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December 1, 2020

**Registrar of Trademarks**  
Trademarks Office  
Gatineau, Quebec K1A 0C9  
CANADA

**Application number:** 1903318

## AMENDED APPLICATION FOR THE REGISTRATION OF A TRADEMARK

### COVERING LETTER REMARKS

This is in response to the Examiner's Report dated June 1, 2020 to which a response is due on December 1, 2020.

The Examiner requested that the Applicant confirm that the goods and services originate from Edmonton. The Applicant confirms that the goods and services associated with this trademark originate from Edmonton.

The Examiner requested a representation of the trademark that complies with the Regulations, since the representation of the trademark was submitted in colour with the inclusion of the statement that "colour is not claimed as a feature of the trademark". Applicant confirms that colour is not claimed as a feature of the trademark, and the attached amended application includes a greyscale version of the trademark.

The Examiner requested that the goods and services as indicated by underline font in the Examiner's Report be redefined in specific and ordinary commercial terms. The Examiner also indicated that some of the goods and services appear to be improperly classed according to the classes of the Nice Classification. The Applicant has amended the application to provide a more specific description of the objected-to goods and services, and to re-classify the improperly classed goods and services.

Also, the Applicant has taken this opportunity to amend certain goods and services to better define the goods and services to be used in association with this trademark. The Applicant respectfully submits that the amended statement of goods and services is not broader than the statement of goods and services as originally filed.

Attached to this response is a blacklined version of the amended goods and services, for the Examiner's reference.

With respect to the services described as "providing access to interactive polling in the field of soccer over the internet", the Applicant has moved this description to Class 38, and respectfully submits that this description is in ordinary commercial terms and is analogous to other acceptable entries in the Manual in Class 38, such as "providing access to Internet chat rooms" and "providing access to an Internet discussion website".

The Applicant respectfully submits that the goods and services as recited in the amended application are in specific, ordinary commercial terms in compliance with Section 30(2)(a) of the Trademarks Act and Section 29 of the Trademarks Regulations.

The Applicant respectfully submits that in light of the coming into force of the amendments to Canada's Trademarks Act on June 17, 2019, there is no longer any requirement to include filing bases/claims in a

trademark application. In accordance with the Practice Notice titled "Removal of claims of Registration", we respectfully request that the Office amend the subject application to remove the proposed use filing claim for the goods and services.

We look forward to receiving confirmation that this application may now proceed to advertisement. Please direct any questions relating to this matter to Michelle Nelles at 416-865-7979.

## **Submitted by**

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**Michelle Nelles**

**Torys LLP**

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Canada

## **Applicant details Updated**

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**C.P.L. SOCCER HOLDINGS LP**

2200-201 Portage Ave  
Winnipeg, MB  
R3B3L3  
Canada

## **Agent details Updated**

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The applicant appoints the person or firm listed below as its trademark agent, as defined in the Trademarks Regulations.

**TORYS LLP**

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**Reference:** 39409-2032

## **Correspondence details Updated**

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**Language of the application:** English

**Preferred language when receiving correspondence from the Office:** English

**Preferred method of correspondence:** Email

## **Trademark details Updated**

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**Trademark reference:**

FC Edmonton Main Logo

**Trademark type(s):**

Design

**Visual representation: Updated**



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## Nice Class Edition 11

### Goods Updated

**Added**

**Class:** 6

**Statement:**

(1) trophies of common metals; decorative boxes of metal; commemorative plates of common metals

**Claims:**

**Proposed Use in Canada**

**Updated**

**Class:** 9

**Statement:**

(2) Audio tape recordings and video tape recordings featuring entertainment and information in the field of soccer; pre-recorded optical discs, pre-recorded digital versatile discs, pre-recorded audio and video cassettes, pre-recorded audio and video tapes, pre-recorded compact discs, pre-recorded computer laser discs, all featuring entertainment and information in the field of soccer; computer accessories, namely blank USB flash drives, computer stands, mouse pads, mice, disc cases, computer bags, computer cases, computer sleeves, keyboard wrist pads, all related to soccer; computer software for accessing and viewing information, statistics and trivia about soccer; computer software, namely screen savers featuring soccer themes; computer software to access and view computer wallpaper; computer web browser software for use in viewing and displaying websites, web pages, digital images, videos and photographs on the Internet; computer skins, namely, fitted plastic film for covering and providing a scratch proof barrier for computers; computer video games; computer games downloadable from a global computer network; computer games for use on mobile and cellular phones; video games, video game cartridges; radios, electronic audio speakers, headphones and ear buds, wireless telephones, telephones; cell phone accessories, namely headsets, skins, face plates and cell phone covers; electronics accessories, namely skins, covers and stands for MP3 players, electronic tablets and portable personal digital assistants; decorative switch plate covers, video monitors, computer monitors, binoculars; sunglasses; eyeglass frames; eyewear straps and chains; eyeglass and sunglass cases; decorative magnets; disposable cameras; credit cards and pre-paid telephone calling cards magnetically encoded; downloadable video recordings, video stream recordings, and downloadable audio recordings featuring information and entertainment in the field of soccer provided over

the Internet; downloadable computer software for viewing databases of information, statistical information, trivia, polling information, and interactive polling in the field of soccer provided over the Internet; downloadable computer games; downloadable interactive video games and downloadable trivia game software provided over the internet; downloadable computer software for use as screensavers and wallpaper, to access and display computer browsers, for use in viewing websites, web pages, digital images, videos and photographs on the Internet, for use in designing plastic film computer skins to protect computer monitors, for use in creating avatars for playing games and for use in remotely manipulating computer cursors over the Internet; downloadable electronic publications in the nature of magazines, newsletters, coloring books, game schedules all in the field of soccer provided over the Internet; downloadable catalogs provided over the Internet featuring an array of soccer-themed products; downloadable greeting cards provided over the Internet; prepaid credit cards; decorative cloth wind socks for indicating wind direction; drafting rulers

**Claims:**

**Proposed Use in Canada**

**Updated**

**Class:** 14

**Statement:**

(3) Pendants, cuff links, earrings, bracelets, jewelry; costume jewelry; beaded jewelry; beaded necklaces; beads for use in the manufacture of jewelry; clocks; wrist and pocket watches; watch bands and watch straps, watch cases, watch fobs; necklaces made of precious metals; lapel pins; jewelry boxes, decorative boxes of precious metal; money clips; tie clips; medallions; jewellery pins, non-monetary coins of precious metals; precious metals; figures of precious metal and figurines of precious metals; wall clocks; leather key chains; plastic key rings; plastic key chains, key tags and key fobs

**Claims:**

**Proposed Use in Canada**

**Updated**

**Class:** 16

**Statement:**

(4) Books, rubber stamps, paper banners and flags, 3-ring binders, stationery folders, wirebound notebooks, portfolio notebooks, unmounted and mounted photographs; Publications and printed matter, namely soccer trading cards, trading cards, stickers, decals, adhesive commemorative stamps bearing soccer related images (specifically excluding postage stamps), memo boards, clipboards, paper coasters, post cards, place mats of paper, facial tissues, note cards, memo pads, note pads, ball point pens, crayons, felt tip markers, rubber bands, pencils, pen and paper holders, desktop document stands, scrap books, posters, calendars, bumper stickers, book covers, bookmarks, wrapping paper, children's activity books, children's coloring books; statistical books, guide books, and reference books, all in the field of soccer; magazines in the field of soccer, catalogs in the field of soccer, event programs and souvenir programs related to soccer, paper pennants, paper stationery and writing stationery, document portfolios, post cards, invitation cards, printed certificates, greeting cards, Christmas cards, holiday cards, informational statistical sheets for soccer topics; newsletters, brochures, pamphlets, and printed game schedules in the field of soccer; cheques, check book covers, check book holders, comic books; pre-paid telephone calling cards of paper; money clips; gift package decorations made of plastic, namely, gift bags sold empty; gift boxes, gift wrap, stickers; decorative boxes

**Claims:**

**Proposed Use in Canada**

**Updated**

**Class:** 18

**Statement:**

(5) Athletic bags, shoe bags for travel, overnight bags, umbrellas, backpacks, baby backpacks, knapsacks, duffel bags, tote bags, beach bags, beach tote bags, drawstring pouches, luggage, luggage tags, patio

umbrellas, beach umbrellas, valises, attaché cases, billfolds, wallets, briefcases, canes, business card cases, book bags, all-purpose sports bags, golf umbrellas, gym bags, purses, coin purses, fanny packs, waist packs, cosmetic cases sold empty, garment bags for travel, handbags, key cases, suitcases, toiletry cases sold empty, trunks for traveling and rucksacks, luggage trunks and suitcases, pet clothing, pet leashes, and pet collars.

**Claims:**  
**Proposed Use in Canada**

**Updated**

**Class:** 20

**Statement:**

(6) pillows and seat cushions; stadium seats and cushions; picture frames; hand-held mirrors; window shades; magazine caddies; decorative wall plaques; non-metal reusable bottle caps; non-metal clips for tablecloths; decorative mobiles; chairs and stools; tables; folding sports seats and stools; bathroom furniture; dining room furniture; living room furniture; office furniture; outdoor furniture; patio furniture; children's bedroom furniture; bedroom furniture; clothes hangers and coat hangers; bean bag chairs; non-metal coat racks; non-metal stands for holding and displaying various types of balls; dividers for drawers; plastic pet identification tags, air mattresses; wood boxes; furniture chests; plastic novelty license plates; non-metal names plates; billiard cue racks; plastic decorative boxes;

**Claims:**  
**Proposed Use in Canada**

**Updated**

**Class:** 21

**Statement:**

(7) Mugs, cups, shot glasses, plates, dishes, bowls, dinnerware, table glassware, portable beverage coolers, cocktail shakers, and waste paper baskets; beverage glassware, beer mugs, bottles sold empty made of plastic and glass; paper and plastic cups, glasses, mugs, bowls, and plates; beverage stirrers; jugs; decorative plates; dinnerware and serving dishes for serving food; figurines made of china, crystal, earthenware, glass, porcelain and terra cotta; lunch boxes and pails; tankards not of precious metal; meal trays; piggy banks; gift baskets sold empty

**Claims:**  
**Proposed Use in Canada**

**Updated**

**Class:** 24

**Statement:**

(8) Bath towels, beach towels, cloth towels, hand towels, towels of textile, blankets, bed sheets, pillow cases, cloth pennants, curtains, pillow shams, cloth flags, comforters, and billiard cloths; sleeping bags; plastic flags

**Claims:**  
**Proposed Use in Canada**

**Updated**

**Class:** 25

**Statement:**

(9) Clothing, namely hosiery, socks, athletic footwear, casual footwear, children's footwear, sports footwear, shoes, boots, soccer shoes, soccer sneakers, slippers, T-shirts, shirts, polo shirts, sweatshirts, sweatpants, pants, tank tops, jerseys, shorts, pajamas, sport shirts, rugby shirts, sweaters, belts, ties, nightshirts, hats, caps, visors, warm-up suits, warm-up pants, warm-up tops, jackets, wind resistant jackets, parkas, coats,

baby bibs of plastic and cloth, head bands, wrist bands, aprons, undergarments, boxer shorts, slacks, ear muffs, gloves, mittens, scarves, woven and knit shirts, jersey dresses, dresses, cheerleading dresses and uniforms, swim wear, bathing suits, swimsuits, bikinis, tankinis, swim trunks, bathing trunks, board shorts, wet suits, beach cover-ups, bathing suit cover-ups, bathing suit wraps, sandals, beach sandals, beach hats, sun visors, swim caps, bathing caps, novelty hat with attached wigs.

**Claims:**  
**Proposed Use in Canada**

**Updated**

**Class:** 26

**Statement:**

(10) Hair bands, ties, and clips; ornamental cloth patches; decorative ribbons made of plastic; ornamental novelty badges

**Claims:**  
**Proposed Use in Canada**

**Added**

**Class:** 27

**Statement:**

(11) cloth wall coverings, fabric wall coverings, textile wall coverings

**Claims:**  
**Proposed Use in Canada**

**Updated**

**Class:** 28

**Statement:**

(12) Toys, games and sporting goods, namely soccer balls, golf balls, playground balls, sports balls, rubber action balls and foam action balls, plush balls for games, plastic balls for games, soccer nets, soccer backboards, miniature soccer backboards, pumps for inflating soccer balls and needles therefore; golf clubs, golf bags, golf bag tags, golf putters, golf accessories, namely, divot repair tools, tees, ball markers, golf bag covers, club head covers, golf gloves, golf ball sleeves, golf putting play mats; billiard balls, billiard ball racks, dart board cabinets, electronic soccer table top games, soccer table top games, soccer board games, action skill games, adult's and children's party games, trivia games played with cards and game components and electronic video arcade game machines, soccer kit comprised of a net and whistle, dolls, decorative dolls, collectible dolls, toy action figures, bobblehead action figures, stuffed toys, plush toys, jigsaw puzzles, toy building blocks, Christmas tree ornaments and Christmas stockings; toy vehicles in the nature of trains, all containing soccer themes, novelty foam toys in the shapes of fingers and trophies, playing cards, card games, toy noisemakers, pet toys; beach toys, namely, beach balls, inflatable balls, toy pails, toy shovels, sand toys, sand box toys, water-squirting toys; pool accessories, namely swim floats, pool floats, toy water rafts, foam floats, swim rings, pool rings, foam rings, body boards, surf boards, swim fins, surfboard fins, arm floats and water wing swim aids, all for recreational use; volleyball game kits comprised of ball, net, volleyball uprights and whistle, and water polo game kits comprised of ball, net and whistle; miniature stadium reproductions, namely, small toy plastic models of a stadium; snow globes; video game machines for use with television and video game hand held controllers for use with console video gaming systems; collectible cardboard milk caps; hard plastic bobble head figurines and plastic bobble cap statues; miniature stadium reproductions, namely, small plastic models of a stadium; plastic toy trophy cups; plastic figurines

**Claims:**  
**Proposed Use in Canada**

## Services Updated

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### Updated

**Class:** 35

**Statement:**

(1) Computerized on-line retail store, ordering, retail, electronic retailing, catalog and mail order catalog services for soccer products, namely soccer balls, soccer shoes, soccer boots, soccer goal nets, soccer goalkeepers' gloves, soccer goals, soccer knee pads, soccer themed clothing, namely, soccer uniforms, soccer jackets, soccer jerseys, t-shirts, shirts, polo shirts, sweatshirts, hooded tops, pants, shorts, socks; online retail sale of soccer themed merchandise, namely soccer balls, soccer shoes, soccer boots, soccer goal nets, soccer goalkeepers' gloves, soccer goals, soccer knee pads and soccer themed clothing, namely, soccer uniforms, soccer jackets, soccer jerseys, t-shirts, shirts, polo shirts, sweatshirts, hooded tops, pants, shorts, socks; promoting the goods and services of others by allowing sponsors to affiliate these goods and services with a soccer program; promoting the sale of goods and services of others through the distribution of promotional contests provided over the internet; conducting public opinion poll surveys and public opinion poll surveys in the field of soccer for non-business, non-marketing purposes over the internet; promoting the goods and services of others by allowing sponsors to affiliate goods and services with a soccer program; promoting the sale of goods and services of others through the distribution of promotional contests provided over the Internet

**Claims:**

**Proposed Use in Canada**

**Class:** 36

**Statement:**

(2) Charitable fund raising services.

**Claims:**

**Proposed Use in Canada**

### Updated

**Class:** 38

**Statement:**

(3) Audio broadcasting of radio programs by satellite; Internet radio broadcasting; cable television broadcasting; radio broadcasting; subscription television broadcasting; television broadcasting; video broadcasting of soccer games and digital recordings of soccer -related radio and television programs over the Internet; satellite television broadcasting; providing access to on-line chat rooms and on-line interactive chat rooms with guests for transmission of messages among computer users concerning the field of soccer; broadcasting radio programs, television programs and sports webcasts over the Internet, providing on-line electronic bulletin boards for transmission of messages among computer users concerning the field of soccer, providing multiple-user access to a global computer information network for the purpose of participating in interactive polling in the field of soccer; wireless communications services, namely, transmission of images, text and photographs via cellular telephones; wireless electronic transmission of voice messages, facsimiles, text messages, streaming video, movies, music, photographs, digital images and information in the field of soccer over the Internet and via wireless and cellular networks; wireless broadband communications services, namely the broadband transmission of live broadcasts of soccer games and digital recordings of soccer-related radio and television programs; webcasting services in the nature of broadcasting soccer games, soccer events, soccer programs, player interviews and press conferences in the field of soccer over the Internet; video tape broadcasting over the Internet, broadcasts of ongoing radio programs over the internet, broadcasting highlights of television, cable television and radio programs in the field of soccer over the internet; providing access to interactive polling in the field of soccer over the internet; providing access to an online computer database in the field of soccer;

**Claims:**

**Proposed Use in Canada**

**Updated****Class:** 41**Statement:**

(4) Entertainment and educational services in the nature of ongoing television and radio programs in the field of soccer and rendering live soccer games and soccer exhibitions; the production and distribution of radio and television shows featuring soccer games, soccer events and programs in the field of soccer; conducting and arranging soccer clinics and camps, coaches clinics and camps, dance team clinics and camps and soccer games; entertainment services in the nature of personal appearances by a costumed mascot and dance team at soccer games and exhibitions, sports clinics, camps, promotions, and other soccer-related events, special events and parties; providing fan club services in the field of soccer; entertainment services in the nature of television highlights, interactive television highlights, video recordings, video stream recordings, interactive video highlight selections, radio programs, radio highlights, and audio recordings in the field of soccer provided via a website; providing news and information in the nature of statistics and trivia in the field of soccer; providing on-line non-downloadable games, namely, computer games, video games, interactive video games, action skill games, arcade games, adults' and children's party games, board games, puzzles, and trivia games; electronic publishing services, namely, publication of magazines, guides, newsletters, coloring books, and game schedules of others on-line through the Internet, all in the field of soccer; Entertainment services, namely, providing an indoor sports arena facilities and outdoor sports arena facilities, booking sports and entertainment events; providing amusement and entertainment through the medium of soccer games and the organization and administration of a professional soccer team; providing sports arena facilities and organization of trade shows and conventions in the field of sports; providing information in the field of sports through an Internet website; production and distribution of television and radio programs in the field of soccer

**Claims:****Proposed Use in Canada****Added****Class:** 43**Statement:**

(5) restaurant and bar services

**Claims:****Proposed Use in Canada****Closing details Updated****Additional documentation: Updated**

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