11].

[42] Accordingly, the non-distinctiveness ground of opposition is rejected in each case.

DISPOSITION

[43] In view of all of the foregoing, pursuant to section 38(12) of the Act and the authority delegated to me under section 63(3) of the Act, I reject the oppositions.

Andrew Bene
Member
Trademarks Opposition Board
Canadian Intellectual Property Office

SCHEDULE A

Goods and Services of the Applications and Relevant Dates

Application No. 1971882

Advertised: February 24, 2021

Opposed: August 23, 2021

Services (Nice Class 41):

Design and development of computer hardware, software, peripherals, and computer and video games; computer hardware and software consulting services; computer programming; design of computer databases; electronic data storage; cloud computing services, namely, cloud computing web hosting services and cloud computing photo sharing services; rental of computer hardware, software, and peripherals; providing online non-downloadable software, namely, providing online non-downloadable computer software for use in recording, organizing, transmitting, and manipulating graphics, images, audio and video clips, movies, music video and photographs, providing online non-downloadable computer software used in developing other software applications for use in recording, organizing, transmitting, and manipulating computer graphics, digital images, audio and video clips, movies, music video and photographs, providing online non-downloadable application development software, namely, computer software for assisting developers in creating computer program code for use in single and multiple application programs, providing online non-downloadable website development software, namely, computer software for developing and creating websites, providing online non-downloadable multimedia development software, namely, computer software for assisting users in creating, editing, and publishing multimedia files containing a combination of digital images, photographs, and video clips, and computer software for displaying digital photographs and videos, namely, video clips on webpages; consultation services for developing computer systems, databases and applications; computer security and data security consultancy; data encryption services; providing computer hardware or software information online; maintenance, repair and updating of computer hardware, software, peripherals, and applications; technical support services, diagnosing and troubleshooting of computer hardware and software problems, and computer help desk services; website creation, design, and maintenance services; website hosting services; providing search engines for obtaining data via the internet and other electronic communications networks; creating indexes of online information and web sites on the Internet and other electronic communications networks; cartography and mapping services; industrial design services; industrial analysis and research services

Application No. 1971883

Advertised: March 24, 2021

Opposed: September 20, 2021

Services (Nice Class 41):

Educational services in the field of computer software and computer hardware; providing training, mentoring, internship, apprenticeship, and career counseling programs in the fields of advertising, marketing, communications, and computer software design; arranging, organizing, conducting and presenting seminars, workshops, classes, webinars, conferences, online instruction and distance learning programs in the field of computer software and computer hardware; arranging, organizing, conducting and presenting concerts, live performances, namely, live musical, theatrical and dramatic performances, entertainment special events, namely live comedy shows, arts shows, theatrical entertainment, music competitions, photography contests, art fairs, music festivals, art exhibitions, art expositions and sporting events in the fields of football, hockey, soccer, dance, basketball, baseball; production, distribution and presentation of radio programs, television programs, motion pictures, music records; providing television shows, radio programs, movies, podcast and news webcast programs via a global computer network; providing entertainment, namely, television shows, live dramatic performances, live comedy shows, music videos, music concerts, sports entertainment in the form of football, hockey, soccer, dance, basketball, golf, boxing and baseball games, music, news, and current events programming by means of telecommunications networks, computer networks, the Internet, satellite, radio, wireless communications networks, television, and cable television; providing non-downloadable computer games, electronic games, interactive games, and video games; providing information, schedules, reviews and personalized recommendations of educational television programs, entertainment, namely, television shows, music videos, motion pictures, theatre, arts shows, concerts, live performances, namely, live dramatic performances, live comedy shows, live musical performances, music competitions, art fairs, music festivals, art and photography exhibitions, art and photography expositions, and sporting events in the form of football, hockey, soccer, dance, basketball, golf, boxing, and baseball games; ticket reservation and booking services for educational programs, entertainment, motion pictures, theatre, arts and cultural events, concerts, live performances, competitions, fairs, festivals, exhibitions, expositions, and sporting events; publication and presentation of reviews, surveys, and ratings via an interactive website and Internet website portal relating to educational television programs, entertainment, namely, television shows, music videos, motion pictures, theatre, arts events, concerts, live performances, namely, live dramatic performances, live comedy shows, live musical performances, music competitions, art fairs, music festivals, art and photography exhibitions, art and photography expositions, and sporting events in the form of football, hockey, soccer, dance, basketball, golf, boxing, and baseball games; providing non-downloadable ringtones, pre-recorded music, video, namely, video clips, movies, music video, and graphics, namely, digital images and photographs for use on mobile communications devices; operation of an online computer database for the uploading, storing, sharing, viewing and posting of images, namely, digital images and photographs, audio and video, namely, sound and video clips, movies, music videos, online journals, blogs, podcasts; publication of books, periodicals, newspapers, newsletters, manuals, blogs, journals; providing online books, periodicals, newspapers, newsletters, manuals, blogs, journals; news reporting;

electronic and online library services; digital imaging services; creation of visual effects and graphics for others.

Application No. 1971884

Advertised: February 24, 2021

Opposed: August 24, 2021

Goods (Nice Class 28):

Playing cards; electronic hand-held game units; computer games, video games, and computer and video game apparatus, other than coin operated or those adapted for use with television receivers.

Application No. 1971885

Advertised: April 14, 2021

Opposed: October 12, 2021

Services (Nice Class 35):

Business management; business administration; business administration consulting services; career planning, placement, and information services; advertising agency services; advertising, marketing, and promotion services, namely advertising the goods and services of others; advertising and marketing consultation; sales promotion services, namely, promoting the goods and services of others through advertisements on Internet websites; promoting the goods and services of others, namely developing promotional campaigns for others; conducting market research; analysis of advertising response and market research; design, creation, preparation, production, and dissemination of advertisements and advertising material for others; media planning services; administration of consumer loyalty programs; arranging and conducting incentive rewards programs to promote the sale of goods and services; computerized database and file management; data processing services, namely, updating and maintenance of data in computer databases; creating indexes of information, sites and other resources available on global computer networks and other electronic and communications networks for others; providing, searching, browsing and retrieving information, sites, and other resources available on global computer networks and other electronic and communications networks for others, namely, web indexing for commercial or advertising purposes; organizing content of information provided over a global computer network and other electronic and communications networks according to user preferences; providing business, consumer, and commercial information in the fields of commercial business management, operating an online marketplace, and social media over computer networks and global communication networks; business services, namely, providing computer databases regarding the purchase and sale of a wide variety of products and services of others; compilations of directories for publishing on the Internet and other electronic, computer and communications networks; retail store and online retail store services featuring computers, computer hardware, wearable activity trackers, audio speakers, smart glasses, smart watches, digital cameras, digital music players, digital video players, handheld computers, tablet computers, electronic

hand-held game units, personal digital assistants, electronic book readers, set top boxes, televisions, mobile phones, computer operating software, computer software, movies, audio books, podcasts, television shows, films, video clips, webcasts, podcasts, music videos, music file; retail store services in the field of books, magazines, periodicals, newsletters, journals and other publications on a wide range of topics of general interest, provided via the Internet and other computer, electronic and communications networks; product demonstrations of computers, computer hardware, wearable activity trackers, audio speakers, smart glasses, smart watches, digital cameras, digital music players, digital video players, handheld computers, tablet computers, electronic hand-held game units, personal digital assistants, electronic book readers, set top boxes, televisions, mobile phones, computer operating software, and computer software provided in-store and via global communications networks and other electronic and communications networks; subscription services, namely, providing subscriptions to text, data, image, audio, video, and multimedia content, namely, books, comic books, electronic journals, newspapers, reviews, television programs, films, online publications of others, movies, audio books, podcasts, webcasts, and music videos, provided via the Internet and other electronic and communications networks; arranging and conducting of commercial, trade and business conferences, shows, and exhibitions in the field of computer hardware and software.

Application No. 1971886

Advertised: February 17, 2021

Opposed: August 17, 2021

Services (Nice Class 45):

Online social networking services; personal assistant services; personal concierge services for others.

Application No. 1971887

Advertised: February 24, 2021

Opposed: August 24, 2021

Goods (Nice Class 9):

Computers; computer hardware; wearable computer hardware; handheld computers; tablet computers; telephones; mobile telephones; smart phones; handheld digital electronic devices, namely, mobile phones, tablet computers, laptop computers, computers, personal digital assistants, electronic book readers capable of providing access to the internet and for the sending, receiving, and storing telephone calls, electronic mail, and other digital data, namely, text messages and voice messages; wearable digital electronic devices, namely, smart watches, smart glasses, headphones, earphones, wearable activity trackers, and wearable video display monitors capable of providing access to the internet, for sending, receiving and storing of telephone calls, electronic mail, and other digital data, namely, text messages and voice messages; smart watches; wearable activity trackers; electronic book readers; computer software, namely, computer software for use in recording, organizing,

transmitting, and manipulating graphics, images, audio and video clips, movies, music video and photographs, computer software used in developing other software applications for use in recording, organizing, transmitting, and manipulating computer graphics, digital images, audio and video clips, movies, music video and photographs, application development software, namely, computer software for assisting developers in creating computer program code for use in single and multiple application programs, website development software, namely, computer software for developing and creating websites, multimedia development software, namely, computer software for assisting users in creating, editing, and publishing multimedia files containing a combination of digital images, photographs, and video clips, and computer software for displaying digital photographs and videos, namely, video clips on webpages; computer software for setting up, configuring, operating or controlling mobile devices, namely, tablet computers, laptop computers, computers, personal digital assistants, and electronic book readers, mobile telephones, wearable devices, namely, smart watches, headphones, earphones, wearable activity trackers, and wearable video display monitors, computers, computer peripherals, namely, cameras, cable connectors, audio speakers, printers, computer mice, microphones, keyboards, set top boxes, televisions, and audio and video players, namely digital music players and digital video players; application development software; computer game software; downloadable pre-recorded audio, video and multimedia content, namely, downloadable music; computer peripheral devices, namely, cameras, cable connectors, audio speakers, printers, computer mice, microphones, keyboards; peripheral devices, namely, cameras, cable connectors, audio speakers, printers, computer mice, microphones, keyboards, for computers, mobile telephones, mobile electronic devices, namely, tablet computers, laptop computers, computers, personal digital assistants, electronic book readers, wearable electronic devices, namely, headphones, earphones, wearable activity trackers, and wearable video display monitors, smart watches, smart glasses, earphones, headphones, set top boxes, and audio and video players and recorders, namely digital music players, digital video players, digital video cameras, combination video players and recorders; mobile electronic devices, namely, tablet computers, laptop computers, computers, personal digital assistants, electronic book readers, smart watches, smart glasses, televisions, set top boxes, and audio and video players and recorders, namely digital music players, digital video players, digital video cameras, combination video players and recorders; accelerometers; altimeters; pedometer; pressure measuring apparatus; pressure indicators; monitors, display screens, head mounted displays, and headsets for use with computers, smart phones, mobile electronic devices, wearable electronic devices, smart watches, smart glasses, televisions, and audio and video players and recorders; smart glasses; 3D spectacles; eyeglasses; sunglasses; spectacle lenses; optical glass; cameras; flashes for cameras; display screens for computers, mobile telephones, mobile electronic devices, wearable electronic devices, smart watches, smart glasses, televisions, and audio and video players and recorders; keyboards, mice, mouse pads, printers, disk drives, and hard drives; sound recording and reproducing apparatus, namely, digital sound processors; digital audio and video players and recorders, namely digital music players, digital video players, and digital video cameras; audio speakers; audio amplifiers and receivers; motor vehicle audio apparatus, namely, car speakers, car stereos; voice recording and

voice recognition apparatus, namely, biometric voice recognition systems; earphones; headphones; microphones; televisions; television receivers and monitors; set top boxes; radios; radio transmitters and receivers; global positioning systems (GPS devices); navigational instruments, namely, global positioning system (GPS) consisting of computers, computer software, transmitters, receivers, and network interface devices; remote controls for controlling computers, mobile telephones, mobile electronic devices, namely, tablet computers, laptop computers, computers, personal digital assistants, electronic book readers, wearable electronic devices, namely, headphones, earphones, wearable activity trackers, and wearable video display monitors, smart watches, smart glasses, audio and video players and recorders, namely digital music players, digital video players, digital video cameras, combination video players and recorders, televisions, speakers, amplifiers, home theatre systems; data storage apparatus, namely, blank USB cards, blank external hard drives; computer chips; batteries and battery chargers for use with computers, tablet computers, mobile phones, handheld computers, digital music players, digital video players, and digital video cameras; electrical and electronic connectors, couplers, wires, cables, chargers, docks, docking stations, and adapters for use with computers, tablet computers, mobile phones, handheld computers, digital music players, digital video players, and digital video cameras; interfaces for computers, computer peripherals, namely, cameras, cable connectors, audio speakers, printers, computer mice, microphones, keyboards, mobile telephones, mobile digital electronic devices, namely, tablet computers, laptop computers, computers, personal digital assistants, and electronic book readers, wearable electronic devices, namely, headphones, earphones, wearable activity trackers, and wearable video display monitors, smart watches, smart glasses, televisions, set top boxes, and audio and video players and recorders, namely digital music players, digital video players, digital video cameras, and combination video players and recorders; protective films adapted for computer screens; covers, bags, cases, sleeves, straps and lanyards for computers, mobile telephones, mobile digital electronic devices, namely, tablet computers, laptop computers, personal digital assistants, and electronic book readers, wearable electronic devices, namely, wearable activity trackers, and wearable video display monitors, smart watches, smart glasses, earphones, headphones, set top boxes, and audio and video players and recorders, namely digital music players, digital video players, digital video cameras, combination video players and recorders; selfie sticks; chargers for electronic cigarettes.

Appearances and Agents of Record

HEARING DATE: 2023-06-27

APPEARANCES

For the Opponent: Gang Cao

For the Applicant: Antonio Turco

AGENTS OF RECORD

For the Opponent: No Agent Appointed

For the Applicant: CPST Intellectual Property Inc.