

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

BUC-EE’S, LTD.,

Plaintiff,

v.

COLES IP HOLDINGS, LLC,

Defendant.

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CIVIL ACTION NO. _____

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Buc-ee’s, Ltd. (“Plaintiff” or “Buc-ee’s”), appearing through its undersigned counsel, alleges as follows:

NATURE OF ACTION AND JURISDICTION

1. This is an action for trademark infringement, unfair competition, and cancellation of trademark registrations under the Trademark Act of 1946, as amended, 15 U.S.C. § 1051 *et seq.*

2. This Court has jurisdiction over the subject matter of this action pursuant to Section 39 of the Lanham Act, 15 U.S.C. § 1121, and Chapter 85 of the Judiciary and Judicial Procedure Code, 28 U.S.C. §§ 1331 and 1338, and has supplemental jurisdiction over the state law claims under 28 U.S.C. § 1367(a).

3. This Court has personal jurisdiction over Defendant due to its residency and business activities in this judicial district.

4. Venue is proper in this district under 28 U.S.C. § 1391(b) as Defendant resides in this judicial district.

PARTIES

5. Plaintiff is a Texas limited partnership with a principal place of business at 327 FM 2004, Lake Jackson, Texas 77566.

6. On information and belief, Defendant Coles IP Holdings, LLC is an Ohio limited liability company with a principal place of business at 3619 East State, Route 113, Milan, Ohio 44846.

FACTS

BUC-EE'S AND ITS TRADEMARKS

7. Plaintiff owns and operates a chain of stores and travel centers under the name Buc-ee's. For over four decades, Plaintiff has offered high quality convenience store, gas station, and related goods and services to the public through its Buc-ee's stores.

8. In connection with these goods and services, Plaintiff has long and continuously used the mark BUC-EE'S and the distinctive logos shown below, which feature a cartoon animal facing right with wide eyes and a smile, overlaying a round background (collectively, the "Buc-ee's Marks").



9. Plaintiff's stores are not like other convenience stores. They are "highway oases," as *Texas Monthly* put it in 2019. For legions of fans, Buc-ee's "has become the rare brand—like Apple and Costco—that inspires loyalty that goes well beyond rational consumer calculations." See **Exhibit A**. Over 10,000 customers visited Buc-ee's in New Braunfels on opening day in 2012. Consumers likewise began lining up at 6:00 a.m. when Plaintiff opened its Fort Worth store in

2016. Out-of-state visitors often remark: “I was told we couldn’t go to Texas without stopping here.”

10. Plaintiff and the Buc-ee’s Marks have become iconic brands. A segment about Buc-ee’s that aired on CBS News’ nationally syndicated Sunday Morning program begins: “We all know that feeling. You’re out on the open road. Your gas tank is empty, and your bladder is full. Well in Texas, a lot of folks in this predicament, look for [Plaintiff’s] cartoon beaver.” The segment goes on to compare the Buc-ee’s logo’s renown to Mickey Mouse, observing: “Perhaps not since Mickey Mouse has a cartoon rodent captured the hearts . . . of so many.” *See Exhibit B.*

11. The Buc-ee’s Marks prominently appear on signs visible from the highway, above entrances to Buc-ee’s stores, on top of the gas-pump canopies, on signage inside the stores, and on an array of Buc-ee’s branded products and apparel sold in-store.



12. One of the predominant colors used at Plaintiff’s stores is red, with employees wearing red uniforms, interior red signage, and the name BUC-EE’S appearing in giant red lettering outside the stores. Among the BUC-EE’S-branded souvenir items are red shirts featuring the Buc-ee’s Marks.

13. Plaintiff has grown its business from a single convenience store in the Lake Jackson, Texas area to more than 50 stores across Florida, Texas, Missouri, Alabama, Georgia, South Carolina, Tennessee, Kentucky, Mississippi, Virginia, and Colorado. Additional stores are

in the planning or construction phases in several more states, including Arizona, Arkansas, Kansas, North Carolina, Ohio, Wisconsin, Louisiana, Utah, and Idaho.

14. A January 21, 2026, article announcing the upcoming opening of the first Ohio location near Dayton, Ohio informs readers:

Best known for its massive locations, extensive food and retail offerings, and quirky brand identity centered around a smiling beaver mascot, Buc-ee's is more than a typical gas station for many who treat it as a destination when on road trips. It's sometimes referred to as the "Disneyland of convenience stores".

See Exhibit C.

15. The Buc-ee's Marks are inherently distinctive and serve to identify and indicate the source of Plaintiff's products and services to the consuming public.

16. The Buc-ee's Marks have become distinctive in the marketplace to designate Plaintiff, to distinguish Plaintiff and its offerings from those of others, and to distinguish the source or origin of Plaintiff's offerings. The consuming public in Texas and elsewhere in the United States widely recognizes and associates the Buc-ee's Marks with Plaintiff.

17. As a result of Plaintiff's long use and promotion of the Buc-ee's Marks, Plaintiff has acquired valuable common law rights in the Marks.

18. In accordance with the provisions of federal and state law, Plaintiff has registered the Buc-ee's Marks on the Principal Register of the United States Patent and Trademark Office in connection with a wide variety of goods and services, including retail store services featuring convenience store items and gasoline. *See* U.S. Reg. Nos. 4,316,461; 4,007,064; 7,419,559; 3,246,893; 4,973,185; 4,007,063; 4,973,077; 8,113,899; 8,113,900; 4,316,457; 6,421,516; 4,973,184; 4,973,076; 7,419,562; and 3,763,277.

19. Plaintiff's registrations are valid and subsisting, and all but U.S. Reg. Nos. 7,419,562; 7,419,559; 8,113,899; and 8,113,900 are incontestable pursuant to 15 U.S.C. § 1065. True and correct copies of these registrations are attached as **Exhibit D**.

DEFENDANT AND ITS UNLAWFUL ACTIVITIES

20. On information and belief, Defendant owns and operates a chain of stores offering convenience store, gas station, and related products and services.

21. Defendant is the owner of U.S. Reg. Nos. 6,121,916 and 7,483,033 ("Defendant's Registrations") for the logos shown below covering "Retail convenience stores; Promoting the goods of others by means of the issuance of loyalty reward points" in Class 35 and "Magnetically encoded gift cards; Downloadable computer application software for mobile phones, namely, software for use in advertising goods for sale, locating stores and getting directions, earning and tracking reward points, and displaying related store information" in Class 9.



22. Defendant is also the owner of U.S. Ser. No. 99/262,130 ("Defendant's Application") for the logo shown below covering "Retail store services featuring convenience store items and gasoline; Retail store services featuring: namely, Printed comics; stickers, Cups, namely, coffee cups, tumblers, and shot classes; non-electric portable coolers, Clothing, namely, t-shirts, hooded sweatshirts, and socks; headwear, namely, baseball caps, beanies, and toboggan hats, Footballs; baseballs; baseball bats; stuffed toy animal, Food products and pre-packaged food products; chicken wings; breaded chicken strips; cooked chicken; grilled chicken; fried chicken;

potato chips, candy, mints; Retail store services featuring: selling the goods of others by means of the issuance of loyalty reward points; Retail fuel supply services and retail convenience store services featuring fuels, lubricants and additives; Distributorship services featuring fuels, lubricants and additives” in Class 35.



23. The design marks in Defendant’s Registrations and Defendant’s Application, as shown in paragraphs 21-22 above, are hereinafter referred to as “Defendant’s Logos.”

24. Like the Buc-ee’s Marks, Defendant’s Logos incorporate a cartoon animal facing right with wide eyes and a smile, overlaying a round background.

25. On information and belief, Defendant is transitioning from its use of the logos shown in Defendant’s Registrations to the logo shown in Defendant’s Application, which also closely resembles Plaintiff’s distinctive logos.

26. Further, on information and belief, Defendant is transitioning from the name “Mickey Mart” to “Mickey’s,” which more closely resembles Plaintiff’s BUC-EE’S mark.

27. For example, Defendant’s website mickeythemoose.com now prominently features the logo shown in Defendant’s Application and the name “Mickey’s,” as shown below. Printouts of Defendant’s website are attached as **Exhibit E**.



28. Defendant also uses red as a predominant color in its interior and exterior signage, as well as employee uniforms and anthropomorphic representations of its cartoon moose mascot.

29. Defendant's use of Defendant's Logos began after Plaintiff developed rights in its Buc-ee's Marks.

30. Plaintiff has priority based on the Buc-ee's Registrations and Plaintiff's use of the Buc-ee's Marks in the United States for over four decades.

31. Plaintiff has never authorized Defendant to use and/or register Defendant's Logos. Thus, Defendant has used and promoted Defendant's Logos in commerce without Plaintiff's authorization.

32. On August 11, 2025, Plaintiff filed a Petition to Cancel Defendant's Registrations with the United States Patent and Trademark Office's ("USPTO") Trademark Trial and Appeal Board. *See Buc-ee's, Ltd. v. Coles IP Holdings, LLC*, Cancellation No. 92089206.

EFFECTS OF DEFENDANT'S UNLAWFUL ACTIVITIES

33. Defendant's unauthorized use of Defendant's Logos is likely to cause confusion among consumers. Consumers are likely to perceive a connection or association as to the source, sponsorship, or affiliation of the parties' products and services, when in fact none exists, given the similarity of the parties' logos, trade channels, and consumer bases.

34. This likelihood of confusion is exacerbated by Defendant's transition to a name (Mickey's) that more closely resembles the BUC-EE'S mark than its previous name, Mickey Mart, predominant use of the color red, as well as to a logo that also closely resembles Plaintiff's distinctive logos.

35. Defendant's unauthorized use of Defendant's Logos falsely designates the origin of its products and services and falsely represents circumstances with respect to Defendant and its products and services.

36. Upon information and belief, consumers online have expressed confusion about whether a relationship exists between Plaintiff and Defendant.

37. Defendant's unauthorized use of Defendant's Logos enables Defendant to trade on the goodwill built up at great labor and expense by Plaintiff over many years, and to gain acceptance for its goods and services not solely on its own merits, but on the reputation and goodwill of Plaintiff, its Buc-ee's Marks, and its products and services.

38. Defendant's unauthorized use of Defendant's Logos unjustly enriches Defendant at Plaintiff's expense. Defendant has been and continues to be unjustly enriched by obtaining a benefit from Plaintiff by taking undue advantage of Plaintiff and its goodwill. Specifically, Defendant has taken undue advantage of Plaintiff by trading on and profiting from the goodwill in the Buc-ee's Marks developed and owned by Plaintiff, resulting in Defendant wrongfully obtaining a monetary and reputational benefit for its own business.

39. Defendant's unauthorized use of Defendant's Logos removes from Plaintiff the ability to control the quality of products sold under the Buc-ee's Marks. This places the valuable reputation and goodwill of Plaintiff in the hands of Defendant, over whom Plaintiff has no control.

40. Unless these acts of Defendant are restrained by this Court, they will continue, and they will continue to cause irreparable injury to Plaintiff and to the public for which there is no adequate remedy at law.

**COUNT I: FEDERAL TRADEMARK INFRINGEMENT
(15 U.S.C. § 1114)**

41. Plaintiff repeats the allegations above as if fully set forth herein.

42. The acts of Defendant complained of herein constitute infringement of Plaintiff's federally registered Buc-ee's Marks in violation of 15 U.S.C. § 1114(1).

43. On information and belief, Defendant's acts complained of herein have been deliberate, willful, intentional, or in bad faith, with full knowledge and conscious disregard of Plaintiff's rights in the Buc-ee's Marks and with intent to cause confusion and to trade on Plaintiff's vast goodwill in the Buc-ee's Marks. In view of the egregious nature of Defendant's infringement, this is an exceptional case within the meaning of 15 U.S.C. § 1117(a).

**COUNT II: FEDERAL UNFAIR COMPETITION
(15 U.S.C. § 1125(A))**

44. Plaintiff repeats the allegations above as if fully set forth herein.

45. The acts of Defendant complained of herein constitute trademark infringement, false designation of origin, false or misleading descriptions or representations of fact, and unfair competition in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

46. Plaintiff has been damaged by Defendant's acts of trademark infringement, false designation or origin, false or misleading descriptions or representations of fact, and unfair competition.

**COUNT III: CANCELLATION OF REGISTRATION
(15 § U.S.C. 1119 and 28 § U.S.C. 2201)**

47. Plaintiff repeats the allegations above as if fully set forth herein.

48. This Court has the power under 15 § U.S.C. 1119 and 28 § U.S.C. 2201 to determine Defendant's right to registration of Defendant's Logos as shown in Defendant's Registrations and Defendant's Application.

49. Defendant's Logos, as shown in Defendant's Registrations and Defendant's Application, as well as paragraphs 21-22 above, so resemble Plaintiff's Buc-ee's Marks as to be

likely to cause confusion, or to cause mistake, or to deceive. Defendant's Registrations should therefore be cancelled under 15 U.S.C. § 1052(d), and Defendant's Application should be refused registration under 15 U.S.C. § 1052(d).

50. Plaintiff petitions the Court to issue an order certified to the Director of the USPTO cancelling Defendant's Registrations and refusing registration of Defendant's Application pursuant to 15 § U.S.C. 1119 and 28 § U.S.C. 2201.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands that:

(a) Defendant, its officers, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with any of them, be permanently enjoined and restrained from designing, displaying, advertising, offering for sale, manufacturing, shipping, delivering, selling, or promoting any product that incorporates or is marketed in conjunction with Defendant's Logos, the Buc-ee's Marks, and/or any other mark, name, or design confusingly similar to the Buc-ee's Marks, and from any attempt to retain any part of the goodwill misappropriated from Plaintiff;

(b) Defendant, its officers, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with any of them, be required to deliver up and destroy all products, packaging, signage, advertisements, internet postings and advertisements, and any other materials bearing or using Defendant's Logos, Plaintiff's Buc-ee's Marks, and/or any other mark, name, or design that is confusingly similar to those marks, names, or designs;

(c) Defendant be ordered to file with this Court and to serve upon Plaintiff, within thirty days after the entry and service on Defendant of an injunction, a report in writing and under

oath setting forth in detail the manner and form in which Defendant has complied with the injunction;

(d) Plaintiff recover all damages it has sustained as a result of Defendant's infringement, unfair competition, and deceptive trade practices, and that said damages be trebled;

e) An accounting be directed to determine Defendant's profits resulting from Defendant's activities, and that such profits be paid over to Plaintiff;

(f) The Court determine that Defendant is not entitled to registration of the logos that are the subject of U.S. Reg. Nos. 6,121,916 and 7,483,033 and U.S. Ser. No. 99/262,130, and certify an Order pursuant to 15 U.S.C. § 1119 refusing registration of U.S. Ser. No. 99/262,130 and cancelling U.S. Reg. Nos. 6,121,916 and 7,483,033 to the USPTO Director, who shall make appropriate entry upon the records of the USPTO and shall be controlled thereby;

g) Plaintiff recover its reasonable attorneys' fees;

h) Plaintiff recover its costs of this action and prejudgment and postjudgment interest;

and

i) Plaintiff recover such other relief as the Court may find appropriate.

JURY TRIAL DEMAND

Plaintiff demands a jury trial on all issues triable by jury under Federal Rule of Civil Procedure 38.

Respectfully submitted,



Dated: February 18, 2026

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ATTORNEYS FOR PLAINTIFF

**Pro Hac Vice Application Forthcoming*

EXHIBIT A



Beaver Aplin.

Photograph by Jeff Wilson

BUSINESS

Buc-ee's: The Path to World Domination

Beaver Aplin built the quirky convenience chain into a Texas empire. Will his tactics translate outside the state?



By Eric Benson

March 2019



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About a century ago, in central Louisiana, in the town of Harrisonburg, the seat of Catahoula Parish, Arch and Mae Aplin opened a general mercantile store. The Aplins sold everything—dried goods and leather shoes, medicine and cotton shirts, cuts of beef and hammers and nails—and their store was successful, in large part because of its location.

Harrisonburg sits on the western bank of the Ouachita River, and back then the town was a hub for travelers. If you were heading east to Mississippi or west into the Louisiana Hill Country, you had to traverse the Ouachita, and the ferry that docked at the bottom of Main Street in Harrisonburg was one of the only ways to do that. The Aplins' store stood on Main Street, just inland from the ferry. No one crossing the river in either direction could miss it.

But the Aplins didn't just want customers of convenience. They took pride in their store. They called it Arch Aplin's Biggest Little Store in Catahoula

Parish, and they offered travelers products they couldn't get anywhere else. The Aplins stocked turnip greens they'd harvested on their farm, and they sold syrup they'd made from their own sugarcane. Arch raised cattle and hogs, and he'd built a smokehouse on the family property to cure the meat he produced. It became famous throughout their corner of the Deep South.

"It was so good that the salesmen coming from Alexandria, Monroe, and Natchez, Mississippi, they'd put their order in for so many hams and so many pounds of sausage," Arch and Mae's son Arch Aplin Jr. remembered.

Arch Jr. was born in 1925, and he was more or less raised at the store. His mother nursed him in the back room when he was a baby. He worked there as a kid. And as a young man, when he'd returned home from the Pacific after World War II, he helped his parents run their business.

But Arch Jr. didn't want that life. He went off to college, started work as a teacher and basketball coach, and soon moved with his wife, Lorita, to Lake Jackson, Texas, which had been built a decade earlier as a company town for Dow Chemical.

Arch Jr. had an entrepreneurial streak, like his parents, and he started to build houses. He was good at it, and soon he left teaching to work full-time constructing churches, post offices, apartments, and entire subdivisions.

In 1958 Lorita gave birth to Arch Aplin III. Like his father, Arch III was raised in his family's businesses. On trips to visit his grandparents in Harrisonburg, Arch III would eagerly throw himself into pumping gas and the work of the general store, while forever pestering Arch and Mae to let him man the cash register. (They told him he was too young.) In Lake Jackson, he absorbed the home-building trade, spending his teenage summers working on his father's construction crews. When Arch III went off to Texas A&M, he majored in construction sciences. He wanted to follow in his father's path, but he wanted to do it bigger. "I thought I would build skyscrapers," Arch III said.

But in 1982, two years after graduating from college, Arch III got another idea. He knew that there was an unused property next to a four-way stop sign on the border between Lake Jackson and the town of Clute. He thought he could talk its owner, a well-to-do Houston banker named A. G. McNeese Jr., into selling. He did. His plans for the property seemed modest: at 23 years old, Arch III decided he would not build a skyscraper but a kind of general mercantile store of his own.

Arch III wanted to make his store just a little special. Sure, he would offer the same beef jerky and chips and soda as everyone else, but he installed brass ceiling fans and wrapped the upper parts of the walls in rough cedar. His store would be a little more inviting too, a roomy 3,000 square feet instead of the industry-average 2,400.



Aplin at his first store, in Lake Jackson, a week after it opened in 1982.

On July 28, 1982, Arch III opened his store at 899 Oyster Creek Drive, right where it crossed Old Angleton Road. Early on, he decided he'd need a good name and a good logo, something he could build on. The logo wasn't ready by the time the store opened, but he'd already commissioned it. It would be a cartoon riff on his nickname since childhood, Beaver.

The name of the store, too, drew inspiration from his life. When Beaver was a kid, one of his father's colleagues called him Bucky Beaver, after a cartoon character featured in Ipana toothpaste ads. Beaver had also had a beloved hunting dog, a Lab that he named Buck. The nearby high school in Brazoswood had the Buccaneers as their mascot. It all added up.

"I think you'll see it's the nicest, prettiest store around. It's very sharp looking," Aplin told the *Brazosport Facts* on the store's opening day. "I believe everyone who comes in will be in awe over the way it looks." He made clear his ambitions were bigger than that one location. "If this one goes like we hope it will, you never can tell, we might have a chain of Buc-ee's."

If he dreamed that one day his creation might become a Texas icon, a temple of roadside convenience and everything's-bigger abundance, and that it would even reach a point, in 2019, when it would outgrow Texas, he certainly didn't share the thought at the time. He was just a kid from Lake Jackson following in his family's footsteps.

On a rainy afternoon in early December last year, I met Beaver Aplin inside the Buc-ee's location in Bastrop. He'd agreed to walk me around the store only if I promised I wouldn't make him sound like he was bragging. Aplin, now sixty, is only five foot seven and slight, but inside a store full of casually dressed highway travelers and peppy uniformed employees, he cut an outsized figure. He wore a wide-brimmed hat and a dark windowpane blazer, and he kept his gray hair and beard a little long and shaggy, like Jeff Bridges or Kris Kristofferson. Tucked under both legs of Aplin's jeans were big red-and-yellow Buc-ee's beaver logos sewn onto the shins of his cowboy boots. The tip of his right index finger was wrapped in a Buc-ee's bandage.

The Bastrop Buc-ee's opened in 2012, and it has more or less the same relationship to the first Buc-ee's store that a Boeing 747 has to the biplane the Wright brothers flew at Kitty Hawk. The store occupies 56,000 square feet and has aisles wide enough to drive a golf cart through. It has 71 toilets and urinals and a team of custodians whose entire job is to clean the bathrooms 24 hours a day. It has 96 gas pumps under two canopies selling Buc-ee's-branded fuel. There are 655 parking spaces that fan out from the store on three sides, and they're extra roomy, 10 feet by 20 feet instead of the standard 9 by 18, so as to better accommodate Texans' trucks.

It might all seem "a touch overkill," Aplin allowed. "But I don't ever want to be over capacity. We like to make it spacious, give everybody their own space and their own shopping experience. It's one of the reasons it gets so big, because if you try to enhance the space everywhere, it just grows, and then the next thing you know . . ." He trailed off.



“The selection is almost overwhelming, which is good,” Aplin says.

Photograph by Jeff Wilson

As we walked the floor, it became clear just how many times “the next thing you know” has happened at Buc-ee’s. We stared up at a towering wall of gummy candies, taffies, candy corn, and cherry sours. (“The selection is almost overwhelming, which is good,” Aplin said.) He led me to a corner of the store stocked with cooking gear—Buc-ee’s spatulas, Lodge cast-iron pans, open-fire cookbooks, a \$1,000 offset smoker. (“I just think it’s cool. I think it’s Texas. It’s chuck wagon. It’s cooking the cowboy way.”) He wended his way past the shelves of hot sauce and mayhaw jelly, Buc-ee’s barbecue spice rub and Buc-ee’s raw wildflower honey. (“This comes from a young man in Lake Jackson. He’s quite a beekeeper.”) He marveled at the refrigerated deli counter with hunks of jerky (thirteen varieties), dried sausage links, and spicy venison sticks. He stopped in front of an easy-to-miss refrigerator stocked with an assortment of prepared dishes, among them crawfish fettuccine, bacon-wrapped pork tenderloin, and chicken cordon bleu.

By the time Aplin made it to the barbecue station, a circular island Buc-ee’s calls the Texas Round Up, he couldn’t resist a sample. Two employees were methodically slicing brisket and placing portions onto hamburger buns, but Aplin decided to grab a bag of freshly made potato chips instead. They were still warm from the fryer, crisp and browned with just a little chewiness on the inside—perfection. “We’re slicing the potatoes, cooking them right here,” Aplin said.

At that point, aromas became our guide. “They’re roasting the nuts right here, right now,” Aplin told me, pointing to a nearby station. “It’s fresh, it’s wonderful, they bag it.”

The woman roasting the nuts smiled at Aplin. “You sell a million times more when you’re roasting than when you’re not,” she said. Aplin played it cool. She didn’t seem to recognize him as the direct beneficiary of all those extra sales.

The nut roaster also made the store's fudge, and Aplin asked for a couple of samples. She handed them over with a smile. She said she'd made 23 pans that morning.

"I love my job," she said.

"I love that you love what you do," Aplin replied.

The interaction wasn't staged, but it was by design. Buc-ee's pays its employees well above market rate; cashiers start at \$14 per hour in most locations and get three weeks' paid vacation and a 401(k) plan, in an industry where it's common for cashiers to make minimum wage, about half as much. Aplin expects smiles and attentive service in exchange. There's no sitting on the job and no using cellphones. Like cast members in an elaborate theatrical production, employees also must adhere to certain wardrobe and grooming standards. They are not allowed to display visible tattoos or body piercings. Men are prohibited from having long hair; nobody can have unnaturally colored hair. There are no open-toed shoes, no torn or faded clothing.

Buc-ee's employees who buy into this don't just love their jobs, they tend to become evangelists. And as Aplin walked through the store, he met up with one of them, Mallory Bevers, the Bastrop store's 26-year-old gift manager. Back in high school, Bevers said, everyone she knew had to have a Buc-ee's T-shirt. They needed to stop at Buc-ee's on trips. Buc-ee's was cool. She still pinched herself that she was now working there. "It's just so crazy looking back on that, and now I have the Buc-ee's name tag," she said.

Bevers is responsible for the store's most eclectic department. In the gift section, you can find everything from a slinky leopard-print kimono to twelve-inch stuffed beavers to designer totes to a vast grab-bag category of all things Texana: dueling UT and A&M gear, cowhide rugs and cowhide koozies. "Anything that has the Duke, Willie, or Nolan Ryan on it is a big seller here," Bevers said.

Bevers had known that Buc-ee's was big before she went to work there, but she'd come to appreciate just how widespread the store's cult following had

become.

“We’ll have people come from out of state and say, ‘I was told that we couldn’t go to Texas without stopping here.’”



At the Texas Round Up in each Buc-ee’s travel center, customers can get freshly chopped brisket, among other items.

Photograph by Jeff Wilson



Customers stand little chance of having to wait their turn for a fountain soda.

Photograph by Jeff Wilson

The Buc-ee's store in Bastrop may be staggeringly oversized in just about every way, but in the Buc-ee's empire, it's not particularly special, just one of fourteen enormous stores and not even close to the biggest. (The chain's New Braunfels location, at 68,000 square feet, has been recognized as the “world's largest c-store” by the National Association of Convenience Stores.) Still, Buc-ee's has a tiny footprint in the national convenience-store landscape. The industry leader, 7-Eleven, has more than 9,000 locations nationwide. Circle K, running a close second, has nearly 8,500. Buc-ee's has 34 stores total.

But Buc-ee's has a reputation far greater than its store count. It has become the rare brand—like Apple and Costco—that inspires loyalty that goes well

beyond rational consumer calculations. People love Buc-ee's, and they like to talk about how much they love Buc-ee's. When the company opened its New Braunfels location, in 2012, ten thousand people came to shop on the first day. When the company opened its Fort Worth location, in 2016, fans lined up to wait for the 6 a.m. grand opening like Black Friday deal-seekers trying to nab a cheap 4K TV. When the comedian and UFC commentator Joe Rogan stopped at a Buc-ee's, in 2015, he became an instant convert, posting a string of ecstatic Instagram videos showing the towering wall of candies and endless rows of gas pumps. "I'm not making any of this up!" Rogan shouted. Texas chefs have expressed their devotion to various Buc-ee's-branded snacks. (The restaurateur Ford Fry, who owns La Lucha, in Houston, called Buc-ee's "the gold standard for road-trip junk food.") Texas-themed social media routinely post Buc-ee's content. As the Texas Humor Twitter account wrote in 2016: "If you bypass gas stations because you're waiting to stop at Buc-ee's instead, you're definitely from Texas."

Quips like those make it sound as if Buc-ee's has always been there, that it's been a fixture of the state for decades, a tradition passed down through generations and immortalized in the prose of Larry McMurtry, like Dairy Queen trips on summer nights. In truth, the store's cult following is a recent phenomenon.

When Aplin opened the first Buc-ee's in 1982, he may have had ambitions for more stores, but he grew his chain slowly. He didn't open the second Buc-ee's until 1985, and while it was bigger (six thousand square feet) and more innovative than the first (it had an on-site kitchen that churned out sandwiches, breakfast tacos, and doughnuts), it was still a far cry from the stores to come. Aplin didn't open the second location alone; by then he had partnered with another area convenience-store owner, Don Wasek.

For the first three years of their partnership, Aplin and Wasek shared a desk, and the close quarters created a mind-meld. "After three years working off the same desk, you get to know a person," Wasek once said.

The two men brought complementary skill sets. Wasek, whose father had been a Lone Star beer distributor, was fluent in supply chains and retail

operations. He also preferred to stay in the background. Aplin was the resident Buc-ee's dreamer and not only the brand's public face but its personification, a Gulf Coast good ol' boy named Beaver who had come to the convenience-store business honestly. "He'd be comfortable gigging frogs in the creek in the country somewhere," said Lou Congelio, a Houston adman who worked with Buc-ee's in the mid-2000s. "It takes you by surprise that he has the business acumen."

During its first two decades, Buc-ee's became a regional powerhouse, opening twenty stores, most of them in Brazoria County. The expansion was relatively conservative and deliberate. Aplin and Wasek financed their projects with bank loans instead of raising capital by giving up equity to outside investors. (Today they still own the company outright, as 50-50 shareholders.) But the partners were also constantly looking for the next big thing. In 1989 they opened Buc-ee's Beach Store, in Freeport, marking the first time the company sold clothing and fishing gear. In 1991 they entered the live-music business, starting a Lake Jackson icehouse called Uncle Buck's. Their regular stores became ever spiffier too, with Aplin enlisting the well-known convenience-store designer Jim Mitchell to help make Buc-ee's both more welcoming and more profitable.

"I try to accomplish a free-form effect that I believe brings in more sales by encouraging the customer to meander through the store," Aplin told *Convenience Store Merchandiser* in 1986.

Still, these were subtle tweaks. If Joe Rogan had stopped by a Brazoria County Buc-ee's location in the eighties or nineties, he wouldn't have felt the need to say, "I'm not making any of this up!" But in 2003, when Aplin and Wasek opened a store in Luling, they were ready to take their business to another level. Luling was the first Buc-ee's location that looked like what most Texans now think of as a Buc-ee's location. It was off an interstate and geared toward long-distance travelers. Eighteen-wheelers were banned in an effort to differentiate the store from truck stops and attract families. It offered barbecue sandwiches and soon added Buc-ee's-branded T-shirts and a caramel-covered corn-puff snack the company called Beaver Nuggets.

And Luling kept expanding. In 2006 Aplin and Wasek nearly doubled the store's square footage, to 17,000. Then, in 2009, they nearly doubled it again. In the same year, Buc-ee's opened similarly sized stores in Madisonville and Wharton. These three locations weren't just convenience stores; they were, in industry parlance, travel centers, and they created what has become the Buc-ee's model. They were situated on major roads that connected major population centers. They were far enough away from big cities that they could serve as logical stopping points on multi-hour car trips. They weren't just pit stops. They were highway oases.



The Buc-ee's beaver is everywhere. "It's more of a Disney experience than a gas station experience," says one marketing expert.

Photograph by Jeff Wilson

The travel centers made Buc-ee's famous. In 2006, three years after the launch of the Luling store, Aplin and Wasek hired the Houston advertising

firm Stan & Lou to help them rethink their highway marketing approach. “The mission on my part was to let people know about the brand,” Congelio, the principal creative, told me. “I pictured myself traveling across Texas, two screaming kids in the back. The idea was to put a smile on people’s faces. It would be a safe space to go and a fun place to go.”

Congelio helped Aplin and Wasek refine the firm’s voice, and he proposed a series of billboard ideas to sell the stores’ offerings with a chuckle. One read, “Only 262 Miles to Buc-ee’s. You Can Hold It.” Another said, “If It Harms Beavers We’re Against It.” Still another: “Top Two Reasons to Stop at Buc-ee’s: #1 and #2.”

Congelio’s focus on bodily functions wasn’t by accident. Aplin and Wasek “really wanted to stress the clean rest-rooms,” he remembers. Because, well, a comfortable place to relieve oneself is a universal need, one not well met by existing options. And the early plaudits for Buc-ee’s tended to focus on that. In 2009, when the company was profiled on ABC’s *World News Tonight*, the segment concluded with the words “this is a business built purely on porcelain.” In 2012 the New Braunfels store was awarded the honor of America’s Best Restroom in a survey by the corporate-restroom-supply firm Cintas. But the Buc-ee’s reputation for excellence has expanded. In 2016 *Bon Appétit* named Buc-ee’s “America’s Best Rest Stop” in honor of its food. In 2018 Gas Buddy, a fuel-price app, gave Buc-ee’s the distinction of the country’s best gas station. The Katy Buc-ee’s, which opened in late 2017, has been certified by the *Guinness Book of World Records* as having the world’s longest car wash. (It has 25 separate rolling brushes and takes five minutes to pass through.)

“They’ve hit a really sweet spot in a couple ways,” said Matt McCutchin, a longtime advertising creative director who now teaches at the University of Texas’s Stan Richards School of Advertising and Public Relations. “Every time you stop, you’re going to have an overwhelming experience—**the best bathrooms**, the most gas pumps, the best coffee and tea and brisket. Everything is sort of to the nth level, but they also have found this perfect

symbol, this eager little beaver, that connects with people on an emotional level. It's magical, almost."

McCutchin told me he'd seen this connection happen personally. His eight-year-old son collects Buc-ee's T-shirts, and on road trips the boy asks specifically to stop there. "There's so much merchandise involved. Kids get a keepsake stuffed animal, they take a picture with the bronze beaver statue in the front. It's more of a Disney experience than a gas station experience."

Offering a family-friendly, clean-restroom, Texas-proud retail experience has proved to be very good business for Aplin and Wasek. Two years before the Luling store opened, the chain's sales totaled \$63 million, according to a court filing. By 2006, when the Luling store expanded from 10,000 to 17,000 square feet, total sales had more than tripled to \$202 million. In 2015 the company took in \$959 million. Since then, Aplin and Wasek have opened up four more 50,000-square-foot stores.

One morning in early January, I visited Aplin's office in Lake Jackson. It looked like a Hollywood set for a movie about a Texas CEO. There were floor-to-ceiling windows looking out over a grove of oak trees, gauzy watercolors of fishermen casting into the surf, and trophies from Aplin's hunting and fishing adventures—a big speckled trout caught while wade-fishing off Port O'Connor; a sling of ducks inside a wooden case; photographs of impressive bucks nabbed at Corazón Ranch, a South Texas property that Aplin and Wasek share. Then there was a different kind of trophy, from Bank of America, commemorating a \$15 million construction loan. There was a framed and signed photograph of Aplin and then-Governor George W. Bush and a scale model of the Cessna Citation Jet that Aplin and Wasek co-own. (Aplin is a multi-engine, instrument-rated pilot and can fly second-in-command on some light jets.) On Aplin's desk sat a copy of *Leading Matters*, a management book by the Silicon Valley grandee John L. Hennessy, a former Stanford University president and chairman of Google's parent company, Alphabet. On a wall, Aplin had hung the \$52,800 check he wrote to A. G. McNeese Jr. as a payment on the property for the first Buc-ee's.

Aplin and Wasek no longer work at the same desk, of course, or even in the same building. While Aplin works from Lake Jackson, Wasek now has an office on the nineteenth floor of the Google tower in downtown Austin. The two men have distinct roles. Wasek runs operations—everything from HR to negotiating with oil refineries. Aplin handles “conception to completion”—where the stores will be, what they’ll look like, and how they’re going to get built.

In one corner of his office, Aplin had hung up a handy guide to this part of the business. It was a road map of the United States, and he’d pressed dozens of thumbtacks into it. In Texas, the markers clearly showed the existing Buc-ee’s locations, as well as under-construction stores in Royse City, Ennis, and Melissa. Each represented years of work for Aplin: finding or piecing together twelve- to fifteen-acre plots of land; pushing cities to create better infrastructure, from water lines to overpasses; and lobbying for incentives to compensate the company for its investment and the promise of hundreds of new jobs and gobs of tax revenue. (Buc-ee’s has not always been welcomed with open arms. In Denton, residents mounted a campaign to stop Buc-ee’s from coming, but the company prevailed after Aplin offered \$2 million for road improvements.)

As Buc-ee’s has become an ever bigger part of Texas, Aplin has gotten more active in the politics of the state. He has donated \$325,000 to Governor Greg Abbott since 2014 and has also contributed generously to the campaigns of Lieutenant Governor Dan Patrick and House Speaker Dennis Bonnen. (After Patrick announced Aplin’s and Wasek’s endorsements in the 2014 primaries, a short-lived #BoycottBucees hashtag trended on Twitter.) In the early days of Buc-ee’s, Aplin served on the local school board. Last November, Abbott named him to the Texas Parks and Wildlife Commission.

But Aplin’s ambitions are now outgrowing the state. That map in the corner of his office included thumbtacks outside Texas—lots of them, stretching over to North Carolina and down to Florida. I told Aplin it looked like he was planning an invasion.

“It does kind of look like an invasion, doesn’t it?” he said.

Over the past several years, the company has begun buying land throughout the Southeast, and on January 21 it opened a new, 53,000-square-foot location off I-10 in Robertsdale, Alabama, its first store outside Texas. The initial signs were promising. Just as they had in Fort Worth, Buc-ee's fans lined up outside the store in the hours before it opened, eager to be the first to grab a bag of Beaver Nuggets or use the much-ballyhooed bathrooms. But Robertsdale is just a beachhead. Three Florida projects—in Daytona Beach, St. Augustine, and Fort Myers—will break ground soon.

The most audacious plans on the map were still in the conceptual stage, Aplin said. Atlanta was encircled by no fewer than six thumbtacks pressed into locations where Aplin is still looking for the right deal. The plan is simple: If you are driving from Atlanta to Nashville, you will pass a Buc-ee's. If you are driving from Atlanta to Charlotte, you will pass a Buc-ee's. If you are driving from Atlanta to Birmingham, you will pass a Buc-ee's. At that point, Aplin hopes, Buc-ee's will become just as much a way of life for Georgians as it is for Texans.

Aplin believes this is possible, even as Buc-ee's has built its reputation in part by piggybacking on the brand of Texas itself. The store has parlayed the hoariest Texas clichés into a playground of excess. But Aplin thinks these cultural signifiers are not really so exclusively Texan. “I theorize that the people traveling in Texas are very similar to the people traveling in Florida or Alabama,” he told me. “They're looking for basically the same thing.” Instead of UT and A&M duking it out in the gift section, he'll have Auburn and Alabama or FSU and Florida.

But consider a store between Atlanta and Charlotte. Those cities may be the same number of miles away from each other as Houston and Dallas, but culturally they're farther apart. They have different college rivalries and regional cuisines and histories. Will a peach cobbler in Georgia give North Carolinian travelers the same feeling of home that a slice of brisket gives Texans in New Braunfels? Sure, many Texas-born brands have gone national—Southwest Airlines, Whole Foods, Tito's Handmade Vodka—but not every big Texas brand has translated to differing tastes in other states.

In the eighties, Whataburger embarked on an aggressive expansion strategy outside Texas. The company added menu items like popcorn shrimp salads and steak sandwiches that it hoped would diversify its appeal. Instead, the company failed to catch on in locations including Las Vegas and Memphis, where residents greeted the arrival of new Whataburgers with little enthusiasm. “We got spread too thin,” one Whataburger executive told *Texas Monthly* in 2000. “People didn’t know who we were. We didn’t have that Texas heritage and Texas tradition to play off of.”

Whataburger eventually righted itself, partially by retrenching, but the lesson remains. Sometimes a business can expand beyond its appeal. Sometimes the magic that makes people identify emotionally with a profit-seeking enterprise can evaporate. Maybe the good people of Alabama and Florida will thrill to Buc-ee’s just as much as Texans do. Or maybe they’ll look at the Disney World of convenience stores and just see an oversized convenience store.

“Buc-ee’s kind of has that cachet of being a rare place, so if they expand too big, too quickly, they could lose some of that charm,” said Greg Lindenberg, an editor at convenience-store trade publication *CSP Daily News*. “I remember when you couldn’t get Coors beer and Krispy Kreme doughnuts [in a lot of places], and once you could get those things, you realized, ‘They’re okay, but I’m not sure what all the fuss was about.’”



The Bastrop Buc-ee's has 71 toilets and urinals and a dedicated 24-hour team of custodians.
Photograph by Jeff Wilson

Aplin is dedicated to making sure Buc-ee's is worth the fuss. No matter how big the stores have gotten, he sees the formula as basically unchanged. Since 1982, he has emphasized the importance of keeping the facilities spotless, offering good customer service, and making sure the shelves are always full. His motto was and remains "Clean, Friendly, and In Stock."

But Aplin is also a ruthless competitor. Take the fuel prices at Buc-ee's, which are among the lowest in the nation. The company can afford to undercut rivals not only because its locations have so many pumps but because it makes its real money on jerky and stuffed beavers. Less than two weeks after the Alabama store opening, a nearby travel center sued Buc-ee's for "unfair and predatory" gas pricing (which Buc-ee's denies).

Aplin aggressively defends his company's turf, too. Over the past six years, Buc-ee's has pursued trademark-infringement lawsuits against a series of smaller convenience stores—Chicks, in Bryan; B&B Grocery, in Uvalde; Irv's Field Store, in Waller—all of which Buc-ee's believed had ripped off part of its brand. Last year, a Buc-ee's lawsuit against an Atascosa travel center called Choke Canyon made it all the way to trial in federal court, where Buc-ee's accused its rival of stealing key parts of the Buc-ee's brand, among them a “friendly smiling cartoon animal similarly oriented within a circle and wearing a hat pointed to the right” (in Choke Canyon's case, the animal was an alligator) and even Beaver Nuggets themselves, which Choke Canyon passed off as “Golden Caramel Corn Nuggets.” (The jury decided in favor of Buc-ee's.)

Aplin knows that the risk of someone else copying his business increases the more Buc-ee's grows. But he hopes to stay ahead of copycats by trying to go one step further, one step bigger. Next to the map in Aplin's office, there's a drafting table. Aplin isn't a trained architect, but he knows how to draw (“just enough to be dangerous,” he told me), and he pens new construction layouts, new placements for products, new paths to keep customers meandering through the store with smiles and open wallets. No feature is too sacred for tinkering. Earlier this year, the company began **installing a new technology called Tooshlights** above each restroom stall; they turn green if the door is unlocked and red if it's locked, which not only makes finding an empty stall quicker and less awkward for customers but gives Buc-ee's a never-ending stream of data about how people use the facilities—the better to optimize them with.

When I arrived at the Lake Jackson office that January morning, Aplin told me I'd come just in time for a taste test. Last year, in anticipation of the company's next big phase of expansion, Aplin had hired his first culinary director, a career chef named Jim Mills, to focus on “the artistry of creation rather than the execution day to day.” On a table in the office, Mills had arranged pairs of similar products. One item in the pair was a product Buc-ee's currently served. The second was what Mills hoped was an improved version that would replace it.

Buc-ee's bacon was up first. Mills thought it wasn't flavorful enough and could be a little limp. He'd sourced new bacon that he hoped would be smokier and crunchier. Mills's deputy, Randy Pauly, placed two bacon-and-egg croissants in front of Aplin. Aplin examined them both, twisting the breakfast sandwiches in his hand. He nibbled the first, then sampled the second, then turned his attention back to the first. Mills, Pauly, and Buc-ee's pastry chef Susan Molzan stared at their boss. Aplin was poker-faced. His lips didn't curl into a satisfied smile. His eyes didn't wince in disgust. He seemed lost in his own thoughts. Then he looked up.

"I find this crumbled bacon superior. It's crunchier, but it also distributes better over the whole sandwich. Your every bite has bacon, whereas with the strip, maybe not."

"It's also a more flavorful product," Mills replied. "It's naturally smoked, just has more pop in the mouth, I think."

Aplin kept going. He judged new recipes for red and green salsas ("I don't know what I want. It already has *bam*"). He gamed out the reintroduction of a discontinued jalapeño-cheddar sausage biscuit ("I'd like the follow-up opinion of the numbers, what really happened"). He tasted and approved an overhaul of the entire chicken-salad line. He considered a new concept for more travel-friendly salad shakers. Most vexingly, he puzzled over yogurt parfait.

Mills and his team had identified a problem. The current packaging included two distinct parts: a granola-filled dome lid and a yogurt-filled cup. Customers were supposed to pry the dome lid open, then mix the granola into the cup. But the cup was filled to the top with yogurt. There was "no headspace to put the granola in," Mills explained.

The chef had a solution. Instead of a dome lid, he wanted to use a flat-topped lid with a plastic compartment that would sit inside the top of the cup. That way, when customers lifted the granola-filled lid off of the yogurt-filled cup, there would be some empty space in which to put the granola. But if you did

that, the cup also looked three-quarters full, like Buc-ee's was skimping on its portion sizes.

"This looks cool," Mills said of the current product, "but you don't know the trouble that lurks within, whereas this one is more user-friendly."

Aplin nodded. "The lid will have a big impact on you," he said.

They went back and forth. Aplin needed to balance utility with pizzazz. Ultimately he wanted more information. He wanted to try out additional lids and packaging options. Maybe there was a solution that could be as attractive as it was practical. "Let's play with the lids. Bring them here. Let me put them on. Let me experience it," Aplin said. Then he moved on to dessert.

Aplin was stuffed, but it was banana pudding, and banana pudding was a fan favorite at Buc-ee's. He wanted to see what Mills and Molzan had dreamed up.

"We had dang good banana pudding, but this is a nice tweak, which is what we want to do. If big improvements are to be had, then we probably didn't have the right product, the right recipe, the right mixture to begin with," Aplin said.

"A lot of what we do is incremental," Mills said.

"Incremental adds up," Aplin finished.

An hour later, Aplin and I were alone in his office. He was between meetings, and it was a rare moment of calm. His day was packed. His month was packed. His life was packed. Aplin likes to cast himself as an aw-shucks shopkeep, but creating Buc-ee's had clearly required monumental ambition and a few sharp elbows. I wondered if Aplin would cop to that. I pointed out to him that he could have stopped at the first Buc-ee's location and made a halfway-decent living. He could have stopped with a handful of stores around Brazoria County and been wealthy enough to own a hunting ranch. Now he had a map in his office plotting a corporate expansion that looked like

Sherman's March. There was a pretty big difference between his current life and how he'd started 37 years ago.

"I guess there is a little difference in that," he said. "You know, I built the first store within a half mile of where I lived. It's still there. It's a nice store."


I tried again.

"I always pushed the envelope," he said. "The standard-size store was twenty-four-hundred square feet, and my first store was three thousand square feet. My second store was bigger than almost anyone had seen in the area. I assume it's in my blood, because, as I say, my grandpa had a store."

As his grandpa had, Aplin just wanted his store to be a little better than the others. He just wanted to take care of customers. Expand the square footage a little, add some gas pumps, clean the restrooms a few extra times a day, make sure the granola fit just so in the yogurt parfait, and maybe—just maybe—a gas station convenience store at 899 Oyster Creek Drive, on the border of Lake Jackson and Clute, would grow and grow and grow until, the next thing you knew, it had fanned out and conquered America's highways.

This article originally appeared in the March 2019 issue of Texas Monthly. [Subscribe today.](#)

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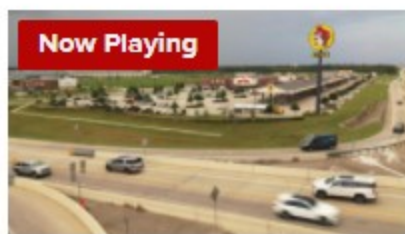
Welcome to Buc-ee's



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We all know that feeling: You're out on the open road, your gas tank is empty, but your bladder's full. Well, in Texas a lot of folks in that predicament look for a cartoon beaver ... the smiling mascot of Buc-ee's.

It's a gas station chain beloved by road-trippers for its award-winning bathrooms and truly Texas-size scale - 54,000 square feet of homemade fudge, a beef jerky bar, and tons of merchandise featuring that smiling beaver.



Say hi to the rodent!
CBS NEWS

Perhaps not since Mickey Mouse has a cartoon rodent captured the hearts (and crucially, the dollars) of so many, including customers like Alex and Yasmine Abreu. "We love going to Buc-ee's," said Alex.

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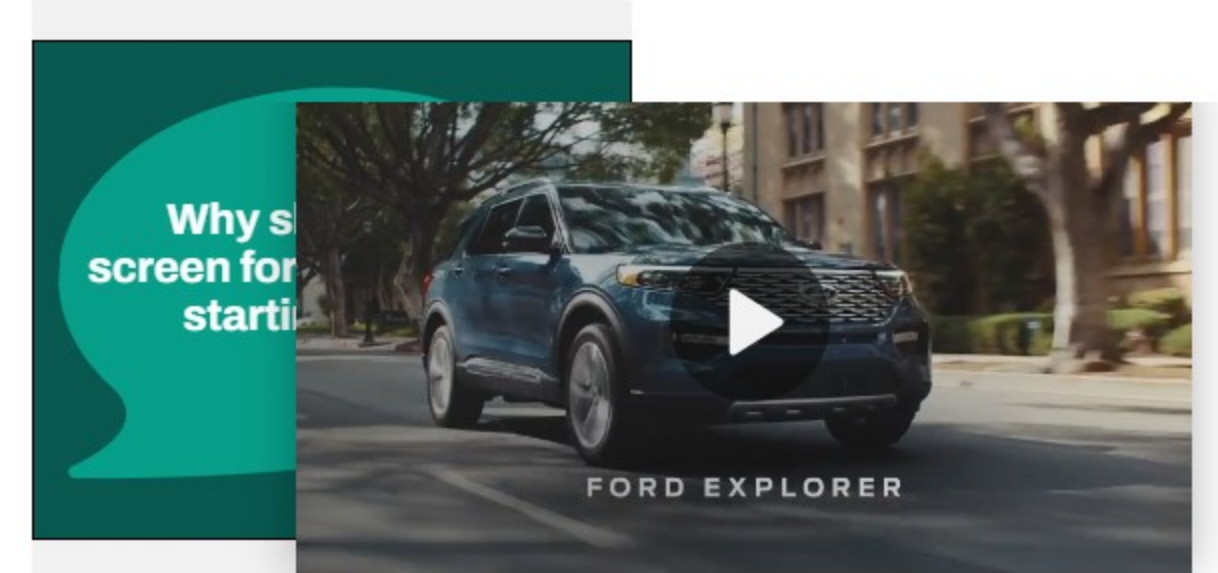
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Correspondent Luke Burbank asked, "Would you be as excited about a place if this was just called Travel Stop?"

"I haven't thought about it, but probably not," said Alex.



"You stop for the beaver," said Yasmine.



More than a gas station; it's a travel destination for fans of fudge, beef jerky and BBQ.
 CBS NEWS

Arch "Beaver" Aplin III (the one wearing the boots he had made with the Buc-ee's logo) is Buc-ee's founder and CEO. And yes, he really does go by Beaver.

Most people diagnosed
 have no family history



"Beaver was my nickname; my mom named me that when I was born," Aplin said. "There was a cartoon character way back, really before my time, a toothpaste commercial, and he was Bucky Beaver. So, this fellow always called me Bucky Beaver growing up."

Aplin opened the first Buc-ee's in 1982 as a regular-sized convenience store. It wasn't until 2003 that he got the idea to build the Mother of All Gas Stations. These days, Buc-ee's has 41 travel centers throughout the South, and boasts two world records, for the world's largest gas station and the world's longest car wash.



The record-holder for World's Longest Car Wash.
 CBS NEWS

But the most popular attraction at Buc-ee's might be its restrooms - voted the best bathrooms in the nation back in 2012. Aplin designed the restrooms himself: "Lots of space, tile floor-to-ceiling, well lit. This is very spacious, very private."



Correspondent Luke Burbank with Buc-ee's founder and CEO Arch "Beaver" Aplin III.
 CBS NEWS

If the bathrooms are the number 1 and number 2 reasons for going to Buc-ee's, then number 3 might be this: fresh chopped brisket!

In 2017 Buc-ee's hired eight-time world BBQ champion Randy Pauly as its director of BBQ. It's Pauly's job to teach new hires (like Burbank) how to break down a brisket: "So, these are going to be logs that we're going to chop up. And what we do is front to back, X-pattern, and you'll be good."

"Okay, right," said Burbank, chopping away. "I got fresh chopped brisket on the board!"

In this case, it was, it turns out, actually Burbank's first rodeo. "How was that, boss?" he asked.

"Fantastic!"



Luke Burbank tests his brisket-chopping ability.
 CBS NEWS

After almost 40 years in business, "Beaver" Aplin and his very private, very camera-shy business partner, a guy named Don Wasek, still own 100% of Buc-ee's. No investors, no board of directors. And that's exactly how they want it.

"Yeah, it allows us total independence to do what we think is the best," Aplin said. "And we don't have to answer to maybe a suggestion of how could we cut costs."

It's probably one reason why the starting wage for employees at this gas station is \$15/hour, with benefits.

Burbank asked, "Did you ever have a moment where you thought, 'Wow, I made it. It happened?'"

"My dad, I could always tell he had a little bit of concern - 'Are you okay? You sure are building these big,'" Aplin said. "This went on many, many years. When I saw in my dad's eyes that he wasn't concerned anymore and he felt like we had made it, then I think that would be my moment."

Aplin is now taking Buc-ee's national, with six travel centers outside Texas, and plans for many more. He's betting that this unapologetically Texas institution can work beyond the borders of the Lone Star State ... and he could be right. After all, when you've got to go, you've got to go, and there just might be a cartoon beaver guiding the way.



CBS NEWS

For more info:

- [buc-ees.com](https://www.buc-ees.com)

Story produced by Dustin Stephens. Editor: Chad Cardin.

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U.S. & WORLD

Opening date set for region's first Buc-ee's: 'Doors will never close after that'

Updated: Jan. 21, 2026, 2:20 p.m. | Published: Jan. 21, 2026, 12:10 p.m.



The sun rises beyond the 120 gasoline pumps outside a Buc-ee's in April 2024, in Johnstown, Colo. (AP Photo/David Zalubowski) AP Photo/David Zalubowski



By [Brandon Champion](#) | bchampio@mlive.com

Michigan residents soon won't have to travel as far to get a taste of a beloved supersized convenience store chain.

According to Huber Heights Mayor Jeff Gore, Ohio's first Buc-ee's will open for local first responders from Montgomery, Miami, Clark, and Greene counties on April 3 before a grand opening takes place at 6 a.m. on April 6.

"Their doors will never close after that," Gore wrote.

The location, the first in the Great Lakes region, will be located on State Route 235 and Interstate 70. It will feature 120 gas pumps and 700 parking spaces, as well as its vast stash of food and merchandise.

Best known for its massive locations, extensive food and retail offerings, and quirky brand identity centered around a smiling beaver mascot, Buc-ee's is more than a typical gas station for many who treat it as a destination when on road trips.

It's sometimes referred to as the "Disneyland of convenience stores"

Popular food options include brisket sandwiches, breakfast tacos, kolaches, and BBQ, cookies, fudge, pastries, and specialty snack items and Buc-ee's branded drinks and snacks such as fountain soda, jerky, and cult-

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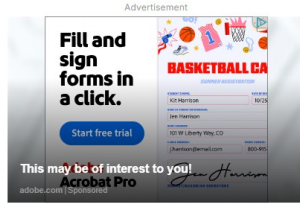


Why Your Rotator Cuff Isn't Healing (It's Not Just Age)
Health Insights Magazine



Singer announces divorce from husband after he appears in Epstein files
MLive.com

favorite Beaver Nuggets (sweet corn puff snacks).



As of July 2025, Buc-ee's has 54 active locations across Alabama, Florida, Georgia, Kentucky, Missouri, South Carolina, Tennessee, Colorado, Texas, and Virginia. The majority (36) are in Texas where the chain was founded in 1982.

According to [WBNS-TV in Columbus](#), construction started on Aug. 8, 2024, but was delayed in November of that year due to a legal battle between Huber Heights and Clark County over the rights to service the gas station's water and sewage.

The lawsuit was dismissed on Dec. 9, and construction restarted, according to the TV station.

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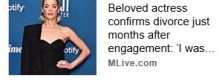
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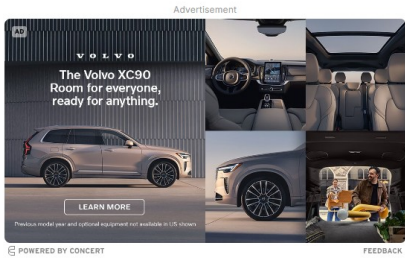
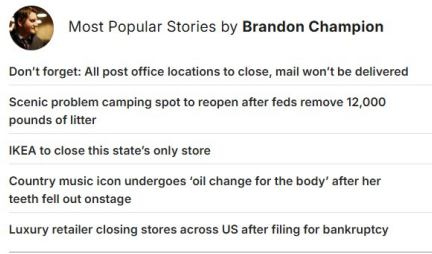
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bcchampion@mlive.com 

EXHIBIT D

United States of America

United States Patent and Trademark Office



Reg. No. 4,316,461
Registered Apr. 9, 2013
Int. Cls.: 16, 21, 25, 28,
29, 30, 31 and 35

BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004
LAKE JACKSON, TX 77566

FOR: STICKERS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

TRADEMARK

FOR: DRINKING GLASSES, DRINKING MUGS, COFFEE MUGS, MUGS WITH METAL LOGOS, INSULATED MUGS, PORTABLE BEVERAGE COOLERS, AND BREAD BOARDS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

SERVICE MARK

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

PRINCIPAL REGISTER

FOR: CLOTHING SOLD IN RETAIL CONVENIENCE STORES, NAMELY, SHIRTS, PANTS, JACKETS, T-SHIRTS, BALL CAPS, PAJAMAS, UNDERWEAR, BOXERS, HATS, COWBOY HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.



FOR: BOARD GAMES, BALLS FOR GAMES, STUFFED TOY ANIMALS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: FOODS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, BANANA CHIPS; PREPARED MEATS, NAMELY, CHICKEN, PORK, BEEF AND TURKEY; PROCESSED FOODS, NAMELY, PICKLED FRUITS AND VEGETABLES, JELLIES, FRUIT PRESERVES, FRUIT FLAVORED BUTTERS, APPLE BUTTER, CHERRY BUTTER, PUMPKIN BUTTER, SWEET POTATO BUTTER, PEACH BUTTER, VEGETABLE-FLAVORED BUTTERS, NUT-BASED SNACK FOODS; TRAIL MIXES CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, AND/OR DRIED FRUIT; TRAIL MIXES CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, AND/OR DRIED FRUIT AND ALSO CONTAINING CHOCOLATE; CANDIED NUTS, ROASTED NUTS, PROCESSED NUTS, PREPARED NUTS, DRIED-VEGETABLE SNACK FOODS, SNACK FOOD DIPS, FOOD PACKAGE COMBINATIONS CONSISTING

Sean Street

Acting Director of the United States Patent and Trademark Office

Reg. No. 4,316,461 PRIMARILY OF MEAT AND/OR CHEESE, PROCESSED CHEESES, PICKLED VEGETABLES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: FOODS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, CANDY, CANDY WITH NUTS; SALSA; TRAIL MIXES COMPRISED PRIMARILY OF CRACKERS, PRETZELS, AND/OR POPCORN; TRAIL MIXES COMPRISED PRIMARILY OF CRACKERS, PRETZELS, AND/OR POPCORN AND ALSO CONTAINING CANDIED NUTS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: RAW NUTS , IN CLASS 31 (U.S. CLS. 1 AND 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: RETAIL STORE SERVICES FEATURING: METAL GOODS, NAMELY, METAL KEY-CHAINS; ELECTRICAL AND SCIENTIFIC APPARATUS, NAMELY, DECORATIVE MAGNETS; VEHICLE PRODUCTS, NAMELY, ANTENNA TOPPERS, ATTACHMENTS TO THE TIPS OF AUTOMOBILE ANTENNAS; PRINTED STICKERS; WIND CHIMES; HOUSEWARES AND GLASS, NAMELY, DRINKING GLASSES, DRINKING MUGS, DRINKING MUGS WITH METAL LOGOS, INSULATED MUGS, PORTABLE BEVERAGE COOLERS, BREAD BOARDS; CLOTHING, NAMELY, SHIRTS, PANTS, JACKETS, T-SHIRTS, BALL CAPS, PAJAMAS, UNDERWEAR, BOXERS, HATS, COWBOY HATS; TOYS AND SPORTING GOODS, NAMELY, BOARD GAMES, BALLS FOR GAMES, STUFFED TOY ANIMALS; MEATS AND PROCESSED FOODS, NAMELY, PREPARED CHICKEN, PREPARED PORK, PREPARED BEEF, PREPARED TURKEY, BANANA CHIPS, PICKLED FRUITS, PICKLED VEGETABLES, JELLIES, FRUIT PRESERVES, FRUIT FLAVORED BUTTERS, APPLE BUTTER, CHERRY BUTTER, PUMPKIN BUTTER, SWEET POTATO BUTTER, PEACH BUTTER, VEGETABLE-FLAVORED BUTTERS, NUTS; SNACK FOODS, NAMELY, NUT-BASED SNACKS, TRAIL MIXES, CANDIED NUTS, ROASTED NUTS, PROCESSED NUTS, PREPARED NUTS, DRIED-VEGETABLES SNACK FOODS, SNACK FOOD DIPS, FOOD PACKAGE COMBINATIONS CONSISTING PRIMARILY OF MEAT AND/OR CHEESE, PROCESSED CHEESES, PICKLED VEGETABLES; STAPLE FOODS, NAMELY, CONFECTIONARY, CANDY, CANDY WITH NUTS, CANDIED NUTS, SALSA, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

OWNER OF U.S. REG. NOS. 3,246,893 AND 4,007,064.

THE MARK CONSISTS OF A CARTOON IMAGE OF A BEAVER HEAD WEARING A HAT WITH A CIRCLE AROUND IT.

SER. NO. 85-689,987, FILED 7-30-2012.

ELI HELLMAN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,007,064

BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004
LAKE JACKSON, TX 77566

Registered Aug. 2, 2011

**Int. Cls.: 12, 16, 21, 25,
28, 29, 30, 31, and 35**

FOR: ANTENNA TOPPERS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, ATTACHMENTS TO THE TIPS OF AUTOMOBILE ANTENNAS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

TRADEMARK

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

SERVICE MARK

FOR: STICKERS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

PRINCIPAL REGISTER

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: DRINKING GLASSES, DRINKING MUGS, COFFEE MUGS, MUGS WITH METAL LOGOS, INSULATED MUGS, PORTABLE BEVERAGE COOLERS, AND BREAD BOARDS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: CLOTHING SOLD IN RETAIL CONVENIENCE STORES, NAMELY, SHIRTS, PANTS, JACKETS, T-SHIRTS, BALL CAPS, PAJAMAS, UNDERWEAR, BOXERS, HATS, COWBOY HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: BOARD GAMES, BALLS FOR GAMES, STUFFED TOY ANIMALS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: FOODS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, BANANA CHIPS; PREPARED MEATS, NAMELY, CHICKEN, PORK, BEEF AND TURKEY; PROCESSED FOODS, NAMELY, PICKLED FRUITS AND VEGETABLES, JELLIES, FRUIT PRESERVES, FRUIT FLAVORED BUTTERS, APPLE BUTTER, CHERRY BUTTER, PUMPKIN BUTTER, SWEET POTATO BUTTER, PEACH BUTTER, VEGETABLE-FLAVORED BUTTERS, NUT-BASED SNACK FOODS; TRAIL MIXES CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, AND/OR DRIED FRUIT; TRAIL MIXES CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, AND/OR DRIED FRUIT AND ALSO CONTAINING CHOCOLATE; CANDIED



David J. Kyros

Director of the United States Patent and Trademark Office

Reg. No. 4,007,064 NUTS, ROASTED NUTS, PROCESSED NUTS, PREPARED NUTS, DRIED-VEGETABLE SNACK FOODS, SNACK FOOD DIPS, FOOD PACKAGE COMBINATIONS CONSISTING PRIMARILY OF MEAT AND/OR CHEESE, PROCESSED CHEESES, PICKLED VEGETABLES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: FOODS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, CANDY, CANDY WITH NUTS; SALSA; TRAIL MIXES COMPRISED PRIMARILY OF CRACKERS, PRETZELS, AND/OR POPCORN; TRAIL MIXES COMPRISED PRIMARILY OF CRACKERS, PRETZELS, AND/OR POPCORN AND ALSO CONTAINING CANDIED NUTS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: RAW NUTS, IN CLASS 31 (U.S. CLS. 1 AND 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: RETAIL STORE SERVICES FEATURING: METAL GOODS, NAMELY, METAL KEY-CHAINS; ELECTRICAL AND SCIENTIFIC APPARATUS, NAMELY, DECORATIVE MAGNETS; VEHICLE PRODUCTS, NAMELY, ANTENNA TOPPERS, ATTACHMENTS TO THE TIPS OF AUTOMOBILE ANTENNAS; PRINTED STICKERS; WIND CHIMES; HOUSEWARES AND GLASS, NAMELY, DRINKING GLASSES, DRINKING MUGS, DRINKING MUGS WITH METAL LOGOS, INSULATED MUGS, PORTABLE BEVERAGE COOLERS, BREAD BOARDS; CLOTHING, NAMELY, SHIRTS, PANTS, JACKETS, T-SHIRTS, BALL CAPS, PAJAMAS, UNDERWEAR, BOXERS, HATS, COWBOY HATS; TOYS AND SPORTING GOODS, NAMELY, BOARD GAMES, BALLS FOR GAMES, STUFFED TOY ANIMALS; MEATS AND PROCESSED FOODS, NAMELY, PREPARED CHICKEN, PREPARED PORK, PREPARED BEEF, PREPARED TURKEY, BANANA CHIPS, PICKLED FRUITS, PICKLED VEGETABLES, JELLIES, FRUIT PRESERVES, FRUIT FLAVORED BUTTERS, APPLE BUTTER, CHERRY BUTTER, PUMPKIN BUTTER, SWEET POTATO BUTTER, PEACH BUTTER, VEGETABLE-FLAVORED BUTTERS, NUTS; SNACK FOODS, NAMELY, NUT-BASED SNACKS, TRAIL MIXES, CANDIED NUTS, ROASTED NUTS, PROCESSED NUTS, PREPARED NUTS, DRIED-VEGETABLES SNACK FOODS, SNACK FOOD DIPS, FOOD PACKAGE COMBINATIONS CONSISTING PRIMARILY OF MEAT AND/OR CHEESE, PROCESSED CHEESES, PICKLED VEGETABLES; STAPLE FOODS, NAMELY, CONFECTIONARY, CANDY, CANDY WITH NUTS, CANDIED NUTS, SALSA, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

OWNER OF U.S. REG. NO. 3,246,893.

THE COLOR(S) BROWN, WHITE, RED, YELLOW, AND BLACK IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE HEAD OF A BROWN AND WHITE BEAVER WITH A RED TONGUE, BLACK NOSE, WHITE TEETH, AND BLACK EYES WEARING A RED BASEBALL CAP WITH A BROWN, BLACK, AND WHITE EAR SHOWING THROUGH THE SIDE OF IT. THE BEAVER DESIGN IS WITHIN A YELLOW CIRCLE THAT IS OUTLINED IN BLACK.

SN 77-982,024, FILED 10-15-2009.

KIMBERLY FRYE, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 7,419,559

Registered Jun. 18, 2024

Int. Cl.: 35

Service Mark

Principal Register

Buc-ee's, Ltd. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004 Rd
Lake Jackson, TEXAS 77566

CLASS 35: Retail store services featuring convenience store items and gasoline

FIRST USE 00-00-1982; IN COMMERCE 00-00-1982

The mark consists of a cartoon image of a beaver head wearing a hat with a circle around it.

SER. NO. 98-018,660, FILED 05-30-2023



Katherine Kelly Vidal

Director of the United States
Patent and Trademark Office



Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,246,893

Registered May 29, 2007

**SERVICE MARK
PRINCIPAL REGISTER**



BUC-EE'S, LTD. (TEXAS LIMITED PARTNER-
SHIP)
327 FM 2004
LAKE JACKSON, TX 77566

FOR: RETAIL STORE SERVICES FEATURING
CONVENIENCE STORE ITEMS AND GASOLINE, IN
CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-1-1982; IN COMMERCE 7-1-1982.

THE COLOR(S) YELLOW, RED, BROWN, BLACK
AND WHITE IS/ARE CLAIMED AS A FEATURE OF
THE MARK.

THE MARK CONSISTS OF A BROWN AND
WHITE BEAVER HEAD WEARING A RED BASE-
BALL CAP WITHIN A YELLOW CIRCLE ALL OUT-
LINED IN BLACK.

SER. NO. 78-854,772, FILED 4-5-2006.

ALLISON SCHRODY, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,973,185

Registered June 7, 2016

Int. Cl.: 4

TRADEMARK

PRINCIPAL REGISTER

BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004 RD
LAKE JACKSON, TX 77566

FOR: MOTOR FUEL, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 8-1-2006; IN COMMERCE 8-1-2006.

OWNER OF U.S. REG. NOS. 3,246,893, 4,007,064, AND 4,316,461.

THE MARK CONSISTS OF A CARTOON IMAGE OF A BEAVER HEAD WEARING A HAT WITH A CIRCLE AROUND IT.

SER. NO. 86-797,881, FILED 10-23-2015.

KERI CANTONE, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office

BUC-EE'S

Reg. No. 4,007,063

BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004

Registered Aug. 2, 2011

LAKE JACKSON, TX 77566

**Int. Cls.: 16, 21, 25, 29,
30, 31, and 35**

FOR: STICKERS SOLD IN RETAIL CONVENIENCE STORES , IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

TRADEMARK

FOR: DRINKING GLASSES, DRINKING MUGS, COFFEE MUGS, MUGS WITH METAL LOGOS, INSULATED MUGS, PORTABLE BEVERAGE COOLERS, AND BREAD BOARDS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

SERVICE MARK

PRINCIPAL REGISTER

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: CLOTHING SOLD IN RETAIL CONVENIENCE STORES, NAMELY, SHIRTS, PANTS, JACKETS, T-SHIRTS, BALL CAPS, PAJAMAS, UNDERWEAR, BOXERS, HATS, COWBOY HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: FOODS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, BANANA CHIPS; PREPARED MEATS, NAMELY, CHICKEN, PORK, BEEF AND TURKEY; PROCESSED FOODS, NAMELY, PICKLED FRUITS AND VEGETABLES, JELLIES, FRUIT PRESERVES, FRUIT FLAVORED BUTTERS, APPLE BUTTER, CHERRY BUTTER, PUMPKIN BUTTER, SWEET POTATO BUTTER, PEACH BUTTER, VEGETABLE-FLAVORED BUTTERS, NUT-BASED SNACK FOODS; TRAIL MIXES CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, AND/OR DRIED FRUIT; TRAIL MIXES CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, AND/OR DRIED FRUIT AND ALSO CONTAINING CHOCOLATE; CANDIED NUTS, ROASTED NUTS, PROCESSED NUTS, PREPARED NUTS, DRIED-VEGETABLE SNACK FOODS, SNACK FOOD DIPS, FOOD PACKAGE COMBINATIONS CONSISTING PRIMARILY OF MEAT AND/OR CHEESE, PROCESSED CHEESES, PICKLED VEGETABLES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: FOODS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, CANDY, CANDY WITH NUTS; SALSA; TRAIL MIXES COMPRISED PRIMARILY OF CRACKERS, PRETZELS, AND/OR POPCORN; TRAIL MIXES COMPRISED PRIMARILY OF CRACKERS, PRETZELS, AND/OR POPCORN AND ALSO CONTAINING CANDIED NUTS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.



David J. Kyfos

Director of the United States Patent and Trademark Office

Reg. No. 4,007,063 FOR: RAW NUTS, IN CLASS 31 (U.S. CLS. 1 AND 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: RETAIL STORE SERVICES FEATURING: METAL GOODS, NAMELY, METAL KEY-CHAINS; ELECTRICAL AND SCIENTIFIC APPARATUS, NAMELY, DECORATIVE MAGNETS; VEHICLE PRODUCTS, NAMELY, ANTENNA TOPPERS, ATTACHMENTS TO THE TIPS OF AUTOMOBILE ANTENNAS; PRINTED STICKERS; WIND CHIMES; HOUSEWARES AND GLASS, NAMELY, DRINKING GLASSES, DRINKING MUGS, DRINKING MUGS WITH METAL LOGOS, INSULATED MUGS, PORTABLE BEVERAGE COOLERS, BREAD BOARDS; CLOTHING, NAMELY, SHIRTS, PANTS, JACKETS, T-SHIRTS, BALL CAPS, PAJAMAS, UNDERWEAR, BOXERS, HATS, COWBOY HATS; SPORTING GOODS; BOARD GAMES; BALLS FOR GAMES; MEATS AND PROCESSED FOODS, NAMELY, PREPARED CHICKEN, PREPARED PORK, PREPARED BEEF, PREPARED TURKEY, BANANA CHIPS, PICKLED FRUITS, PICKLED VEGETABLES, JELLIES, FRUIT PRESERVES, FRUIT FLAVORED BUTTERS, APPLE BUTTER, CHERRY BUTTER, PUMPKIN BUTTER, SWEET POTATO BUTTER, PEACH BUTTER, VEGETABLE-FLAVORED BUTTERS, NUTS; SNACK FOODS, NAMELY, NUT-BASED SNACKS, TRAIL MIXES, CANDIED NUTS, ROASTED NUTS, PROCESSED NUTS, PREPARED NUTS, DRIED-VEGETABLES SNACK FOODS, SNACK FOOD DIPS, FOOD PACKAGE COMBINATIONS CONSISTING PRIMARILY OF MEAT AND/OR CHEESE, PROCESSED CHEESES, PICKLED VEGETABLES; STAPLE FOODS, NAMELY, CONFECTIONARY, CANDY, CANDY WITH NUTS, CANDIED NUTS, SALSA, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,763,277.

SN 77-982,023, FILED 10-16-2009.

KIMBERLY FRYE, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,973,077

Registered June 7, 2016

Int. Cl.: 36

SERVICE MARK

PRINCIPAL REGISTER

BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004 RD
LAKE JACKSON, TX 77566

FOR: CREDIT CARD SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-5-2014; IN COMMERCE 7-5-2014.

OWNER OF U.S. REG. NOS. 3,246,893, 4,007,064, AND 4,316,461.

THE MARK CONSISTS OF A CARTOON IMAGE OF A BEAVER HEAD WEARING A HAT WITH A CIRCLE AROUND IT.

SER. NO. 86-793,196, FILED 10-20-2015.

KERI CANTONE, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 8,113,899

Registered Jan. 27, 2026

**Int. Cl.: 4, 5, 12, 14, 16, 20,
21, 22, 25, 26, 28, 29, 30, 32,
35, 37, 43**

Service Mark

Trademark

Principal Register

Buc-ee's, Ltd. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004 Rd
Lake Jackson, TEXAS 77566

CLASS 4: Candles

FIRST USE 3-14-2023; IN COMMERCE 3-14-2023

CLASS 5: Babies' swim diapers

FIRST USE 3-29-2024; IN COMMERCE 3-29-2024

CLASS 12: Car window shades

FIRST USE 5-13-2019; IN COMMERCE 5-13-2019

CLASS 14: Lanyards for holding keys; souvenir pressed coins

FIRST USE 11-22-2012; IN COMMERCE 11-22-2012

CLASS 16: Lanyards for name badge holders; printed coloring books; printed children's activity books; blank writing journals; wrapping paper; scratch art kits comprising paper and pen; paper cake decoration

FIRST USE 00-00-2014; IN COMMERCE 00-00-2014

CLASS 20: Chairs

FIRST USE 2-20-2018; IN COMMERCE 2-20-2018

CLASS 21: Cups; non-electric portable coolers; insulating sleeve holders for beverage cans and cups; thermal insulated bags for food and beverages; shot glasses; tumblers for use as drinking glasses; mugs; lunch boxes

A handwritten signature in black ink that reads "John A. Squires".

DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE



FIRST USE 1-1-1986; IN COMMERCE 1-1-1986

CLASS 22: Canopies of textile or synthetic materials; hammocks

FIRST USE 9-16-2017; IN COMMERCE 9-16-2017

CLASS 25: One-piece suits; headwear; socks; tops as clothing; bottoms as clothing; sweatshirts

FIRST USE 00-00-2004; IN COMMERCE 00-00-2004

CLASS 26: Hair ties; hair bands; ribbons and bows being hair decorations

FIRST USE 8-25-2018; IN COMMERCE 8-25-2018

CLASS 28: Balls for games; playing cards; jigsaw puzzles; parlor games; building games; manipulative games; board games; washer toss games, namely, outdoor activity game equipment sold as a unit comprising washers and washer toss game boards for playing games; fidget toys; body boards; water toys; beach balls; inflatable tube floats for aquatic recreational use

FIRST USE 00-00-2006; IN COMMERCE 00-00-2006

CLASS 29: Nut-based snack foods; meat-based snack foods ; vegetable-based snack foods; cheese-based snack foods; potato-based snack foods; fruit-based snack foods; snack food dips; fruit butters; fruit preserves; pickled vegetables; jams and jellies; eggs; garden salads; chicken salads; potato salads; food package combinations consisting primarily of meat and cheese; packaged meats

FIRST USE 8-5-2003; IN COMMERCE 8-5-2003

CLASS 30: Pretzels; frozen confections; chocolate confections; cookie dough; coffee; tea; sandwiches; mints for breath freshening; sauces; seasonings; ice; candy; salsa; cereal-based snacks; grain-based snack foods; corn-based snack foods; wrap sandwiches; fudge; cotton candy

FIRST USE 00-00-2000; IN COMMERCE 00-00-2000

CLASS 32: Soft drinks

FIRST USE 00-00-2013; IN COMMERCE 00-00-2013

CLASS 35: Retail store services featuring a wide variety of consumer goods of others

FIRST USE 00-00-1982; IN COMMERCE 00-00-1982

CLASS 37: Car washing services

FIRST USE 8-6-2006; IN COMMERCE 8-6-2006

CLASS 43: Take-out restaurant services; coffee bar services

FIRST USE 00-00-1982; IN COMMERCE 00-00-1982

The color(s) yellow, red, brown, black and white is/are claimed as a feature of the mark.

The mark consists of the head of a brown and white beaver outlined in black with a red tongue, black nose having a white tip, white teeth, and black and white eyes wearing a red baseball cap outlined in black with a brown, black, and white ear showing through the side of it. The beaver design is within a yellow circle that is outlined in black.

OWNER OF U.S. REG. NO. 6421518, 4007064, 3246893

SER. NO. 98-957,685, FILED 01-13-2025

United States of America

United States Patent and Trademark Office



Reg. No. 8,113,900

Registered Jan. 27, 2026

**Int. Cl.: 4, 5, 12, 14, 16, 20,
21, 22, 25, 26, 28, 29, 30, 32,
35, 37, 43**

Service Mark

Trademark

Principal Register

Buc-ee's, Ltd. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004 Rd
Lake Jackson, TEXAS 77566

CLASS 4: Candles

FIRST USE 3-14-2023; IN COMMERCE 3-14-2023

CLASS 5: Babies' swim diapers

FIRST USE 3-29-2024; IN COMMERCE 3-29-2024

CLASS 12: Car window shades

FIRST USE 5-13-2019; IN COMMERCE 5-13-2019

CLASS 14: Lanyards for holding keys; souvenir pressed coins

FIRST USE 11-22-2012; IN COMMERCE 11-22-2012

CLASS 16: Lanyards for name badge holders; printed coloring books; printed children's activity books; blank writing journals; wrapping paper; scratch art kits comprising paper and pen; paper cake decoration

FIRST USE 00-00-2014; IN COMMERCE 00-00-2014

CLASS 20: Chairs

FIRST USE 2-20-2018; IN COMMERCE 2-20-2018

CLASS 21: Cups; non-electric portable coolers; insulating sleeve holders for beverage cans and cups; thermal insulated bags for food and beverages; shot glasses; tumblers for use as drinking glasses; mugs; lunch boxes

DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE



FIRST USE 1-1-1986; IN COMMERCE 1-1-1986

CLASS 22: Canopies of textile or synthetic materials; hammocks

FIRST USE 9-16-2017; IN COMMERCE 9-16-2017

CLASS 25: One-piece suits; headwear; socks; tops as clothing; bottoms as clothing; sweatshirts

FIRST USE 00-00-2004; IN COMMERCE 00-00-2004

CLASS 26: Hair ties; hair bands; ribbons and bows being hair decorations

FIRST USE 8-25-2018; IN COMMERCE 8-25-2018

CLASS 28: Balls for games; playing cards; jigsaw puzzles; parlor games; building games; manipulative games; board games; washer toss games, namely, outdoor activity game equipment sold as a unit comprising washers and washer toss game boards for playing games; fidget toys; body boards; water toys; beach balls; inflatable tube floats for aquatic recreational use

FIRST USE 00-00-2006; IN COMMERCE 00-00-2006

CLASS 29: Nut-based snack foods; meat-based snack foods ; vegetable-based snack foods; cheese-based snack foods; potato-based snack foods; fruit-based snack foods; snack food dips; fruit butters; fruit preserves; pickled vegetables; jams and jellies; eggs; garden salads; chicken salads; potato salads; food package combinations consisting primarily of meat and cheese; packaged meats

FIRST USE 8-5-2003; IN COMMERCE 8-5-2003

CLASS 30: Pretzels; frozen confections; chocolate confections; cookie dough; coffee; tea; sandwiches; mints for breath freshening; sauces; seasonings; ice; candy; salsa; cereal-based snacks; grain-based snack foods; corn-based snack foods; wrap sandwiches; fudge; cotton candy

FIRST USE 00-00-2000; IN COMMERCE 00-00-2000

CLASS 32: Soft drinks

FIRST USE 00-00-2013; IN COMMERCE 00-00-2013

CLASS 35: Retail store services featuring a wide variety of consumer goods of others

FIRST USE 00-00-1982; IN COMMERCE 00-00-1982

CLASS 37: Car washing services

FIRST USE 8-6-2006; IN COMMERCE 8-6-2006

CLASS 43: Take-out restaurant services; coffee bar services

FIRST USE 00-00-1982; IN COMMERCE 00-00-1982

The mark consists of a cartoon image of a beaver head wearing a hat with a circle around it.

OWNER OF U.S. REG. NO. 6421518, 4007064, 3246893

SER. NO. 98-957,689, FILED 01-13-2025

United States of America
United States Patent and Trademark Office

BUC-EE'S

Reg. No. 4,316,457

BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004

Registered Apr. 9, 2013

LAKE JACKSON, TX 77566

**Int. Cls.: 16, 21, 25, 28,
29, 30, 31 and 35**

FOR: STICKERS SOLD IN RETAIL CONVENIENCE STORES , IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

TRADEMARK

FOR: DRINKING GLASSES, DRINKING MUGS, COFFEE MUGS, MUGS WITH METAL LOGOS, INSULATED MUGS, PORTABLE BEVERAGE COOLERS, AND BREAD BOARDS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

SERVICE MARK

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

PRINCIPAL REGISTER

FOR: CLOTHING SOLD IN RETAIL CONVENIENCE STORES, NAMELY, SHIRTS, PANTS, JACKETS, T-SHIRTS, BALL CAPS, PAJAMAS, UNDERWEAR, BOXERS, HATS, COWBOY HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.



FOR: BOARD GAMES, BALLS FOR GAMES, STUFFED TOY ANIMALS SOLD IN RETAIL CONVENIENCE STORES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: FOODS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, BANANA CHIPS; PREPARED MEATS, NAMELY, CHICKEN, PORK, BEEF AND TURKEY; PROCESSED FOODS, NAMELY, PICKLED FRUITS AND VEGETABLES, JELLIES, FRUIT PRESERVES, FRUIT FLAVORED BUTTERS, APPLE BUTTER, CHERRY BUTTER, PUMPKIN BUTTER, SWEET POTATO BUTTER, PEACH BUTTER, VEGETABLE-FLAVORED BUTTERS, NUT-BASED SNACK FOODS; TRAIL MIXES CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, AND/OR DRIED FRUIT; TRAIL MIXES CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, AND/OR DRIED FRUIT AND ALSO CONTAINING CHOCOLATE; CANDIED NUTS, ROASTED NUTS, PROCESSED NUTS, PREPARED NUTS, DRIED-VEGETABLE SNACK FOODS, SNACK FOOD DIPS, FOOD PACKAGE COMBINATIONS CONSISTING

Sean Street

Acting Director of the United States Patent and Trademark Office

Reg. No. 4,316,457 PRIMARILY OF MEAT AND/OR CHEESE, PROCESSED CHEESES, PICKLED VEGETABLES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: FOODS SOLD IN RETAIL CONVENIENCE STORES, NAMELY, CANDY, CANDY WITH NUTS; SALSA; TRAIL MIXES COMPRISED PRIMARILY OF CRACKERS, PRETZELS, AND/OR POPCORN; TRAIL MIXES COMPRISED PRIMARILY OF CRACKERS, PRETZELS, AND/OR POPCORN AND ALSO CONTAINING CANDIED NUTS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: RAW NUTS , IN CLASS 31 (U.S. CLS. 1 AND 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: RETAIL STORE SERVICES FEATURING: METAL GOODS, NAMELY, METAL KEY-CHAINS; ELECTRICAL AND SCIENTIFIC APPARATUS, NAMELY, DECORATIVE MAGNETS; VEHICLE PRODUCTS, NAMELY, ANTENNA TOPPERS, ATTACHMENTS TO THE TIPS OF AUTOMOBILE ANTENNAS; PRINTED STICKERS; WIND CHIMES; HOUSEWARES AND GLASS, NAMELY, DRINKING GLASSES, DRINKING MUGS, DRINKING MUGS WITH METAL LOGOS, INSULATED MUGS, PORTABLE BEVERAGE COOLERS, BREAD BOARDS; CLOTHING, NAMELY, SHIRTS, PANTS, JACKETS, T-SHIRTS, BALL CAPS, PAJAMAS, UNDERWEAR, BOXERS, HATS, COWBOY HATS; TOYS AND SPORTING GOODS, NAMELY, BOARD GAMES, BALLS FOR GAMES, STUFFED TOY ANIMALS; MEATS AND PROCESSED FOODS, NAMELY, PREPARED CHICKEN, PREPARED PORK, PREPARED BEEF, PREPARED TURKEY, BANANA CHIPS, PICKLED FRUITS, PICKLED VEGETABLES, JELLIES, FRUIT PRESERVES, FRUIT FLAVORED BUTTERS, APPLE BUTTER, CHERRY BUTTER, PUMPKIN BUTTER, SWEET POTATO BUTTER, PEACH BUTTER, VEGETABLE-FLAVORED BUTTERS, NUTS; SNACK FOODS, NAMELY, NUT-BASED SNACKS, TRAIL MIXES, CANDIED NUTS, ROASTED NUTS, PROCESSED NUTS, PREPARED NUTS, DRIED-VEGETABLES SNACK FOODS, SNACK FOOD DIPS, FOOD PACKAGE COMBINATIONS CONSISTING PRIMARILY OF MEAT AND/OR CHEESE, PROCESSED CHEESES, PICKLED VEGETABLES; STAPLE FOODS, NAMELY, CONFECTIONARY, CANDY, CANDY WITH NUTS, CANDIED NUTS, SALSA, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

OWNER OF U.S. REG. NOS. 3,763,277 AND 4,007,063.

THE MARK CONSISTS OF A STYLIZED VERSION OF THE WORD "BUC-EE'S".

SER. NO. 85-689,858, FILED 7-30-2012.

ELI HELLMAN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

BUC-EE'S

Reg. No. 6,421,516

Registered Jul. 13, 2021

Int. Cl.: 18, 21, 28

Trademark

Principal Register

Buc-ee's, Ltd. (TEXAS LIMITED PARTNERSHIP)
327 Fm 2004 Rd
Lake Jackson, TEXAS 77566

CLASS 18: Pet clothing; Pet collars; Pet leashes; Bow ties for pets

FIRST USE 5-7-2020; IN COMMERCE 5-7-2020

CLASS 21: Pet feeding and drinking bowls

FIRST USE 5-7-2020; IN COMMERCE 5-7-2020

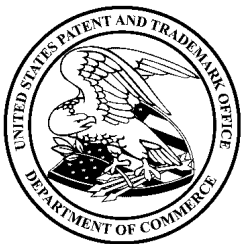
CLASS 28: Pet toys

FIRST USE 6-18-2020; IN COMMERCE 6-18-2020

The mark consists of a stylized version of the word "BUC-EE'S".

OWNER OF U.S. REG. NO. 4007063, 4316457, 4973076

SER. NO. 88-981,607, FILED 04-22-2019



A handwritten signature in black ink, appearing to read "Dawn H. H. H. H.".

Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office



United States of America
United States Patent and Trademark Office

BUC-EE'S

Reg. No. 4,973,184

Registered June 7, 2016

Int. Cl.: 4

TRADEMARK

PRINCIPAL REGISTER

BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004 RD
LAKE JACKSON, TX 77566

FOR: MOTOR FUEL, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 8-1-2006; IN COMMERCE 8-1-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,763,277, 4,007,063, AND 4,316,457.

SER. NO. 86-797,863, FILED 10-23-2015.

KERI CANTONE, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America
United States Patent and Trademark Office

BUC-EE'S

Reg. No. 4,973,076

Registered June 7, 2016

Int. Cl.: 36

SERVICE MARK

PRINCIPAL REGISTER

BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004 RD
LAKE JACKSON, TX 77566

FOR: CREDIT CARD SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-5-2014; IN COMMERCE 7-5-2014.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,763,277, 4,007,063, AND 4,316,457.

SER. NO. 86-793,186, FILED 10-20-2015.

KERI CANTONE, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America
United States Patent and Trademark Office

BUC-EE'S

Reg. No. 7,419,562

Registered Jun. 18, 2024

Int. Cl.: 35

Service Mark

Principal Register

Buc-ee's, Ltd. (TEXAS LIMITED PARTNERSHIP)
327 FM 2004 Rd
Lake Jackson, TEXAS 77566

CLASS 35: Retail store services featuring convenience store items and gasoline

FIRST USE 00-00-1982; IN COMMERCE 00-00-1982

The mark consists of a stylized version of the word "BUC-EE'S".

SER. NO. 98-018,665, FILED 05-30-2023

Katherine Kelly Vidal

Director of the United States
Patent and Trademark Office



United States of America

United States Patent and Trademark Office

BUC-EE'S

Reg. No. 3,763,277 BUC-EE'S, LTD. (TEXAS LIMITED PARTNERSHIP)
Registered Mar. 23, 2010 327 FM 2004
LAKE JACKSON, TX 77566

Int. Cl.: 35 FOR: RETAIL STORE SERVICES FEATURING CONVENIENCE STORE ITEMS AND GAS-
OLINE, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

SERVICE MARK FIRST USE 7-1-1982; IN COMMERCE 7-1-1982.
PRINCIPAL REGISTER

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-853,252, FILED 4-4-2006.


ALLISON SCHRODY, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

EXHIBIT E

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ABOUT US

Mickey's is a fuel and convenience store chain based in Milan, OH. Currently, all the stores are located in Northern Ohio.

Along with fuel and quick-serve food items, many Mickey's also feature Mickey's Chicken & Deli, Taco Bell, Subway, and Dunkin' franchises.

[FOR A LIST OF SERVICES AT A MICKEY'S NEAR YOU, PLEASE USE OUR STORE LOCATOR BY CLICKING HERE.](#)

Mickey's is represented by their iconic mascot, Mickey the Moose, whose ever-presence is welcomed by all who stop into a Mickey's!

We are proud of our stores and of those who run them, but we are most excited about the opportunities we have to connect with our communities. We know the strength of our business rests in the strength of our communities. Mickey's sponsors many events including local festivals, community organizations, and local libraries.

MICKEY'S CORPORATE OFFICE

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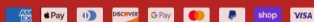
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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Buc-ee's Ltd.

(b) County of Residence of First Listed Plaintiff Brazoria County, Texas (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

BAKER & HOSTETLER LLP, 127 Public Square, Suite 2000, Cleveland, Ohio 44114 (216) 621-0200

DEFENDANTS

Coles IP Holdings, LLC

County of Residence of First Listed Defendant Erie County, Ohio (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, Labor, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 U.S.C. § 1051 et seq. Brief description of cause: Trademark infringement, unfair competition, and cancellation of trademark registrations

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 2/18/2026 SIGNATURE OF ATTORNEY OF RECORD Christina J. Moser

Digitally signed by Christina J. Moser Date: 2026.02.18 19:11:02 -0500

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RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

I. Civil Categories: (Please check one category only).

- 1. General Civil
- 2. Administrative Review/Social Security
- 3. Habeas Corpus Death Penalty

*If under Title 28, §2255, name the SENTENCING JUDGE: _____

CASE NUMBER: _____

II. **RELATED OR REFILED CASES** See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action: is **RELATED** to another **PENDING** civil case is a **REFILED** case was **PREVIOUSLY REMANDED**

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III. In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county

COUNTY:

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY:

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY:

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

AKRON

(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)

CLEVELAND

(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)

YOUNGSTOWN

(Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

TOLEDO

(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca VanWert, Williams, Wood and Wyandot)

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. **(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- I. **(b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- I. **(c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 - United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 - Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)

- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).

- V. **Origin.** Place an "X" in one of the seven boxes.
 - Original Proceedings. (1) Cases which originate in the United States district courts.
 - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 - Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.

PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.

- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

BUC-EE'S, LTD.,

Plaintiff(s)

v.

COLES IP HOLDINGS, LLC,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Coles IP Holdings, LLC
3619 East State Route 113
Milan, Ohio 44846.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Christina J. Moser
BAKER & HOSTETLER LLP
127 Public Square, Suite 2000
Cleveland, Ohio 44114
(216) 621-0200
cmoser@bakerlaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CHRISTIAN M. CAPECE, CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: