We have received your Combined Declaration of Use and Incontestability Under Sections 8 and 15 for registration number ‘3560035’. A summary of your submission is listed below. If you determine that you made an error in the information you entered, **DO NOT** request any changes by e-mail, because the TEAS Support Team cannot make corrections. You may submit a new document and new fees, if time remains in the statutory period; however, the USPTO will not refund any fees paid as part of this current submission. For further information, please contact the Post Registration Division at (571) 272-9500, and ask to speak to an Affidavit Renewal Examiner. Or, see Chapter 1600 of the Trademark Manual of Examining Procedure, at [http://tess2.uspto.gov/tmdb/tmep/1600.htm](http://tess2.uspto.gov/tmdb/tmep/1600.htm)

**REGISTRATION NUMBER:** 3560035  
**REGISTRATION DATE:** 01/13/2009

**MARK:** (Stylized and/or with Design, OPEN SOURCE INITIATIVE)

The owner, Open Source Initiative, PUBLIC BENEFIT CORPORATION legally organized under the laws of California, having an address of  
855 El Camino Real, Ste 13A-270  
Palo Alto, California 94301  
United States  
is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 035, the mark is in use in commerce on or in connection with **all** of the goods or services listed in the existing registration for this specific class: Promoting public awareness and the importance of non-proprietary software used under agreements meeting certain requirements for distribution and redistribution; providing an on-line computer database in the field of non-proprietary software licenses; and the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods or services listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods or services exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) printouts from Registrant's website showing use of the mark in connection with the services.  
1 [SPN0-20811615710-20141230172522421994__Open_Source_Initiative_cl_35.pdf ]  
2 [SPN0-20811615710-20141230172522421994__Open_Source_Initiative_cl_35_2.pdf ]

For International Class 045, the mark is in use in commerce on or in connection with **all** of the goods or services listed in the existing registration for this specific class: Licensing of intellectual property, namely, reviewing, classifying, and policing software and non-proprietary software for licensing
purposes; and the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with all goods or services listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods or services exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one (or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) printout from Registrant's website showing use of the mark in connection with the services.

1 [SPN1-20811615710-20141230172522421994_-_Open_Source_Initiative___Design_cl_45_.pdf ]

The registrant's current Attorney Information: Allyn Taylor, Esq. of DLA PIPER US LLP
2000 UNIVERSITY AVE
EAST PALO ALTO, California (CA) 94303-2214
United States
The docket/reference number is 125-4432[4].

The registrant's proposed Attorney Information: Paul A. McLean, Esq. of DLA Piper LLP (US)
2000 UNIVERSITY AVE
EAST PALO ALTO, California (CA) 94303-2214
United States
The docket/reference number is 125-4432B.

The phone number is 650-833-2373.
The fax number is 650-833-2001.

The email address is tmdocket@dlapiper.com.

The registrant's current Correspondence Information: ALLYN TAYLOR, ESQ. of DLA PIPER US LLP
2000 UNIVERSITY AVE
EAST PALO ALTO, California (CA) 94303-2214
United States
The docket/reference number is 125-4432[4].

The registrant's proposed Correspondence Information: Paul A. McLean, Esq. of DLA Piper LLP (US)
2000 UNIVERSITY AVE
EAST PALO ALTO, California (CA) 94303-2214
United States
The docket/reference number is 125-4432B.

The phone number is 650-833-2373.
The fax number is 650-833-2001.
The email address is tmdocket@dlapiper.com.

A fee payment in the amount of $600 was submitted with the form, representing payment for 2 class(es), plus any additional grace period fee, if necessary.

Declaration Signature
Signature: /Patrick Masson/    Date: 12/31/2014
Signatory's Name: Patrick Masson
Signatory's Position: General Manager and Director

NOTE: If you would like to suggest additions or changes to the design search codes assigned to your mark, please send an email to TMDesignCodeComments@USPTO.GOV (please include the registration number of your mark on ALL correspondence with the USPTO) or call 1-800-786-9199 to speak with a Customer Service Representative. No fee is necessary. The USPTO will review your request and update the record if appropriate. Design search codes are described on Internet Web page http://tess2.uspto.gov/tmdb/dscm/index.htm. You may review the USPTO-assigned design codes for your mark by retrieving current information about your mark in the TSDR system at http://tsdr.uspto.gov/ and looking under "Additional Information."

Thank you,
The TEAS support team
Wed Dec 31 11:52:56 EST 2014
STAMP: USPTO/S08N15-208.116.157.10-20141231115256392913-3560035-500a936cb75ce76f25079a37ce46192b1582fd2db15114413eb0959b8c67a0c1ed-DA-86-20141230172522421994