

Letter Of Protest (LOP) Memorandum

Date: October 13, 2023

To: Examining Attorney -

From: Nicole Passman
Attorney Advisor
Office of the Deputy Commissioner for Trademark Examination Policy

Subject: Letter of protest concerning U.S. Application Serial No. 98004255 for the mark RUN-DMC, GRANDMASTER FLASH AND THE FURIOUS FIVE, PUBLIC ENEMY, DANA DAN,E SCHOOLLY D, BEASTIE BOYS, N.W.A, ICE-T 2 LIVE CREW, BOOGIE DOWN PRODUCTIONS, SLICKRICK ERIC B & RAKIM, RAH DIGGA, BIG DADDY KANE, KRS-ONE DE LA SOUL, BUSY BEE, DJ PREMIER, A TRIBE CALLED QUEST GANG STARR, EPMD, SALT-N-PEPA, HEAVY D THE BOYZ MC HAMMER, AZ, KOOL MOE DEE, TONE LOC, ICE CUBE, DR. DRE SNOOP DOGG, DAZ, TOO SHORT, NAS, CYPRESS HILL, PROJECT PAT SCARFACE, UGK, KRIS KROSS, PETE ROCK, Q-TIP, RZA, GZA KOOL G RAP, MCCLYTE, G DEP, WHODINI, GURU, PHIFE-DAWG RUSSELL SIMMONS BLACK-SHEEP WU-TANG CLAN MAC-DRE, COOLIO THE ROOTS, BRAND NUBIAN, ERICK SERMON THE LARGE PROFESSOR, MONIE LOVE, VANILLA-ICE, LUNIZ DIGITAL-UNDERGROUND, SHA ROCK, NAUGHTY BY NATURE LL COOL J, MELLE MEL, SEAN PRICE, ULTRAMAGNETIC MCS CHUCK D, CL SMOOTH, D-DOT, BIZ MARKIE, JAZZY JEFF FRESH PRINCE, STETSASONIC, PETER GUNZ, DAS-EFX, 2 PAC GANGSTA BOO, LEADERS OF THE NEW SCHOOL, YO-YO, JERUDAMAJA GRANDMASTER CAZ, POORRIGHTEOUSTEACHERS, MASTA ACE BLACKALICIOUS, SPECIAL ED, MOS-DEF, TALIB KWELI, FUGEES KID N PLAY, FAT BOYS, BIGPUN, ONYX, TLC, LAURYNHILL, DITC FLAVOR FLAV, NICE SMOOTH, KOOL KEITH QUEEN - LATIFAH WARREN-G, JUST-ICE JUNGLE BROTHERS THE - PHARCYDE THE GETO BOYZ FAT JOE, CAMP-LO UTFO, MC SHAN, SILKK MARLEY MARL, BIG-L ROXANNE, M.O.P GOODIE MOB, DMX KURRUPT, CANIBUS, KOOL HERC, MF-DOOM, THE NOTORIOUS B.I.G PIMP-C, BUN-B, CORMEGA, LORDFINESSE, SMIF-N-WESSUN, RAEKWON HELTAH-SKELTAH, JEAN GRAE, REFLECTION ETERNAL, JURASSIC 5 EAZY-E, NATE DOGG, DILATED PEOPLES, SWEET TEE, THA ALKAHOLICS HIEROGLYPHICS, MYSTIKAL, LOSTBOYZ, ORGANIZED KONFUSION SLUM VILLAGE, BLACK ROB, SOULS OF MISCHIEF, MISSY ELLIOTT E-40, KURTIS BLOW, AFRIKABAMBAATAA, DOUG E. FRESH PRAS, LIL CEASE, SPARKY D, LADY OF RAGE, RED ALERT, PUFF DADDY MERCEDES LADIES, WYCLEF, DA BRAT, MADLIB, FOXY BROWN BONE THUGS N HARMONY, MASE, UNCLE LUKE, SUGAR HILL GANG CRAIGMACK, CRASH CREW, HAVOC, PRODIGY, DELFUNKYHOMOSAPIEN EMINEM, 50 CENT, JAY-Z, KANYE WEST, LIL WAYNE, T.I LUDACRIS, PAUL WALL, PHARRELL, TIMBALAND, COMMON LUPE FIASCO, DAVID BANNER, J DILLA, KID CUDI, TRICK DADDY THREE6MAFIA, PAPOOSE, 2 CHAINZ, STATE PROPERTY, CHIEF KEEF WALE, CHILDISH GAMBINO, DRAKE, KENDRICK LAMAR CHANCE THE RAPPER, J. COLE, TRAVIS SCOTT POST MALONE, LIL BABY, DABABY, MEGAN THEE STALLION CARDI-B, NICKI MINAJ, LIL FLIP, YOUNG THUG, FUTURE ASAP ROCKY, EARL SWEATSHIRT, CORY GUNZ, JOEY BADASS FREDDIE GIBBS, XXXTENTACION, JUVENILE PUSHA T, MOBB DEEP OL' DIRTY BASTARD GHOSTFACE KILLAH METHOD MAN, REDMAN SWIZZ BEATZ BUSTA RHYMES CAM'RON, DIPSET CASSIDY, N.O.R.E CAPONE RODDY RICCH, MAX B MASTER P, BOW WOW G-

UNIT, JADAKISS STYLES-P, AKON, COI LERAY SHEEK LOUCH FABOLOUS, MANNIE FRESH MAINO, WAKA FLOCKA VADO, JOE BUDDEN BLACK-THOUGHT PHAROAH-MONCH JAY-ELECTRONICA ROYCE-DA-5'9, TRINA BIG BOI, ANDRE 3000 KILLER MIKE, JEEZY YO GOTTI, MOZZY, TWISTA GUCCI MANE, CORDAE LIL UZI VERT JUELZ-SANTANA FIVIO FOREIGN WIZ KHALIFA LOGIC MAC MILLER XZIBIT, DAVE EAST BENNY THE BUTCHER G-HERBO, CONWAY PNB ROCK, PLIES FRENCH MONTANA SOULJA-BOY FLO-RIDA, LIL JON FETTY WAP, ASAP FERG, YG BIRDMAN, FREEWAY YOUNG DOLPH KEVIN GATES, LATTO LLOYD BANKS, TONY YAYO BOOSIE, D-12, TROY AVE, OBIETRICE, FRED THE GODSON, A-BOOGIE MEMPHIS BLEEK, TECH N9NE, WESTSIDE BOOGIE, POP SMOKE MEEK MILL, TEE GRIZZLEY, QUAVO, TAKEOFF, OFFSET, JUICE WRLD UNCLE MURDA, BOBBY SHMURDA, LIL DURK, JACK HARLOW REMY MA, YOUNG MA, LIL KIM, MONEYBAGG-YO, TYGA, NELLY 21 SAVAGE, JIM JONES, JOELL ORTIZ, NBA YOUNGBOY NLE CHOPPA, GLORILLA, EVE, JERMAINE DUPRI, KODAK BLACK TYLERTHECREATOR, YUNG JOC, JOYNER LUCAS, PLAYBOI CARTI, RUSS BIG SEAN, TORY LANEZ, SLIM THUG, NIPSEY HUSSLE LIL-YACHTY, POLO-G, T JAY, KING VON, DON-Q 50 YEARS HIP HOP

Upon consideration of evidence included with a letter of protest filed before publication of the above-referenced mark, it has been determined that the evidence is relevant to the following grounds for refusal:

1. Possible likelihood of confusion under Trademark Act Section 2(d) with U.S. Registration Nos. 2485104 (JAY-Z), 3648801 (KANYE WEST), 5720881 (2PAC), 7075529 (NIPSEY HUSSLE), and 6901495 (TRAVIS SCOTT).
2. Possible false association of the mark under Trademark Act Section 2(a) with Xzibit.

U.S. Registration Nos. 2485104, 3648801, 5720881, 7075529 and 6901495 are available in the XSearch database and additional evidence is attached for your consideration.

Please review and determine whether to issue a refusal. 37 C.F.R. §2.149(d)(1); TMEP §1715.02.

NOTE: The consideration of a letter of protest filed before publication is not a legal determination by the USPTO of registrability, nor is it meant to compromise the integrity of the ex parte examination process. It merely serves to bring the submitted evidence to the attention of the examining attorney, who determines whether a refusal or requirement should be raised or ultimately made final. *See* 37 C.F.R. §2.149(d)(1).