

United States of America

United States Patent and Trademark Office



Reg. No. 5,346,398

Registered Nov. 28, 2017

Amended Sep. 12, 2023

Int. Cl.: 9, 25, 35, 41, 42

Service Mark

Trademark

Principal Register

F45 TRAINING INCORPORATED (DELAWARE CORPORATION)
801 BARTON SPRINGS ROAD
9TH FLOOR
AUSTIN, TEXAS 78704

CLASS 9: Downloadable computer application software for mobile phones, namely, software for purchasing, scheduling, and checking into exercise classes, and for tracking exercise class performance data; computer software and hardware that measures, generates and displays RPM, speed, distance, resistance, and power results of indoor cyclists *, not for sale at powersports retailers' physical and online stores, and all of the foregoing excluding powersport accessories and apparel *

FIRST USE 3-1-2016; IN COMMERCE 3-1-2016

CLASS 25: Fitness apparel, namely, shirts, pants, shorts, hats, jackets, footwear *, not for sale at powersports retailers' physical and online stores, and all of the foregoing excluding powersport accessories and apparel *

FIRST USE 3-1-2016; IN COMMERCE 3-1-2016

CLASS 35: Retail store services featuring fitness apparel *, not for sale at powersports retailers' physical and online stores, and all of the foregoing excluding powersport accessories and apparel *

FIRST USE 3-1-2016; IN COMMERCE 3-1-2016

CLASS 41: Providing fitness and exercise studio services, namely, indoor cycling instruction, personal training, exercise classes, and group physical fitness classes; counseling services in the field of exercise *, not for sale at powersports retailers' physical and online stores, and all of the foregoing excluding powersport accessories and apparel *

FIRST USE 3-1-2016; IN COMMERCE 3-1-2016

Katherine Kelly Vidal

Director of the United States
Patent and Trademark Office



CLASS 42: Electronic tracking, monitoring, and reporting of performance of cyclists, namely, RPM, resistance, speed, mileage, calories burned, current power and total power results, using computer technology *, not for sale at powersports retailers' physical and online stores, and all of the foregoing excluding powersport accessories and apparel *

FIRST USE 3-1-2016; IN COMMERCE 3-1-2016

The mark consists of the term "FLY" in stylized letters superimposed over a circle which extends from the vertical line of the "L", with the top of the "F" extending to and connecting with the top of the "L" and the right branch of the "Y" extending above the other letters and breaking the plane of and extending beyond the circle.

OWNER OF U.S. REG. NO. 4225193, 4203459, 4217593

SER. NO. 87-453,266, FILED 05-17-2017

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.