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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91243046
Party	Plaintiff Telegram Messenger Inc
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Date	08/20/2018
Attachments	Attachment For Suspension Motion opp. no. 91243046.pdf(82121 bytes ) Telegram v. Lantah Complaint USDC SF Division.pdf(3139453 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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TELEGRAM MESSENGER INC,	:	Serial No. 87810181
	:	
Opposer,	:	Opposition No. 91243046
	:	
- v -	:	
	:	
LANTAH LLC,	:	
	:	
Applicant.	:	
-----	x	

**Attachment For Motion For Suspension of Proceedings**

Opposer, Telegram Messenger Inc (“Opposer”) inadvertently omitted a copy of the Telegram Messenger Inc v. Lantah LLC, Case No. 18-cv-2811 United States District Court for the Northern District of California, Complaint in support of its Motion For Suspension of Proceedings. Opposer submits a copy of the Complaint.

Dated: August 20, 2018

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By: /Bruce Goldner/

**Certificate of Service**

I hereby certify that a true and complete copy of the foregoing Attachment For Motion For Suspension of Proceedings has been served on Donald A. Thompson by forwarding said copy on August 20, 2018, via email to:

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

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TELEGRAM MESSENGER INC,

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Plaintiff,

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vs.

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LANTAH, LLC,

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Defendant.

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CASE NO. 18-cv-2811

**PLAINTIFF TELEGRAM MESSENGER  
INC'S COMPLAINT FOR:**

- 1. FALSE DESIGNATION OF  
ORIGIN;**
- 2. TRADEMARK INFRINGEMENT;  
AND**
- 3. UNFAIR COMPETITION**

**JURY TRIAL DEMANDED**

1 Plaintiff Telegram Messenger Inc (“Telegram Messenger”) by its attorneys, for its  
2 Complaint against Defendant Lantah LLC (“Defendant” or “Lantah”), upon personal knowledge  
3 as to its own facts and conduct and on information and belief as to all other matters, states and  
4 alleges as follows:

5 **INTRODUCTION**

6 1. This is an action alleging false designation of origin under 15 U.S.C. § 1125,  
7 common law trademark infringement, and unfair competition under Cal. Bus. & Prof. Code  
8 § 17200.

9 2. This action concerns service mark rights used in connection with cryptocurrencies,  
10 digital assets designed to work as a medium of exchange that use cryptography to secure  
11 transactions, control the creation of additional units, and verify the transfer of assets.

12 3. Cryptocurrencies allow users to transact business from anywhere in the world with  
13 an internet connection, without requiring a centralized third party such as a bank or government to  
14 verify or clear transactions.

15 4. Telegram Messenger, including with affiliated companies (collectively,  
16 “Telegram”) previously adopted the service mark GRAM, and has used that mark in connection  
17 with financial products and services it intends to offer to customers, namely providing a  
18 cryptocurrency (or virtual currency) for use by members of the Telegram Open Network (“TON”),  
19 which network Telegram is working to launch in the fourth quarter of 2018.

20 5. As a consequence of its extensive activities in commerce in support of its  
21 cryptocurrency and TON, including successfully executing purchase agreements for GRAMs (the  
22 “Purchase Agreements”), Telegram has established service mark rights in the mark GRAM for  
23 financial products and services relating to cryptocurrency. The named plaintiff Telegram  
24 Messenger is the owner and/or assignee of all rights to the GRAM mark, and other companies  
25 affiliated with Telegram Messenger (such as Telegram Messenger’s parent corporation, Telegram  
26 Group Inc.) use the GRAM mark with the permission of Telegram Messenger.

27 6. Defendant Lantah has indicated in a recent governmental filing that it intends to use  
28 the mark GRAM at some point in the future for a virtual currency for use by members of an on-

1 line community it apparently wants to create.

2 7. While Lantah has recently indicated that it intends to use the GRAM mark at some  
3 point in the future in relation to cryptocurrency, Telegram has already been doing so in the past, in  
4 commerce, with substantial success, and with priority over Lantah. Telegram Messenger thus has  
5 prior rights in the mark GRAM as used in connection with cryptocurrency and related financial  
6 products and services, and brings this lawsuit seeking preliminary and permanent injunctive relief  
7 to ensure that Lantah does not deceive or confuse consumers, or potential consumers, or otherwise  
8 cause harm to Telegram.

9 8. If Lantah's infringing activities are not enjoined, such actions will cause significant  
10 confusion among consumers and cause significant harm to Telegram.

#### 11 **PARTIES**

12 9. Plaintiff Telegram Messenger Inc is an entity organized under the laws of the  
13 British Virgin Islands with registered offices at Vistra Corporate Services Centre, Wickhams Cay  
14 II, Road Town, Tortola, British Virgin Islands, VG 1110 and is a wholly owned subsidiary of  
15 Telegram Group Inc. Telegram Group Inc. is an entity organized under the laws of the British  
16 Virgin Islands with its registered office at Vistra Corporate Services Centre, Wickhams Cay II,  
17 Road Town, Tortola, British Virgin Islands, VG 1110.

18 10. Defendant Lantah is a limited liability company organized under the laws of  
19 Florida, maintaining its principal place of business at 7010 Potomac Drive, Port Richey, Florida  
20 34668.

#### 21 **JURISDICTION AND VENUE**

22 11. This Court has subject matter jurisdiction over the Lanham Act claims asserted  
23 herein pursuant to 28 U.S.C. §§ 1331 and 1338(a). This Court has subject matter jurisdiction over  
24 the related state law claims raised in this action pursuant to 28 U.S.C. §§ 1338(b) and 1367.

25 12. This Court also has subject matter jurisdiction under 28 U.S.C. § 1332(b), as this  
26 dispute is between a party (Lantah) incorporated and having its principal place of business in  
27 Florida and a subject (Telegram Messenger) of a foreign state, and the amount in controversy  
28 exceeds \$75,000, exclusive of interest and costs.

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