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| 13 avr/Apr 2021 |
| *Votre référence Your File* |
| *Notre référence Our File*  1903318 |
| *Numéro EI IR Number* |

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| TORYS LLP  SUITE 3000  79 WELLINGTON ST. W.  BOX 270, TD CENTRE  TORONTO  ONTARIO M5K 1N2 | | |
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| RE: | Trademark: | FC Edmonton Main Logo |
|  | Applicant: | C.P.L. SOCCER HOLDINGS LP |

This examiner's report concerns the above identified application. To avoid abandonment proceedings, a proper response must be received by this office by October 13, 2021. All correspondence respecting this application must indicate the file number.

The applicant’s correspondence dated December 1, 2020 is acknowledged. The amended application has been reviewed and placed on file. Confirmation that Edmonton is the place of origin of the goods and services is noted.

Pursuant to paragraph 30(2)(a) of the *Trademarks Act*, an application for the registration of a trademark must contain a statement in ordinary commercial terms of the associated goods and services. Furthermore, section 29 of the *Trademarks Regulations* requires that the statement must describe each of those goods or services in a manner that identifies a specific good or service.  It is considered that the following **bolded and underlined goods and services** are not in specific and ordinary commercial terms.

In addition, pursuant to subsection 30(3) of the *Trademarks Act*, the application must group the goods and services according to the classes of the Nice Classification. The *underlined and italicized* goods and services appear to be improperly classed or require further specificity in order to group them according to the classes of the Nice Classification.

**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*

**Class**: 14 **Statement**: (3) *money clips*

**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

The applicant is asked to remove the goods identified as “**money clips**” from the statement of goods (3) as it has already been properly classed in Nice classes namely 16.

By way of example only, please consider the following re-specifications and Nice classes:

[9] 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 television programs and information in the field of soccer

[16] drafting rulers

[41] providing fan club services in the field of hosting soccer games

[41] booking of seats for sports and entertainment events

If these examples are not an accurate description of the applicant’s goods or services, they can be used as a guide to the specificity and ordinary commercial term requirements.

For further guidance on redefining the statements of goods or services, please refer to the *Goods and Services Manual* available on our website. This searchable tool is not an exhaustive list of acceptable terms, but it may be used as a guide to the specificity and ordinary commercial term requirements of the *Trademarks Act* and its *Regulations*.

The applicant is required to file an amended application, using the e-service on the CIPO website at [www.cipo.ic.gc.ca](http://www.cipo.ic.gc.ca/), by fax at 819-953-2476 or by mail at the following address:

Registrar of Trademarks

Place du Portage I

50 Victoria Street, room C-114

Gatineau, QC K1A 0C9

Upon satisfactory compliance with the above-mentioned requirement(s), further office action will be undertaken.

If the applicant has any specific questions in respect of this Office action, please contact the assigned examiner. Please note that for general inquiries, including assistance with filing of the revised application, queries about the status of an application or receipt of correspondence, you may contact our Client Service Centre toll free at 1-866-997-1936.

Yours truly,



Susan Harney

Examination Section

819-921-0987

fax: 819-953-2476