

R. REZAN

TRADE MARK - MARQUE DÉ COMMERCE

CANADA'S GOURMET BURGER MAKER

ROBERT FRAYNE & COMPANY,
309 COOPER STREET,
OTTAWA, ONTARIO,
K2P 0G5.

CCA 1896 (6-B1)

FILING DATE -- DATE DE PRODUCTION	FILE NO. - DOSSIER N°	PRIORITY DATE - DATE DE PRIORITÉ
1985/06/04	543072	

INDEX HEADINGS - RUBRIQUES DE L'INDEX

CANADA'S GOURMET BURGER MAKER
GOURMET BURGER MAKER, CANADA'S
BURGER MAKER, CANADA'S GOURMET
MAKER, CANADA'S GOURMET BURGER

REGISTERED USER

OPPOSITION

REGISTERED USER - USER INSCRIT

75092, 87582, 90653

ADVERTISEMENT DATE
DATE DE L'ANNONCE

MAY - 7 1986

DATE OF ALLOWANCE DATE DE L'ADMISSION	
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OCT 14 1986

VOL. 33 NO. 1645

REFERRED TO
REMIS A

REMARKS
REMARQUESINITIALS
INITIALES

DATE _____

P.A. DATE
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B.F. DATE

OPPOSITION

[illegible]

Consumer and
Corporate Affairs Canada

**Consommation
et Corporations Canada**



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JUN 10 1985

USER RESPONSIBILITY

It is your responsibility;

To complete proper action columns on the cover,

To send a file control form to the Records office when passing this file,

To attach any correspondence received or created while this file is in your possession,

To consult the Records Office to arrange for the transfer of papers from this file to another, file title changes, etc.

TO RETURN THIS FILE TO THE RECORDS OFFICE AS SOON AS POSSIBLE.

RESPONSABILITÉ DE L'USAGER

C'est votre responsabilité;

De compléter les colonnes d'action requise sur les couvertures,

D'envoyer une formule de contrôle au bureau des documents quand vous expédiez ce dossier,

D'attacher toute correspondance reçue ou créée tandis que ce dossier est en votre possession,

De consulter le bureau des documents pour le transfert des papiers d'un dossier à un autre, pour les changements de titres, etc.

DE RETOURNER CE DOSSIER AU BUREAU DES DOCUMENTS LE PLUS TÔT POSSIBLE.





Office de la propriété
intellectuelle
du Canada

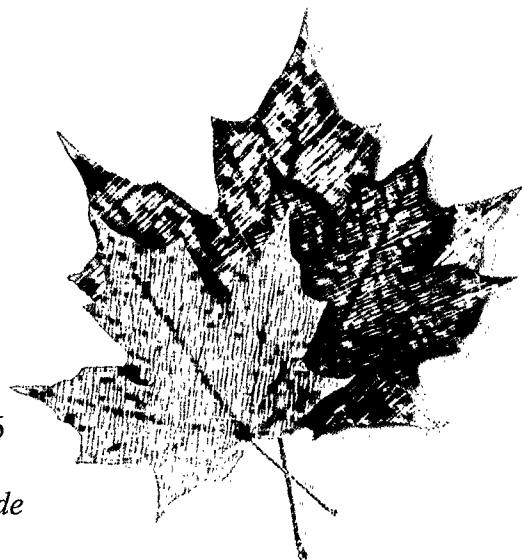
Un organisme
d'Industrie Canada

Canadian
Intellectual Property
Office

An Agency of
Industry Canada

Marques de commerce
Certificat de renouvellement

La présente atteste que
l'enregistrement de
cette marque de commerce
est renouvelé pour une
période de quinze ans,
conformément à l'article 46
de la *Loi sur les marques de
commerce*.



Trade-marks
Certificate of Renewal

This is to certify that this
trade-mark registration
is renewed for a
period of fifteen years,
in accordance with section 46
of the *Trade-marks Act*.

CANADA'S GOURMET BURGER MAKER

Numéro d'enregistrement
Registration Number **TMA327,936**

Numéro de dossier
File Number **543072**

Registraire des marques de commerce
Registrar of Trade-marks

Date d'échéance
Expiry Date **22 mai/May 2017**

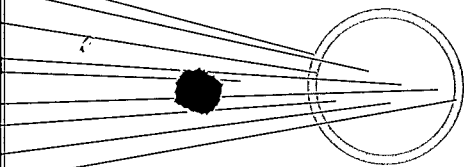
Date **24 mai/May 2002**

Canada

(CIPO 196)01-1

COPIE DU DOSSIER
FILE COPY

OPIC CIPO



RIDOUT & MAYBEE LLP

Barristers & Solicitors
Technology Law

Patent & Trade-Mark Agents
Intellectual Property Law

May 13, 2002

The Registrar of Trade-marks
CIPO, Trade-marks Office
Ottawa-Hull, Canada K1A 0C9

Attention: Assignment and Renewal Section

Dear Madam/Sir:

Re: CANADA : Trade-mark Registration No. TMA327,936
Trade-mark: CANADA'S GOURMET BURGER MAKER
Registrant: Red Robin International, Inc.
Our File: 24857-0076

On behalf of the registrant, kindly renew this registration.

The prescribed renewal fee in the amount of \$300.00 is included in our authorization of today's date. Please charge any deficiency in the government fees to our Deposit Account No. 600000242.

The registrant hereby revokes any previous appointment of agent and appoints Ridout & Maybee, 19th Floor, 150 Metcalfe Street, Ottawa, Ontario, K2P 1P1, Canada as representative for service in respect of this registration. Kindly amend the Register accordingly.

We look forward to receiving the Certificate of Renewal in due course.

Yours very truly,

RIDOUT & MAYBEE

Ridout & Maybee

WCK:rmb
encl.

7 Industrie Canada 7
OPIC CIPO

MAY 13 2002 1 3 4

Dossier File
Remise Chargé de

DEPOT FOUR REC. GEN.
DU CANADA 033-13655
0881-10 09-87913

C/A # 5383
K215

5334 BH 001 0001-002 8:17AM 5/15/02 300.00



OPIC
OFFICE DE LA PROPRIÉTÉ
INTELLECTUELLE DU CANADA
MARQUES DE COMMERCE



Ottawa Hull K1A 0C9

CIP
CANADIAN INTELLECTUAL
PROPERTY OFFICE
TRADE-MARKS

P.A. 543072

KENT & EDGAR
18TH FLOOR
150 METCALFE STREET
OTTAWA
ONTARIO K2P 1P1

Date	30 sept/Sep 1997
Votre référence - Your Reference	24857-0099
Numéro de dossier - File Number	454820

Marque de commerce - Trade-mark
— RED ROBIN —

Confirmation de modification données du propriétaire

Les données du propriétaire inscrit ont été modifiées comme suit:

RED ROBIN INTERNATIONAL, INC.
5575 DTC PARKWAY, SUITE 110
ENGLEWOOD, COLORADO 80111
UNITED STATES OF AMERICA

La firme indiquée ci-dessous a été inscrite comme représentante pour signification.

KENT & EDGAR
18TH FLOOR
150 METCALFE STREET
OTTAWA
ONTARIO K2P 1P1

Confirmation of Amendment Owner Information

Information about the registered owner has been amended as shown below:

The firm mentioned below has been recorded as Representative for Service.

Marque(s) de commerce / Trade-mark(s) :

TMA 257,532	454820	RED ROBIN
TMA 271,699	459901	R; DESIGN
TMA 293,807	454821	BURGER AND SPIRITS EMPORIUMS
TMA 308,715	497614	RED ROBIN
TMA 316,823	454822	NORTH AMERICA'S GOURMET BURGER MAKER
TMA 327,935	543071	WORLD'S GREATEST GOURMET BURGER MAKER
TMA 327,936	543072	CANADA'S GOURMET BURGER MAKER
TMA 345,483	543070	MOST MASTERFUL MIXOLOGISTS

Registraire des marques de commerce
Registrar of Trade-marks

Contact: Diane Field
Section des cessions et renouvellements/
Assignment and Renewal Section
(819) 997-2579



Industrie Canada Industry Canada

Canada

APPL'N/DEM. NO 543 072 REGISTRATION/ENREGISTREMENT NO TMA327,936

FILING DATE/DATE DE PRODUCTION:

04 JUN/JUIN 1985

REGISTRATION DATE/DATE D'ENREGISTREMENT:

22 MAY/MAI 1987

REGISTRANT/PROPRIETAIRE ORIGINAL:

RED ROBIN INTERNATIONAL, INC.,
3123 EASTLAKE AVENUE EAST,
SEATTLE, WASHINGTON 98102,
United States of America

REP FOR SERVICE/REP POUR SIGNIFICATION:

ROBERT FRAYNE & COMPANY,
309 COOPER STREET,
OTTAWA, ONTARIO,
K2P 0G5.

TRADE MARK/MARQUE DE COMMERCE:

CANADA'S GOURMET BURGER MAKER

DISCLAIMER/DESISTEMENT:

The right to the exclusive use of the words CANADA'S and BURGER MAKER
is disclaimed apart from the trade mark.

SERVICES:

Restaurant services.

Used in CANADA since 11 MAR/MARS 1985

ASSOCIATED MARKS/MARQUES LIEES:

TMA316,823 TMA327,935

SEE AUXILIARY REGISTER FOR REGISTERED USER

USAGER INSCRIT - VOIR REGISTRE AUXILIAIRE

ADVERTISEMENT DATE: 1986/05/07

VOLUME NUMBER: 33

ISSUE NUMBER: 1645

APPLICATION NO - DEMANDE NO:

543072 EXTENSION CTR:

000

FILING DATE - DATE DE PRODUCTION:

1985/06/04

PRIORITY FILING DATE -

DATE DE PRIORITE DE PRODUCTION:

APPLICANT - PROPRIETAIRE INSCRIPT
RED ROBIN INTERNATIONAL, INC.,
3123 EASTLAKE AVENUE EAST,
SEATTLE, WASHINGTON 98102,
United States

AGENT: 2362 XREF:

REP. FOR SERVICE - REP POUR SIGNIFICATION 2362

TRADE MARK/MARQUE DE COMMERCE
CANADA'S GOURMET BURGER MAKER

The right to the exclusive use of the words
CANADA'S and BURGER MAKER
is disclaimed apart from the trade mark.

SERVICES:

Restaurant services.

Used in CANADA since
1985/03/11

SUBJECT HEADINGS:

CANADA'S GOURMET BURGER MAKER
GOURMET BURGER MAKER, CANADA'S
BURGER MAKER, CANADA'S GOURMET
MAKER, CANADA'S GOURMET BURGER

Le droit à l'usage exclusif des mots
CANADA'S et BURGER MAKER
en dehors de la marque de commerce n'est pas accordé.

SERVICES:

Services de restaurant.

Employ.e au CANADA depuis
1985/03/11

Associated Mark No. TMA 316 823;
TMA 327 935

Marques Liées

See AUXILIARY REGISTER for Registered User
Voyez Inscrit-Voir REGISTRE AUXILIAIRE

*Mail to
R. Fung*

0 12

ROBERT FRAYNE & COMPANY

PATENT & TRADEMARK AGENTS

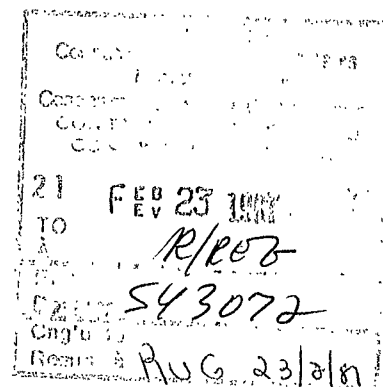
ROBERT D. FRAYNE, B.A., B.J., F.P.T.I.C.
JAMES R. PALMER, B.A., A.P.T.I.C.

309 COOPER STREET
OTTAWA, CANADA
K2P 0G5

BARBARA A. STOKER, OFFICE MANAGER

TELEPHONES 613-234-8661
TELEX: 053-3847
TELECOPIER (613) 563-9185
CABLE: FRAYNECO OTTAWA

THE REGISTRAR OF TRADE MARKS,
OTTAWA/HULL, CANADA.



FEBRUARY 23, 1987

Sir:

Re: Red Robin International, Inc.
Canadian Trade Mark Application
Serial No. 543,072
Trade Mark CANADA'S GOURMET BURGER MAKER

As required by the Notice of Allowance dated November 4, 1987, we are pleased to include the registration fee of \$200.00 in our remittance for today, and will look forward to receiving the certificate of registration as soon as is convenient.

Respectfully submitted,

Robert Frayne & Company

bas/s

K311 200.00
5469 \$
A561 2126000 7361 8:43AM 2/25/87

TMRC FEB 26 1987



Consumer and
Corporate Affairs Canada

Trade Marks
Ottawa-Hull
K1A 0C9

Consommation
et Corporations Canada

Marques de commerce
Ottawa-Hull
K1A 0C9

**APPROVAL
OF APPLICATION**

**APPROBATION DE
LA DEMANDE**

*Barriagar & Oyer
Vancouver!*

Date	<i>April 1, 1987</i>
Our reference - Notre référence	<i>Rec 90653</i>
Your reference - Votre référence	<i>M87 CV-104</i>

Trade Mark - Marque de commerce

543072 - Canada's Mousseret Burger, maker.



The application for the below named registered user has been approved.

La demande soumise à l'égard de l'utilisateur inscrit mentionné ci-dessous a été approuvée.

Registered User(s) - Usager(s) inscrit(s)

Red Robin Restaurant (Parklane) Ltd.

Date of Approval
Date d'approbation

Y-A M D-J
87 1 9

Period of permitted use - Période d'utilisation autorisée

☐ Indefinite
Indéfinie

☐ Date of termination
Se terminant le

Y-A M D-J
2001 10 27

For the following: -

☐ Wares
Marchandises

☒ Services

☐ Other
Autres

Permitted use restricted to (location): - Limites territoriales (endroit):

J. Mercier



Consumer and
Corporate Affairs Canada

Trade Marks
Ottawa-Hull
K1A 0C9

Consommation
et Corporations Canada

Marques de commerce
Ottawa-Hull
K1A 0C9

**APPROVAL
OF APPLICATION**

**APPROBATION DE
LA DEMANDE**

*Parragar & Ayer
Vancouver, B.C.*

Date <i>February 12, 1987</i>
Our reference – Notre référence <i>NU 87582</i>
Your reference – Votre référence <i>A187-V-120</i>

Trade Mark – Marque de commerce <i>543072 Canada's Gourmet Burger Maker</i>
--

► The application for the below named registered user has been approved.
La demande soumise à l'égard de l'utilisateur inscrit mentionné ci-dessous a été approuvée.

Registered User(s) – Usager(s) inscrit(s) <i>Red Robin Restaurant (Kitchener) Ltd.</i>			
Date of Approval Date d'approbation	Y-A M D-J <i>86 10 14</i>	Period of permitted use – Période d'utilisation autorisée	Y-A M D-J <i>2001 6 22</i>
☒ Indefinite Indéfinie		☐ Date of termination Se terminant le	
For the following: – ☐ Wares Marchandises ☒ Services ☐ Other Autres			
Permitted use restricted to (location): – Limites territoriales (endroit):			

Morris & Lewis



Consumer and
Corporate Affairs Canada
Trade Marks

Consommation
et Corporations Canada
Marques de commerce

**NOTICE OF
ALLOWANCE**

**NOTIFICATION
D'ACCEPTATION**

ROBERT FRAYNE & COMPANY,
309 COOPER STREET,
OTTAWA, ONTARIO,
K2P 0G5.

Date 04 NOV/NOV 1986
Our file — Notre référence 543072
Your file — Votre référence

Applicant — Requérant RED ROBIN INTERNATIONAL, INC.,
Trade Mark — Marque de commerce CANADA'S GOURMET BURGER MAKER

You are hereby given notice that the subject application for registration of a trade mark has been allowed. The following "x" marked check boxes denote items which are required or pertinent to this application.

- (a) A registration fee of TWO HUNDRED DOLLARS within six months of the date of this notice. ☒
- (b) Pursuant to Section 39(2) of the Trade Marks Act, a declaration that the applicant (or the approved registered user) has commenced use of the trade mark in Canada in association with the wares and/or services specified in the application within six months of the date of this notice, failing which the application will be abandoned. The registration fee of TWO HUNDRED DOLLARS must accompany the declaration of use. ☐
- (c) Three specimens showing the mark as actually used in association with the wares and/or services as described in Rule 33 of the Trade Marks Rules are required. ☐

Recevez avis, par la présente, que ladite demande d'enregistrement de la marque de commerce a été acceptée. Les cases suivantes, lorsqu'elles renferment un "x", indiquent quelles pièces sont exigées ou appropriées relativement à la demande.

- (a) Des frais d'enregistrement de DEUX CENT DOLLARS doivent être versés dans les six mois suivant la date du présent avis. ☒
- (b) En conformité de l'article 39(2) de la Loi sur les marques de commerce, une déclaration indiquant que le requérant (ou l'utilisateur inscrit approuvé) a commencé à utiliser la marque de commerce au Canada en liaison avec les marchandises et/ou les services mentionnés dans la demande doit être fournie dans les six mois suivant le présent avis, sans quoi la demande sera abandonnée. Les frais d'enregistrement de DEUX CENT DOLLARS doivent accompagner la déclaration d'utilisation. ☐
- (c) Trois spécimens de la marque de commerce telle qu'elle est utilisée en liaison avec les marchandises et/ou les services sont requis, comme le prescrit la règle 33 des Règles sur les marques de commerce. ☐

Registrar of Trade Marks
50-Victoria St.
Phase I, Place du Portage
Ottawa — Hull
K1A 0C9

Registraire des marques de commerce
50, rue Victoria
Place du Portage, Phase I
Ottawa — Hull
K1A 0C9



Consumer and
Corporate Affairs Canada

Trade Marks
Ottawa-Hull
K1A 0C9

Consommation
et Corporations Canada

Marques de commerce
Ottawa-Hull
K1A 0C9

**APPROVAL
OF APPLICATION**

**APPROBATION DE
LA DEMANDE**

*Robert Frayne & Company
Ottawa*

Date	<i>November 4, 1986</i>
Our reference - Notre référence	<i>Ref 75092</i>
Your reference - Votre référence	<i>RDF: bas</i>

Trade Mark - Marque de commerce

543072 - Canada's Gourmet Burger Maker.

► The application for the below named registered user has been approved.
La demande soumise à l'égard de l'utilisateur inscrit mentionné ci-dessous a été approuvée.

Registered User(s) - Usager(s) inscrit(s)

Red Robin Burgers, Ltd.

Date of Approval Date d'approbation	► Y-A M D-J <i>86/10/14</i>	Period of permitted use - Période d'utilisation autorisée		► Y-A M D-J
		☒ Indefinite Indéfinie	☐ Date of termination Se terminant le	

For the following: -

☐ Wares
Marchandises

☒ Services

☐ Other
Autres

Permitted use restricted to (location): - Limites territoriales (endroit):

J. J. Korne

TO: THE REGISTRAR OF TRADE MARKS,
OTTAWA/HULL, CANADA.

1. The undersigned, RED ROBIN INTERNATIONAL, INC., a corporation of the State of Washington, the full post office address of whose principal office or place of business is 3123 Eastlake Avenue East, Seattle, Washington 98102, United States of America, hereby applies for the registration, in accordance with the provisions of the Trade Marks Act, of the trade mark identified below.

2. The trade mark is the words CANADA'S GOURMET BURGER MAKER.

3. The applicant disclaims the right to the exclusive use of the word CANADA'S and the words BURGER MAKER apart from the trade mark.

4. The trade mark has been used in Canada by the applicant in association with all the services listed hereafter, and the applicant requests registration in respect of such services. The trade mark has been so used in Canada in association with the general class of services comprising the following specific services: restaurant services, since March 11, 1985. Use is by a licensee.

5. The applicant appoints ROBERT FRAYNE & COMPANY whose full post office address in Canada is 309 Cooper Street, Ottawa, Ontario K2P 0G5 as the firm to whom any notice in respect of the application or registration may be sent, and upon whom service of any proceedings in respect of the application or registration may be given or served with the same effect as if they had been given to or served upon the applicant or registrant.

5. The applicant is satisfied that it is entitled to use the trade mark in Canada in association with the services described above.

Executed at Seattle, Washington this 21st day of March, 1985.

Red Robin International, Inc.

By: Stuart A. Heller

Stuart A. Heller
Senior Vice President and
Secretary



Consommation
et Corporations Canada

Consumer and
Corporate Affairs Canada

50 RUE VICTORIA

HULL, P.Q. K1A 0G9

October 22, 1986

Robert Frayne & Company
309 Cooper Street
Ottawa, Ontario
K2P 0G5

Voire référence Your file

Notre référence Our file

543,072

Gentlemen:

Re: Trade Mark: CANADA'S GOURMET BURGER MAKER
Applicant: Red Robin International, Inc.
Opponent: P.J. Burger & Sons Inc.

This is to inform you that the above-identified trade mark application has been allowed and its registration will issue in due course.

Yours truly,

M. Trottier
for REGISTRAR OF TRADE MARKS

/mc

cc: Carver and Company
1662 West 8th Ave.
Vancouver, B.C.
V6J 1V4

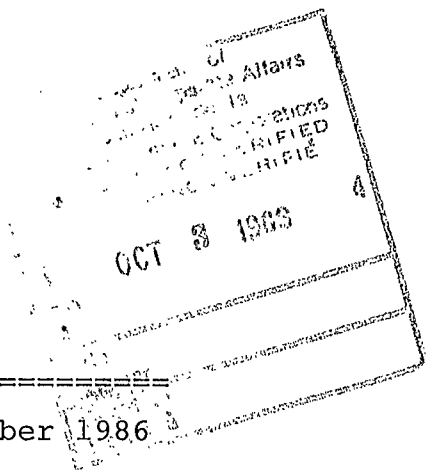
De Bou 46 ca/c

IN THE CANADIAN TRADE MARKS OFFICE

IN THE MATTER OF OPPOSITION

APPLICATION SERIAL NUMBER: 543,072
APPLICANT: Red Robin International Inc.,
OPPONENT: P. J. Burger & Sons Inc.,
TRADE MARK: **CANADA'S GOURMET BURGER MAKER**
FILED: 4 June 1985
OPPONENT'S AGENT'S REFERENCE: De Bou 46 ca/c

=====



2 October 1986

THE REGISTRAR OF TRADE MARKS
The Canadian Trade Marks Office
Ottawa - Hull K1A 0C9

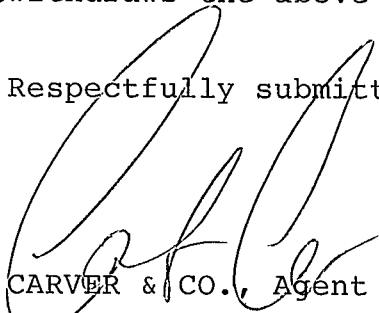
WITHDRAWAL OF OPPOSITION

Sir:

The opponent, P.J. Burger & Sons Inc., has reached an agreement with the applicant Red Robin International, Inc., whereby P.J. Burger & Sons Inc., will withdraw its opposition to the subject trade mark. In return, Red Robin International, Inc., will withdraw its opposition to Application #533,481 for P.J. BURGER & SONS & Design by P.J. Burger & Sons Inc.

 Pursuant to this agreement, P.J. Burger & Sons Inc., hereby withdraws the above opposition.

Respectfully submitted,


CARVER & CO., Agent of Opponent
1662 West 8th Avenue
Vancouver, BRITISH COLUMBIA
CANADA V6J 1V4

OCT 10 1986

TEL. NO. (604) 731-5861 PACIFIC TIME ZONE
NMC/af



Consumer and
Corporate Affairs Canada

Consommation
et Corporations Canada

Trade Marks

Marques de commerce

Carver and Company
1662 West 8th Ave.
Vancouver, B.C.
V6J 1V4

File No.—Dossier n°
543,072
Your Reference—Votre référence
De Bou 46 c/c

July 10, 1986

Rule—Règle	Trade Mark—Marque de commerce
	CANADA'S GOURMET BURGER MAKER
Applicant—Requérant	Opponent—Opposant
Red Robin International, Inc.	P.J. Burger & Sons Inc.

In accordance with your request, an extension
of time is granted until **October 7, 1986**

Conformément à votre demande, une prolongation de
délai vous est accordée jusqu'au

This is a final extension.

Registrar of Trade Marks
Le registraire des marques de commerce.

OTTAWA-HULL
50 RUE VICTORIA
PH. 1, PLACE DU PORTAGE
K1A 0C9

Robert Frayne & Company
309 Cooper Street
Ottawa, Ontario
K2P 0G5

IN THE CANADIAN TRADE MARKS OFFICE

IN THE MATTER OF AN OPPOSITION

APPLICATION NO: 543,072

APPLICANT: RED ROBIN INTERNATIONAL INC.

OPPONENT: P.J. BURGER & SONS INC.

TRADE MARK: CANADA'S GOURMET BURGER MAKER

FILED: 4 June 1985

OPPONENT'S AGENT'S REF: De Bou 46 c/c

5 June 1986

THE REGISTRAR OF TRADE MARKS
The Canadian Trade Marks Office
Ottawa - Hull
K1A 0C9

REQUEST FOR EXTENSION OF TIME TO OPPOSE

Sir:

An extension of time is hereby requested on behalf of P.J. Burger & Sons Inc. to oppose the above application. The time is required for the opponent to confer with its agent and decide upon the appropriate grounds for opposition.

A cheque for \$50.00 is enclosed to cover the extension of time.

Respectfully submitted,

Carver & Co.
CARVER & CO., Agent of Applicant

1662 West 8th Avenue

Vancouver, British Columbia

CANADA V6J 1V4

Tel. No. (604) 731-5861 PACIFIC TIME ZONE

DATE		FINANCE (\$)	
JUN 9 1986		2715	
CODE	311	50	
CHÉQUE \$		713	

JUN 16 1986

NMC/as

Encl: Cheque - \$50.00

TMRO JUN 11 1986

1000



APPLICATION NO - DEMANDE NO: 543072 000
FILING DATE - DATE DE PRODUCTION: 1985/06/04

APPLICANT - PROPRIETAIRE INSCRIPT # NAME CARDS
RED ROBIN INTERNATIONAL, INC.,
3123 EASTLAKE AVENUE EAST,
SEATTLE, WASHINGTON 98102,
United States

AGENT: 2362 XREF:
ROBERT FRAYNE & COMPANY,
309 COOPER STREET,
OTTAWA, ONTARIO,
K2P 0G5.

MR

*die (2)
CANADA'S and
BURGER MAKER*

TRADE MARK/MARQUE DE COMMERCE
CANADA'S GOURMET BURGER MAKER

WARES/SERVICES CODE: 2

SERVICES:
Restaurant services.

Used in CANADA since
1985/03/11

SUBJECT HEADINGS:
CANADA'S GOURMET BURGER MAKER
GOURMET BURGER MAKER, CANADA'S
BURGER MAKER, CANADA'S GOURMET
MAKER, CANADA'S GOURMET BURGER



ADVERTISEMENT SHEET

FEUILLE DE PUBLICATION

☒ Preprinted Advertisement Notice — Avis de Publication (déjà imprimé)

or — ou

☐ Approval Notice to be sent to — Avis de Publication à être envoyé:

☐ Agent
à l'agent

☐ Applicant
au requérant

☐ Applicant c/o Rep. for Service
Requérant a/s Rep. pour signification

☐ Priority Filing Date
Date de priorité

☐ Change of Name or Transfer
Changement de nom ou transfert

☐ CERTIFICATION MARK — MARQUE DE CERTIFICATION

☐ DISTINGUISHING GUISE — SIGNE DISTINCTIF

☒ Disclaimer — Désistement:

☒ As per application
Comme dans la demande

or — ou ☐

☐ Colour Claim — Couleur:

☐ Lined for colour
Ligné pour couleur

☐ As per application
Comme dans la demande

or — ou ☐

☐ Consent, re Signature/Portrait — Consentement Signature/Portrait:

☐ As per application
Comme dans la demande

or — ou ☐

☐ Amendment of Wares; (Filing Date)
Modification des marchandises (date de production)

☐ Revised Wares — March. Revisées

☐ Revised Services — Services Revisés

☐ Section 12 (2) — Section 12 (2)

☐ Restricted to — Restreinte (à/au)

☐ Section 14 — Section 14

☐ Section 67 (1) — Nfld. No. / Section 67 (1) — Terre-Neuve N°

☐ Section 36 (3) — (Flag File) / Section 36 (3) — (Étiqueter le dossier)

☐ Applicant is the owner of Registration No.
Le requérant est titulaire de l'enregistrement N°

☒ Associated Marks — Marques liées:

or — ou ☐ Identified on Search Report by RED asterisk
Identifiées par un astérisque ROUGE sur la feuille de recherche

☐ Other Instructions for Journal purposes
Autres Renseignements pour le Journal

IN THE CANADIAN TRADE MARKS OFFICE

In re Application)
Serial No.: 543,072)
Filed: June 4, 1985)
Red Robin International,)
Inc.)

Trade Mark CANADA'S GOURMET
BURGER MAKER

Examiner: Mrs. H. Nezan

Department of
Consumer and Corporate Affairs
Ministère de la
Consommation et des Corporations
CONTENTS NOT VERIFIED
CONTENU NON VÉRIFIÉ

7
TO JAN 29 1986 7
X
File
Dossier 543072
C'd to
RCMS 3

THE REGISTRAR OF TRADE MARKS,
OTTAWA/HULL, CANADA.

JANUARY 29, 1986

Sir:

As required by the Official Letter dated December 5, 1985, we request that the enclosed amended first page of this application replace the corresponding page now of record. The required disclaimers have been included in the amended first page.

Early and favourable consideration is requested.

Respectfully submitted,

Robert Gray & Company

RDF:bas
Encl.

(613) 234-8661

APPLICANT — REQUÉRANT

TRADE MARK — MARQUE DE COMMERCE

CANADA'S GOURMET BURGER MAKER

ROBERT FRAYNE & COMPANY,
309 COOPER STREET,
OTTAWA, ONTARIO,
K2P 0G5.



Consumer and
Corporate Affairs
Canada

Trade Marks

50 Victoria St
Hull, Quebec
K1A 0C9

Consommation
et Corporations
Canada

Marques de commerce

50, rue Victoria
Hull (Québec)
K1A 0C9

PLEASE QUOTE OUR FILE NO. IN ALL FUTURE CORRESPONDENCE
VEUILLEZ INDICER NOTRE NUMÉRO DE DOSSIER DANS TOUTE CORRESPONDANCE ULTÉRIEURE

Filing Date — Date de production	File No. — Dossier N°	Priority Date — Date de priorité
1985/06/04	543072	

Canada

CCA-403 (01-84)

REFERENCE TO RULES AND SECTIONS IN THIS FORM CONSTITUTE REFERENCE TO THE
TRADE-MARKS RULES AND TRADE MARKS ACT

LES RÉGLEMENTS ET LES ARTICLES AUXQUELS ON SE RÉFÈRE DANS LA PRÉSENTE
FORMULE SONT LES RÉGLEMENTS ET LA LOI SUR LES MARQUES DE COMMERCE.

PLEASE DISREGARD BOXES NOT MARKED WITH AN X
VEUILLEZ NE TENIR COMPTE QUE DES CASES MARQUÉES D'UNE CROIX

To avoid abandonment procedures a proper response must be received within <u>6</u> months from the date of this form. 1. The mark is considered to be primarily merely the _____ of an individual who is living or who has died within the preceding thirty years and therefore does not appear to be registrable in view of the provisions of section 12 (1)(a). 2. The mark contravenes the provisions of section 12 (1)(b) since it is considered to be clearly descriptive or deceptively misdescriptive of the _____ in association with which it is used or proposed to be used (See particulars in 16) 3. In view of the provisions of section 12 (1)(d), the mark does not appear to be registrable because it is confusing with the registered trade mark(s). (See copy(ies) attached). Registration No.(s) _____ 4. Any comments you may wish to submit will receive consideration. 5. IF NO OBJECTION HAD BEEN RAISED TO THE REGISTRATION OF THE SUBJECT MARK APPLICANT WOULD HAVE BEEN REQUIRED TO COMPLY WITH THE FOLLOWING: 6. The wares/services designated as: ☐ _____ ☐ underlined on the attached photocopy should be defined specifically in ordinary commercial terms, section 29 (a). 7. Applicant is required to disclaim the right to the exclusive use of _____ "CANADA'S" and "BURGER MAKER" apart from the trade mark, in compliance with sections 12(1)(b) and 34. 8. A revised application is required. 9. Drawings filed with this application are not suitable for reproduction in the trade marks journal. Four new drawings are required meeting the requirements of rule 32. 10. _____ drawings are required, (rule 32 refers). In addition, if there is a negative of drawing available, please submit in order to facilitate preparation of the trade marks journal. 11. _____ specimens are required. Rule 33 refers. 12. A certified copy of the _____ registration to issue from application no.: _____ dated <u>Y</u> <u>M</u> <u>D</u> is required in compliance with the provisions of section 30 (1) (Translation into English or French if applicable). 13. A certified copy of the _____ registration no.: _____ dated <u>Y</u> <u>M</u> <u>D</u> is required in compliance with the provisions of section 30 (1) (Translation into English or French if applicable). 14. Please confirm that the applicant is a legal entity. 15. Please submit informative advertising literature or brochures or other informational material regarding the wares and/or services in order to assist the examiner in reaching a decision as to the registrability of this mark. 16. ☐ OTHER AUTRE _____	☒ Afin d'éviter les procédures d'abandon, une réponse adéquate doit nous parvenir dans les <u>6</u> mois suivant la date de la présente. 1. La marque est considérée n'être principalement que le _____ d'un particulier vivant ou qui est décédé dans les trente années précédentes, et par conséquent ne semble pas enregistrable eu égard aux dispositions de l'Article 12 (1)(a). 2. La marque enfreint les dispositions de l'article 12 (1)(b) puisqu'elle est considérée comme une description claire ou une description fausse et trompeuse de _____ en liaison avec lequel(les) elle est employée ou projetée d'être employée (Voir détails au numéro 16). 3. Eu égard aux dispositions de l'article 12 (1)(d), la marque ne semble pas enregistrable en raison de la confusion qu'elle crée avec la(les) marque(s) de commerce enregistrée(s). (Voir copie(s) ci-jointe(s), enregistrement(s) n° _____) 4. Il sera tenu compte de tout commentaire que vous désirez formuler. 5. SI AUCUNE OBJECTION N'AVAIT ÉTÉ SOULEVÉE À L'ENREGISTREMENT DE LA PRÉSENTE MARQUE, LE REQUÉRANT AURAIT EU À SE CONFORMER À CE QUI SUIT: 6. Les marchandises/services désignés comme: ☐ _____ ☐ soulignés sur la photocopie en annexe doivent être définis de manière spécifique dans les termes ordinaires du commerce, Article 29 (a). 7. Le requérant est tenu de se désister du droit à l'usage exclusif de _____ en dehors de la marque de commerce conformément aux articles 12 _____ et 34. 8. Une demande modifiée est requise. 9. Les dessins déposés avec la présente demande ne se prêtent pas à la reproduction dans le journal des marques de commerce. Quatre nouveaux dessins sont requis, conformément aux exigences de la règle 32. 10. _____ dessins sont requis (se référer à la règle 32). De plus, si vous pouvez nous fournir un négatif du dessin, cela nous faciliterait la préparation du journal des marques de commerce. 11. _____ spécimens sont requis. Règle 33. 12. Une copie certifiée de l'enregistrement _____ émis suite à la demande n° _____ du <u>A</u> <u>M</u> <u>J</u> est requise conformément aux dispositions de l'Article 30 (1) (traduction française ou anglaise, s'il y a lieu). 13. Une copie certifiée de l'enregistrement _____ n° _____ du <u>A</u> <u>M</u> <u>J</u> est requise conformément aux dispositions de l'Article 30 (1) (traduction française ou anglaise, s'il y a lieu). 14. Veuillez confirmer que le demandeur est une entité légale. 15. Veuillez présenter des imprimés publicitaires, des brochures d'information ou autre documentation concernant les marchandises et/ou les services afin d'aider l'examineur à déterminer si cette marque est enregistrable.
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Examiner — Examinateur	Telephone — Téléphone	Y-A
Mrs. H. NEZAR	1-819-994-1507	5/85

27 ? F APPN=282731

* 1 27/ APPN=282731

28 ? /RP
APPL./N/DEM.NO 282731 REGISTRATION/ENREGISTREMENT NO 141501

FILING DATE/DATE DE DEPOT: 3 JUN/JUIN 1964

REGISTRATION DATL/DATE D'ENREGISTREMENT: 25 AUG/AOUT 1965

RENEWAL DATE/DATE DE RENOUVELLEMENT: 25 AUG/AOUT 1980

REGISTRANT/PROPRIETAIRE ORIGINAL:

WELLINGTON HOTELS LTD.
1808 WELLINGTON AVENUE
WINNIPEG 21
MANITOBA

TRADE MARK/MARQUE DE COMMERCE:
THE GOURMET INTERNATIONAL
RESTAURANT & DESIGN

DISCLAIMER/DESISTEMENT:

WARES/MARCHANDISES:
RESTAURANT, CATERING AND BANQUETTING SERVICES, INCLUDING THE SERVING
OF ALCOHOLIC BEVERAGES.

App. N. No. 505347
FILING DATE/DATE DE DEPOT:

Reg. no: 289567
15 JUN/JUIN 1983

REGISTRATION DATE/DATE D'ENREGISTREMENT:

6 APR/AVR 1984

REGISTRANT/PROPRIETAIRE ORIGINAL:

397350 ONTARIO LIMITED,
2291 YONGE STREET,
TORONTO,
ONTARIO
M4P 2C6

TRADE MARK/MARQUE DE COMMERCE:
LE PETIT GOURMET

WARES/MARCHANDISES:
OPERATING A RESTAURANT.

28 ? F APPN=543071

* 1 28/ APPN=543071

29 ? /RP

APPL'N/DEM.NO

543071

REGISTRATION/ENREGISTREMENT NO

FILING DATE/DATE DE DEPOT:

4 JUN/JUIN 1985

REGISTRANT/PROPRIETAIRE ORIGINAL:

RED ROBIN INTERNATIONAL, INC.,
3123 EASTLAKE AVENUE EAST,
SEATTLE, WASHINGTON 98102,
UNITED STATES OF AMERICA

apple

TRADE MARK/MARQUE DE COMMERCE:
WORLD'S GREATEST GOURMET BURGER
MAKER

WARES/MARCHANDISES:
RESTAURANT SERVICES.

✓

40 ? /RP
APPL 'N/DEM.NO 454822 REGISTRATION/ENREGISTREMENT NO

FILING DATE/DATE DE DEPOT:

10 JUN/JUIN 1980

REGISTRANT/PROPRIETAIRES ORIGINAL:

RED ROBIN ENTERPRISES, INC.,
3240 EASTLAKE AVENUE EAST,
SEATTLE, WASHINGTON,
UNITED STATES OF AMERICA

REP FOR SERVICE/REP POUR SIGNIFICATION:
ROBERT FRAYNE & COMPANY,
309 COOPER STREET,
K2P 0G5
ONTARIO



TRADE MARK/MARQUE DE COMMERCE:
NORTH AMERICA'S GOURMET BURGER
MAKER

DISCLAIMER/DESISTEMENT:
THE RIGHT TO THE EXCLUSIVE USE OF THE WORDS
IS DISCLAIMED APART FROM THE TRADE MARK.



WARES/MARCHANDISES:
RESTAURANT SERVICES.

22 ? F APPN=533481

* 1 22/ APPN=533481

23 ? /RP

PL 'N/DEM. NO

533481

REGISTRATION/ENREGISTREMENT NO

FILING DATE/DATE DE DEPOT:

14 DEC/DEC 1984

REGISTRANT/PROPRIETAIRE ORIGINAL:

P. J. BURGER & SONS INC.,

1221 BIDWELL STREET,

2ND FLOOR,

VANCOUVER,

B. C.

V6G 2K7

TRADE MARK/MARQUE DE COMMERCE:

P. J. BURGER & SONS & DESIGN

WARES/MARCHANDISES:

RESTAURANT SERVICES.

543072 SERIAL NO.
NO. DE SÉRIE

FILING DATE
DATE DE DÉPART
1985/06/04

CANADA'S GOURMET BURGER MAKER

~~HEADINGS — EN-TÊTES~~

✓ CANADA'S GOURMET BURGER MAKER
GOURMET BURGER MAKER, CANADA'S

BURGER
MAKER

SERVICES: Restaurant services.

35 42

☒ PENDING — EN INSTANCE

☒ TM & DA

☒ UCA

☒ LEMA

☒ 2 ABANDONED — ABANDONNÉE

☐ TRE LIST — LISTE DE TRE

MARK
MARQUE

SERIAL NO.
NO DE SÉRIE

REGISTRATION NO.
NO D'ENR.

WARES/SERVICES
MARCHANDISES/SERVICES

RESEARCH — RECHERCHES

CANADA'S : OBVIOUS

WEB: COURTNET: "a connoisseur in eating and drinking."

BURDER: OBVIOUS

WEB: MAKER: One that makes

PRE PUB CYR FEB 26 1986

SEC - ART. 12 (1) a) b) c) d) e)
SEC - ART. 16 (1) (2) (3)

FORMAL REQUIREMENTS — EXIGENCES FORMELLES

ASSOCIATED MARKS — MARQUES ASSOCIÉES

EXAMINED — EXAMINÉE

DATE _____

CCA 364 (8-80)



Consumer and
Corporate Affairs Canada

Consommation
et Corporations Canada

TRADE MARK APPLICATIONS CHECK LIST
LISTE DE VÉRIFICATION DES MARQUES DE COMMERCE

No. of Name Cards — N° de cartes	Extension Counter — N° d'extensions	Filing Date — Date de dépôt JUN - 4 1985	File No. — N° de dossier 543072
Extension: Reg'n Date — Date d'enr.	Reg'n Act — Loi d'enr. TMA UCA TM&DA NFLD. ☐ A ☐ B ☐ C ☐ D LMC LCD LMC&D TN	Lang. of App'n. Langue d'app. ☒ (E.) (A.) ☐ (F.)	Priority Date — Date de priorité
Register No. — Registre N°	Reg'n. No. — N° d'enr.		
Trade Mark Class. — Classe de marque: 1 ☒ Word Mot 2 ☐ Design Dessin C ☐ Cert. Mark Marque de cert. D ☐ Disting. Guise Signe distinctif			
Trade Mark Description/55 Characters — Description de marque/55 caractères: 			
Agent No. — N° d'agent 2362	Agent's Ref. No. — N° de ref. de l'agent	Wares Merchandises ☐	Services ☒ W&S. M&S. ☐
Used/Made Known — Employée révélée ☒ Date of First Use — Date d'emploi: 1985, 03, 11	Code (1-5) 1	Text — Texte ☐ Used Employée ☐ Make Known Révélée	
Used in Country — Pays d'emploi: ☐ Registered in Enregistrée en on le / / under sous (#) ☐ (Country — Pays)			
☐ Text Texte			
Proposed Use: Emploi proj.: ☐ ☐ Agent 10 ☐ To Applicant Au requérant ☐ C/O Rep. F. Serv. Rep. P. Sign. ☐ Ret. Copy Ret. copie ☐ Prod. Div. Div. des prod.	Code (1-3) Proposed Text: Texte Proj.: ☐ SUBJECT HEADINGS — ENTÊTES CANADA'S GOURMET BURGER MAKER		
R.U. — Usager insc. ☒			

2362

ROBERT FRAYNE & COMPANY

PATENT & TRADEMARK AGENTS

543072

ROBERT D. FRAYNE, B.A., B.J., F.P.T.I.C.
JAMES R. PALMER, B.A., A.P.T.I.C.

BARBARA A. STOKER - OFFICE MANAGER
KIM BRULE, B.A. - TECHNICAL ASSISTANT

309 COOPER STREET
OTTAWA, CANADA
K2P 0G5

DEPARTMENT OF
CONSUMER AND CORPORATE AFFAIRS
MINISTÈRE DE LA
CONSOMMATION ET DES CORPORATIONS
CONTENTS NOT VERIFIED
CONTENU NON VÉRIFIÉ

JUN 4 1985

TO
A

FILE
DOSSIER

CHD. TO
REMS A

TELEPHONES 613-234-8661
234-5054
TELEX: 053-3847
CABLE: FRAYNECO OTTAWA

THE REGISTRAR OF TRADE MARKS,
OTTAWA/HULL, CANADA.

JUNE 4, 1985

Sir:

We are enclosing herewith application for registration of the trade mark CANADA'S GOURMET BURGER MAKER, on behalf of Red Robin International, Inc.

Our remittance for today includes the prescribed filing fee of \$150.00.

Favourable consideration is requested.

Respectfully submitted,

Robert Frayne & Company

bas/s
Encl.

P.S.

We also draw attention to application for Registered User in favour of Red Robin Burnaby, Ltd., being filed concurrently herewith.

JUN 5 1985		2296
CODE	\$	\$
311	150	-
CHEQUE #	3759	

JUN 11 1985

JUN 12 1985

APPLICATION FOR REGISTRATION OF A TRADE MARK
IN USE IN CANADA

TO: The Registrar of Trade Marks
Ottawa, Canada

1. The undersigned, Red Robin International, Inc., a corporation of the state of Washington, the full post office address of whose principal office or place of business is 3123 Eastlake Avenue East, Seattle, Washington 98102, hereby applies for the registration, in accordance with the provisions of the Trade Marks Act, of the service mark identified below.

2. The trade mark is the words: CANADA'S GOURMET BURGER MAKER.

3. The trade mark "Canada's Gourmet Burger Maker" has been used in Canada by the applicant in association with all the specific services listed hereafter, and the applicant requests registration in respect of such services. The trade mark has been so used in Canada in association with the general class of services comprising the following specific services: S RESTAURANT SERVICES, since March 11, 1985. Use is by a licensee.

4. The applicant appoints Robert D. Frayne, whose full post office address in Canada is 309 Cooper Street, Ottawa, Canada K2P 0G5, as the person (or firm) to whom any notice in respect of the application or registration may be sent, and upon whom service of any proceedings in respect of the application or registration may be given or served with the same effect as if they had been given to or served upon the applicant or registrant.