

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 79119647 MARK: 2GOOD	*79119647*
CORRESPONDENT ADDRESS: JOSEPH F SCHMIDT TAFT STETTINIUS & HOLLISTER LLP 111 E WACKER DR STE 2800 CHICAGO, IL 60601	GENERAL TRADEMARK INFORMATION: http://www.uspto.gov/trademarks/index.jsp
APPLICANT: August Storck KG	
CORRESPONDENT'S REFERENCE/DOCKET NO : N/A CORRESPONDENT E-MAIL ADDRESS:	

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE:

INTERNATIONAL REGISTRATION NO. 1133636

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. *See* 37 C.F.R. §2.64(b); TMEP §§715.03(a)(2)(B), (a)(2)(E), 715.04(a). The requirement(s) and/or refusal(s) made final in the Office action dated Feb. 4, 2014 are maintained and continue to be final. *See* TMEP §§715.03(a)(2)(B), (a)(2)(E), 715.04(a).

In the present case, applicant's request has not resolved all the outstanding issue(s), nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue(s) in the final Office action. In addition, applicant's analysis and arguments are not persuasive nor do they shed new light on the issues. Accordingly, the request is denied.

Applicant's arguments regarding the differing nature of the parties' marks were not found to be persuasive because the marks are essentially phonetic equivalents and thus sound similar. Similarity in sound alone may be sufficient to support a finding that the marks are confusingly similar. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); *see In re 1st USA Realty Prof'ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007); TMEP §1207.01(b)(iv).

Also, please note that the trademark examining attorney has attached evidence from the USPTO's X-Search database consisting of a number of third-party marks registered for use in connection with the same

or similar goods and/or services as those of both applicant and registrant in this case. This evidence shows that the goods and/or services listed therein, namely “chocolate bars” and “cocoa, cookies, and chocolate or cocoa beverages”, are of a kind that may emanate from a single source under a single mark. *See In re Anderson*, 101 USPQ2d 1912, 1919 (TTAB 2012); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); *In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB 1988); TMEP §1207.01(d)(iii).

Here, the goods are highly related and/or overlapping and the marks are phonetic equivalents. The differences in the appearance and connotation of the marks highlighted by applicant do not outweigh these factors and the Motion for Reconsideration is therefore denied.

The filing of a request for reconsideration does not extend the time for filing a proper response to a final Office action or an appeal with the Trademark Trial and Appeal Board (Board), which runs from the date the final Office action was issued/mailed. *See* 37 C.F.R. §2.64(b); TMEP §715.03, (a)(2)(B), (a)(2)(E), (c).

If time remains in the six-month response period to the final Office action, applicant has the remainder of the response period to comply with and/or overcome any outstanding final requirement(s) and/or refusal(s) and/or to file an appeal with the Board. TMEP §715.03(a)(2)(B), (c). However, if applicant has already filed a timely notice of appeal with the Board, the Board will be notified to resume the appeal. *See* TMEP §715.04(a).

/Ahsen Khan/
Trademark Attorney
USPTO
Law Office 113
(571) 272 4343
ahsen.khan@uspto.gov

DESIGN MARK

Serial Number

85322677

Status

REGISTERED

Word Mark

LIFE'S PERFECT BLEND

Standard Character Mark

Yes

Registration Number

4199588

Date Registered

2012/08/28

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

MXI Corp. CORPORATION NEVADA 795 Trademark Drive Reno NEVADA 89521

Goods/Services

Class Status -- ACTIVE. IC 005. US 006 018 044 046 051 052. G & S: Nutritional drink mix for use as a meal replacement; Nutritional food bars for use as a meal replacement. First Use: 2012/05/31. First Use In Commerce: 2012/05/31.

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Candy; Chocolate bars; Chocolate-based ready-to-eat food bars; Chocolates and chocolate based ready to eat candies and snacks; Chocolates containing nutrients; Cocoa mixes; Cocoa-based beverages; Cookies; Filled chocolate; Snack foods, namely, chocolate-based snack foods. First Use: 2012/01/09. First Use In Commerce: 2012/01/09.

Goods/Services

Class Status -- ACTIVE. IC 032. US 045 046 048. G & S: Energy drinks. First Use: 2012/06/06. First Use In Commerce: 2012/06/06.

Filing Date

Print: Aug 26, 2014

85322677

2011/05/17

Examining Attorney

SHINER, MARK

Attorney of Record

David M. Tener, Esq.

LIFE'S PERFECT BLEND

DESIGN MARK

Serial Number

85419669

Status

REGISTERED

Word Mark

SOAKOLOGY

Standard Character Mark

Yes

Registration Number

4236284

Date Registered

2012/11/06

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

RAIN MANAGEMENT LLC LIMITED LIABILITY COMPANY MAINE 30 City Center
Portland MAINE 04101

Goods/Services

Class Status -- ACTIVE. IC 003. US 001 004 006 050 051 052. G & S:
Aromatherapy essential oils; aromatic preparations, namely, tonic
spray and water, bar soaps, bath and shower gels and salts; aromatic
pillows comprising potpourri in fabric containers; aromatic body care
products, namely, body lotions, shower gels, soaps, body and foot
scrub; aromatic neck wraps comprising potpourri in fabric containers;
bath herbs; bath lotions; bath oils; bath salts; bath soaps in liquid,
solid or gel form; bath gels; bath crystals; body lotions; body
powders; body scrubs; body splashes; body butters; body sprays,
namely, water in atomized containers used to produce a cooling effect;
body melts in the nature of body emollient massage bars; body sprays
used as a personal deodorant and as fragrance; body oils; bubble
baths; cleansing milks; face and body creams; foot deodorant sprays;
foot smoothing stones; foot scrubs; foot soaks; foot powders;
fragrance sachets; hair oils; hand scrubs; hand cleansing gels; hand
cleaners; handmade soap bars; herbal eye sachets; herbal body care
products, namely, body oils and salves; lavender water; liquid soaps

for hands, face, body and feet; liquid soap used in foot bath; liquid soaps; loofah soaps; massage oils; massage lotions; massage gels; massage creams; organic soap bars; pumice stones for personal use; room fragrances; sachet-like eye pillows containing fragrances; sachets; scented linen sprays; scented bath salts; scented body spray; scented fabric refresher spray; scented linen water; shower gels; skin toners; skin cleansers; skin conditioners; skin moisturizers; skin and foot toners; soaps for body care; soaps for personal use; 3 in 1 soap bars for use as a soap, shampoo and conditioner; stimulating lotions for the skin; tea and herbal sachets. First Use: 2008/05/01. First Use In Commerce: 2008/05/01.

Goods/Services

Class Status -- ACTIVE. IC 021. US 002 013 023 029 030 033 040 050. G & S: Bowls; coasters not of paper and other than table linen; coffee cups; creamer pitchers; drip mats for tea; gaiwan ceramic tea cups; handmade tea ware, namely, printed tea filter baskets and honey dip sticks; insulated containers for beverages for travel, namely, tea thermoses and tea glass travel tumblers; Japanese cast iron kettles; Japanese rice bowls; Japanese style tea serving pots; sugar bowls; tea balls; tea boats, namely, tea ceramic drip trays, tea drip trays; tea caddies; tea canisters; tea ceremonial trays; tea ceremony sets; tea cups; tea filter mugs; tea infusers; tea mugs; tea pots; tea services; tea sets; tea strainers; tea tasting sets. First Use: 2007/09/01. First Use In Commerce: 2010/08/01.

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Bakery products; beverages made of tea; beverages made with a tea base; biscotti; black tea; brownies; chai tea; chocolate, chocolates and candies, namely, 'feet' shaped chocolates and chocolate bars; chocolate covered cookies; cookies; fruit teas; fresh fruits; ginseng tea; green tea; herb tea; herbal flavorings for making beverages; herbal food beverages; herbal infusions; herbal tea; hot chocolate; ice cream; iced tea in all tea varieties; instant tea; Japanese green tea; macarons; mixes in the nature of concentrates, syrups or powders used in the preparation of tea based beverages; non-dairy frozen confections, namely, freezer pops; oolong tea; pastries; prepared cocoa and cocoa-based beverages; red tea; scented water for flavoring beverages; shortbread; tea; tea bags; tea-based beverages with fruit flavoring; tea-based beverages; tea based drinks namely, tea shakes, tea smoothies; tea based snacks, namely, tea freezer pops, tea cookies, and tea shortbread; tea flavourings; tea for infusions; tisanes; vegan cookies. First Use: 2007/09/01. First Use In Commerce: 2007/09/01.

Prior Registration(s)

3525291

Filing Date

2011/09/10

Print: Aug 26, 2014

85419669

Examining Attorney

HETZEL, DANNEAN

Attorney of Record

Charles R. Clark

SOAKOLOGY

DESIGN MARK

Serial Number

85498112

Status

REGISTERED

Word Mark

DERDOR

Standard Character Mark

Yes

Registration Number

4179412

Date Registered

2012/07/24

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Taslakian, Peter INDIVIDUAL UNITED STATES 8546 Sepulveda Blvd. # 4
North Hills CALIFORNIA 91343

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Arrangements of cut fruit comprised of fresh fruits cut into flower shapes and at least partially coated with chocolate; Beverages with a chocolate base; Chocolate; Chocolate and chocolates; Chocolate bark containing ground coffee beans; Chocolate bars; Chocolate based ingredient for use in cake; Chocolate candies; Chocolate chips; Chocolate confections; Chocolate confections, namely, chocolate-covered fruits; Chocolate covered cocoa nibs; Chocolate covered cookies; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered popcorn; Chocolate covered pretzels; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate fondue; Chocolate food beverages not being dairy-based or vegetable based; Chocolate for confectionery and bread; Chocolate for toppings; Chocolate mousse; Chocolate pastes; Chocolate powder; Chocolate sauce; Chocolate syrup; Chocolate topped pretzels; Chocolate topping; Chocolate truffles; Chocolate-based beverages; Chocolate-based beverages with milk; Chocolate-based fillings for cakes and pies; Chocolate-based ready-to-eat food bars;

Chocolate-covered potato chips; Chocolates and chocolate based ready to eat candies and snacks; Chocolates containing nutrients; Confectioneries, namely, snack foods, namely, chocolate; Filled chocolate; Fresh fruits cut into flower shapes and at least partially coated with chocolate; Grain-based food bars also containing fruits; Hot chocolate; Milk chocolate; Snack foods, namely, chocolate-based snack foods; Spread containing chocolate and nuts. First Use: 2011/12/15. First Use In Commerce: 2011/12/15.

Translation Statement

The wording "DERDOR" has no meaning in a foreign language.

Filing Date

2011/12/17

Examining Attorney

HESIK, APRIL

DerDor

DESIGN MARK

Serial Number

85573725

Status

REGISTERED

Word Mark

CHOCO CARD

Standard Character Mark

Yes

Registration Number

4365579

Date Registered

2013/07/09

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Hess, Markus G INDIVIDUAL FED REP GERMANY Hinterdorfstr. 17 Sisseln
SWITZERLAND 4334

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Arrangements of cut fruit comprised of fresh fruits cut into flower shapes and at least partially coated with chocolate; baked goods, namely, crumbles; bakery desserts; bakery goods; bakery goods and dessert items, namely, cheesecakes for retail and wholesale distribution and consumption on or off the premises; bakery products; bakery products, namely, sweet bakery goods; bars of sweet jellied bean paste (Yohkan); beverages with a chocolate base; biscotti; biscuits; biscuits and bread; biscuits, tarts, cakes made with cereals; bonbons; bonbons made of sugar; brown sugar; brownie mixes; brownies; bubble gum; butter biscuits; cake mixes; cakes; cakes of sugar-bounded millet or popped rice (okoshi); candy; candy bars; candy cake decorations; candy decorations for cakes; candy for food; candy mints; candy sprinkles; candy with caramel; candy with cocoa; candy, namely, dragées; cereal based energy bars; cereal based snack food; cereal-based snack foods; chewing gum; chewing gum with vitamins; chewing gum, not for medical purposes; chewing gums; chocolate; chocolate and chocolates; chocolate

bark containing ground coffee beans; chocolate bars; chocolate candies; chocolate chips; chocolate confections; chocolate confections, namely, chocolate candy; chocolate covered cocoa nibs; chocolate covered cookies; chocolate covered fruit; chocolate covered nuts; chocolate covered popcorn; chocolate covered pretzels; chocolate covered raisins; chocolate covered roasted coffee beans; chocolate fondue; chocolate food beverages not being dairy-based or vegetable based; chocolate for confectionery and bread; chocolate for toppings; chocolate mousse; chocolate pastes; chocolate powder; chocolate sauce; chocolate syrup; chocolate topped pretzels; chocolate topping; chocolate truffles; chocolate-based beverages; chocolate-based beverages with milk; chocolate-based fillings for cakes and pies; chocolate-based meal replacement bars; chocolate-based ready-to-eat food bars; chocolate-covered potato chips; chocolates and chocolate based ready to eat candies and snacks; chocolates containing nutrients; cinnamon-coated nuts; cocoa; cocoa; cocoa beverages with milk; cocoa extracts for human consumption; cocoa mixes; cocoa powder; cocoa spreads; cocoa-based beverages; cocoa-based condiments and seasonings for food and drink; cocoa-based ingredient in confectionery products; coffee; coffee; coffee and artificial coffee; coffee and coffee substitutes; coffee and tea; coffee based beverages; coffee beans; coffee beverages with milk; coffee capsules containing coffee for brewing; coffee essences; coffee essences for use as substitutes for coffee; coffee extracts; coffee extracts for use as substitutes for coffee; coffee flavored syrup used in making food beverages; coffee pods; coffee substitutes; coffee substitutes; coffee-based beverage containing milk; coffee-based beverages; cones for ice cream; cones for icecream; confectioner's coatings in the nature of edible shellac coatings for foods; confectioneries, namely, snack foods, namely, chocolate; confectionery chips for baking; confectionery for decorating christmas trees; confectionery made of sugar; confectionery, namely, pastilles; cookie mixes; cookie pies; cookies; cookies and crackers; crepes; croissants; cup cakes; cupcakes that contain alcohol; danish pastries; dried sugared cakes of rice flour (rakugan); edible wafers; filled chocolate; flan; flan base wafers; fondants; food package combinations consisting primarily of bread, crackers and/or cookies; fresh fruits cut into flower shapes and at least partially coated with chocolate; fried dough cookies (karintoh); frozen confectionery; frozen confections; frozen confections, namely, freezer bars; frozen confections, namely, freezer pops; frozen confections, namely, ices; frozen cookie dough; frozen cookie, brownie and biscotti dough; frozen desserts consisting of flavored ice blocks with toppings; frozen juice bars; frozen yoghurt; frozen yogurt; frozen yogurt confections; frozen yogurt mixes; frozen yogurt pies and cakes; fructose for food; fruit breads; fruit cakes; fruit ice; fruit ice bar; fruit ices; fruit jelly candy; fudge; gelato; glazed popcorn; grain-based chips; grain-based snack foods; granola; granola snacks; granola-based snack bars; granulated sugar; gum sweets; gummy candies; honey; honey; honey and treacle; honey buns; honey substitutes; hot chocolate; ice; ice blocks; ice candies; ice cream; ice cream desserts; ice cream drinks; ice cream floats; ice cream mixes; ice

cream powder; ice cream sandwiches; ice cream substitute; ice creams; ice milk bars; ice-cream; ice-cream cakes; iced cakes; Italian ice; malt biscuits; malt extracts for food; malt extracts used as flavoring; malt for food purposes; maltose for food; marshmallow; marshmallow squares; marshmallow topping; marshmallows; marzipan; marzipan substitutes; milk chocolate; mixes for bakery goods; mixes for bakery goods containing cornmeal; mixes for candy making; mixes for making baking batters; muesli; muesli bars; muffin mixes; muffins; nougat; oat flakes; oatmeal; pancakes; panini; parfaits; pastries; pastries with fruit; pastries, namely, pasties; pastry; pastry cream; pastry mixes; pastry shells; pastry shells for monaka; peanut brittle; peanut butter confectionery chips; pecan logs; peppermint candy; peppermint for confectionery; peppermint sweets; prepared cocoa and cocoa-based beverages; prepared coffee and coffee-based beverages; pretzels; processed cereal-based food to be used as a breakfast food, snack food or ingredient for making other foods; processed cereals; processed oats; processed popcorn; ready to eat, cereal derived food bars; rice cakes; rice crackers; roasted coffee beans; rolled oats; rolled oats and wheat; rolls; royal jelly for food purposes; sesame sticks; shaved ice confections; snack food chews made primarily from brown rice syrup; snack foods, namely, chocolate-based snack foods; snack mix consisting primarily of crackers, pretzels and/or popped popcorn; sugar; sugar and sugar substitutes; sugar substitutes; sugar wafers; sugar-coated almonds; sugar-coated coffee beans; sugar-coated hard caramels; sugar-free chewing gum; sugared beans (ama-natto); sugared nuts; sugarfree chewing gum; sugarfree sweets; sugarless candies; sugarless chewing gum; sugarless sweets; sweet bean jam coated with sugared-bean based soft shell; sweetened yogurt covered raisins; sweetmeats; sweets; toast; toffee; toffees; vanilla; vanilla beans; vanilla flavorings; wafer doughs; wafers; waffles; yogurt-covered fruit; yogurt-covered nuts; yogurt-covered pretzels; zwieback. First Use: 2013/04/01. First Use In Commerce: 2013/04/01.

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2012/03/19

Examining Attorney

MICHELI, ANGELA M.

CHOCO CARD

DESIGN MARK

Serial Number

85582460

Status

REGISTERED

Word Mark

M EXTRA MAGNIFICENT

Standard Character Mark

No

Registration Number

4234082

Date Registered

2012/10/30

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

Desly International Corp DBA Desly International Corp CORPORATION NEW YORK 242 47th Street Brooklyn NEW YORK 11220

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Candies; Candy; Candy bars; Candy cake decorations; Candy containing alcoholic beverage content and flavor; Candy decorations for cakes; Candy for food; Candy mints; Candy sprinkles; Candy with caramel; Candy with cocoa; Chocolate; Chocolate and chocolates; Chocolate bars; Chocolate candies; Chocolate confections; Chocolate confections, namely, Almond cake; Cake mixes; Cakes; Candies; Candy; Candy bars; Candy cake decorations; Candy containing alcoholic beverage content and flavor; Candy decorations for cakes; Candy for food; Candy sprinkles; Candy with caramel; Candy with cocoa; Caramels; Chocolate; Chocolate and chocolates; Chocolate bars; Chocolate candies; Chocolate chips; Chocolate covered cocoa nibs; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate fondue; Chocolate food beverages not being dairy-based or vegetable based; Chocolate mousse; Chocolate pastes; Chocolate powder; Chocolate sauce; Chocolate syrup; Chocolate topping; Chocolate truffles; Chocolate-based fillings for cakes and pies;

Chocolate-based ready-to-eat food bars; Chocolates and chocolate based ready to eat candies and snacks; Cocoa; Cocoa; Cocoa mixes; Cocoa powder; Cocoa-based condiments and seasonings for food and drink; Cocoa-based ingredient in confectionery products; Cones for ice cream; Confectionery chips for baking; Cookie dough; Cookie mixes; Cookies; Cookies and crackers; Cream buns; Cream of tartar for cooking and baking purposes; Cream of tartar for food purposes; Cream puffs; Cup cakes; Custard-based fillings for cakes and pies; Dessert mousse; Edible cake decorations; Edible decorations for cakes; Filled chocolate; Flavorings, other than essential oils, for cakes; Flavourings for cakes other than essential oils; Flavourings, other than essential oils, for cakes; Food package combinations consisting primarily of bread, crackers and/or cookies; Gift baskets containing candy; Gummy candies; Ice candies; Ice-cream; Ice-cream cakes; Iced cakes; Milk chocolate; Snack cakes; Sponge cakes; Spread containing chocolate and nuts; Sugarless candies; Sweets; Chocolate covered cookies; Chocolate covered nuts; Chocolate covered pretzels; Chocolate covered raisins; Chocolate for confectionery and bread; Chocolate for toppings; Chocolate mousse; Chocolate pastes; Chocolate truffles; Chocolate-based fillings for cakes and pies; Chocolates and chocolate based ready to eat candies and snacks; Confectioneries, namely, snack foods, namely, chocolate; Filled chocolate; Gift baskets containing candy; Milk chocolate; Snack foods, namely, chocolate-based snack foods; Sugarless candies; Sweets. First Use: 2005/11/15. First Use In Commerce: 2007/01/20.

Description of Mark

The mark consists of Two yellow concentric circles depicted to be symmetrically flanked from the right side and from the left side by two yellow lions positioned in the upright position while "holding" the said yellow concentric circles with their front paws. An area between the two yellow concentric circles is depicted in a darker shade of yellow and brown colors to create a three-dimensional effect, said area comprising a wording "EXTRA MAGNIFICENT" in black capital letters. Within the inner yellow concentric circle, on red background, depicted is The mark consists of Two yellow concentric circles depicted to be symmetrically flanked from the right side and from the left side by two yellow lions positioned in the upright position while "holding" the said yellow concentric circles with their front paws. An area between the two yellow concentric circles is depicted in a darker shade of yellow and brown colors to create a three-dimensional effect, said area comprising a wording "EXTRA MAGNIFICENT" in black capital letters. Within the inner yellow concentric circle, on red background, depicted is the capital letter "M" in white, grey and yellow colors, wherein said colors create an effect of a three-dimensional letter. The area between the capital letter "M" and the inner yellow concentric circle is presented in the darker shade of the red color to create a three-dimensional effect for the red background. Directly above the capital letter "M" and within boundaries of the inner yellow concentric circle depicted is a small crown in yellow color capital letter "M" in white, grey and yellow colors, wherein said colors

create an effect of a three-dimensional letter. The area between the capital letter "M" and the inner yellow concentric circle is presented in the darker shade of the red color to create a three-dimensional effect for the red background. Directly above the capital letter "M" and within boundaries of the inner yellow concentric circle depicted is a small crown in yellow color.

Colors Claimed

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

Filing Date

2012/03/28

Examining Attorney

HARDY, TARA H

Attorney of Record

Oleg A. Mestechkin



DESIGN MARK

Serial Number

85793327

Status

REGISTERED

Word Mark

MELANIE

Standard Character Mark

Yes

Registration Number

4368500

Date Registered

2013/07/16

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Desly International Corp. CORPORATION NEW YORK 242 47th Street
Brooklyn NEW YORK 11220

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Candies; Candy; Candy bars; Candy cake decorations; Candy containing alcoholic beverage content and flavor; Candy decorations for cakes; Candy for food; Candy mints; Candy sprinkles; Candy with caramel; Candy with cocoa; Chocolate; Chocolate and chocolates; Chocolate bars; Chocolate candies; Chocolate confections; Chocolate confections, namely, Almond cake; Cake mixes; Cakes; Candies; Candy; Candy bars; Candy cake decorations; Candy containing alcoholic beverage content and flavor; Candy decorations for cakes; Candy for food; Candy sprinkles; Candy with caramel; Candy with cocoa; Caramels; Chocolate; Chocolate and chocolates; Chocolate bars; Chocolate candies; Chocolate chips; Chocolate covered cocoa nibs; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate fondue; Chocolate food beverages not being dairy-based or vegetable based; Chocolate mousse; Chocolate pastes; Chocolate powder; Chocolate sauce; Chocolate syrup; Chocolate topping; Chocolate truffles; Chocolate-based fillings for cakes and pies;

Chocolate-based ready-to-eat food bars; Chocolates and chocolate based ready to eat candies and snacks; Cocoa; Cocoa; Cocoa mixes; Cocoa powder; Cocoa-based condiments and seasonings for food and drink; Cocoa-based ingredient in confectionery products; Cones for ice cream; Confectionery chips for baking; Cookie dough; Cookie mixes; Cookies; Cookies and crackers; Cream buns; Cream of tartar for cooking and baking purposes; Cream of tartar for food purposes; Cream puffs; Cup cakes; Custard-based fillings for cakes and pies; Dessert mousse; Edible cake decorations; Edible decorations for cakes; Filled chocolate; Flavorings, other than essential oils, for cakes; Flavourings for cakes other than essential oils; Flavourings, other than essential oils, for cakes; Food package combinations consisting primarily of bread, crackers and/or cookies; Gift baskets containing candy; Gummy candies; Ice candies; Ice-cream; Ice-cream cakes; Iced cakes; Milk chocolate; Snack cakes; Sponge cakes; Spread containing chocolate and nuts; Sugarless candies; Sweets; Chocolate covered cookies; Chocolate covered nuts; Chocolate covered pretzels; Chocolate covered raisins; Chocolate for confectionery and bread; Chocolate for toppings; Chocolate mousse; Chocolate pastes; Chocolate truffles; Chocolate-based fillings for cakes and pies; Chocolates and chocolate based ready to eat candies and snacks; Confectioneries, namely, snack foods, namely, chocolate; Filled chocolate; Gift baskets containing candy; Milk chocolate; Snack foods, namely, chocolate-based snack foods; Sugarless candies; Sweets. First Use: 2005/11/15. First Use In Commerce: 2007/01/20.

Prior Registration(s)

4241722

Filing Date

2012/12/03

Examining Attorney

ERVIN, INGA

Attorney of Record

Darren M. Geliebter

MELANIE

DESIGN MARK

Serial Number

85793550

Status

REGISTERED

Word Mark

ESCAMINIO

Standard Character Mark

Yes

Registration Number

4493479

Date Registered

2014/03/11

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Desly International Corp. CORPORATION NEW YORK 242 47th Street
Brooklyn NEW YORK 11220

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Bread and buns; Bread and pastry; Buns; Cakes; Candies; Candy; Candy bars; Candy cake decorations; Candy containing alcoholic beverage content and flavor; Candy decorations for cakes; Candy for food; Candy mints; Candy sprinkles; Candy with caramel; Candy with cocoa; Caramels; Chocolate; Chocolate and chocolates; Chocolate bars; Chocolate candies; Chocolate chips; Chocolate covered cocoa nibs; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate fondue; Chocolate food beverages not being dairy-based or vegetable based; Chocolate mousse; Chocolate pastes; Chocolate powder; Chocolate sauce; Chocolate syrup; Chocolate topping; Chocolate truffles; Chocolate-based fillings for cakes and pies; Chocolate-based ready-to-eat food bars; Chocolates and chocolate based ready to eat candies and snacks; Cocoa; Cocoa mixes; Cocoa powder; Cocoa spreads; Cocoa-based ingredient in confectionery products; Cookies; Cookies and crackers; Cream buns; Cup cakes; Custard-based fillings for cakes and pies; Danish pastries; Dessert

mousse; Edible cake decorations; Edible decorations for cakes; Filled chocolate; Flavorings, other than essential oils, for cakes; Flavourings for cakes other than essential oils; Flavourings, other than essential oils, for cakes; Food package combinations consisting primarily of bread, crackers and/or cookies; Gift baskets containing candy; Gummy candies; Honey buns; Ice candies; Ice-cream cakes; Iced cakes; Jam buns; Macaroons; Marshmallow topping; Milk chocolate; Pastries; Pastry; Sponge cakes; Spread containing chocolate and nuts; Sugarfree sweets; Sugarless candies; Sugarless sweets; Sweets. First Use: 2010/11/30. First Use In Commerce: 2010/11/30.

Filing Date

2012/12/03

Examining Attorney

ERVIN, INGA

Attorney of Record

Darren M. Geliebter

ESCAMINIO

DESIGN MARK

Serial Number

85808161

Status

REGISTERED

Word Mark

NUTS ABOUT CHOCOLATE

Standard Character Mark

Yes

Registration Number

4433893

Date Registered

2013/11/12

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Vanessa Hnina Morgenstern Kenan INDIVIDUAL FRANCE 2400 Jupiter drive
Los Angeles CALIFORNIA 90046

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Arrangements of cut fruit comprised of fresh fruits cut into flower shapes and at least partially coated with chocolate; Beverages with a chocolate base; Chocolate; Chocolate and chocolates; Chocolate bark containing ground coffee beans; Chocolate bars; Chocolate based ingredient for use in truffle; Chocolate candies; Chocolate chips; Chocolate confections; Chocolate confections, namely, truffle; Chocolate covered cocoa nibs; Chocolate covered cookies; Chocolate covered nuts; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate fondue; Chocolate pastes; Chocolate powder; Chocolate sauce; Chocolate topping; Chocolate truffles; Chocolates and chocolate based ready to eat candies and snacks; Chocolates containing nutrients. First Use: 2013/08/01. First Use In Commerce: 2013/08/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHOCOLATE" APART FROM THE MARK AS SHOWN.

Print: Aug 26, 2014

85808161

Filing Date

2012/12/20

Examining Attorney

SHANAHAN, WILLIAM P.

Nuts about chocolate

Print: Aug 26, 2014

85844891

DESIGN MARK

Serial Number

85844891

Status

REGISTERED

Word Mark

ALTER ECO

Standard Character Mark

No

Registration Number

4569156

Date Registered

2014/07/15

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

ALTER ECO AMERICAS PBC CORPORATION DELAWARE 2339 THIRD STREET, SUITE
70 SAN FRANCISCO CALIFORNIA 94107

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Processed quinoa, rice, sugar, chocolate; Coffee, tea, processed grains, breakfast cereals, granola, tisanes, chocolate bars, chocolate candies, chocolate-based ready-to-eat food bars, chocolate covered nuts; chocolate powder, hot chocolate, cocoa, prepared cocoa and cocoa-based beverages, licorice, honey, vanilla, spices, sage, couscous, muesli; salt and seasonings, baking powder; grains, namely, processed quinoa, rolled oats and wheat, processed wheat, and rice; chocolate covered cocoa nibs, chutneys; chocolate-based spreads; processed herbs; pre-cooked and microwavable rice; rice pastas and other grain-based pastas, namely, quinoa pasta; prepared entrees consisting primarily of rice, rice with curry, and rice with saffron; curry powder; cookies. First Use: 2012/01/00. First Use In Commerce: 2012/01/00.

Prior Registration(s)

3671557

Print: Aug 26, 2014

85844891

Description of Mark

The mark consists of the term "ALTER ECO" in stylized letters set in a rough box.

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2013/02/08

Examining Attorney

POLZER, NATALIE

Attorney of Record

Eugene M. Pak

ALTER ECO

DESIGN MARK

Serial Number

86108839

Status

REGISTERED

Word Mark

SOUTH RODEO CHOCOLATES

Standard Character Mark

No

Registration Number

4516716

Date Registered

2014/04/15

Type of Mark

TRADEMARK

Register

SUPPLEMENTAL

Mark Drawing Code

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner

South Rodeo Chocolates, LLC LIMITED LIABILITY COMPANY CALIFORNIA 269
S. Beverly Dr., #463 Beverly Hills CALIFORNIA 90212

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Beverages with a chocolate base; candies; candy; candy bars; candy cake decorations; candy coated apples; candy containing alcoholic beverage content and flavor; candy decorations for cakes; candy for food; candy mints; candy necklaces; candy with caramel; candy with cocoa; chocolate; chocolate and chocolates; chocolate bark containing ground coffee beans; chocolate bars; chocolate cakes; chocolate candies; chocolate confections; chocolate confections, namely, truffles; chocolate covered cocoa nibs; chocolate covered cookies; chocolate covered fruit; chocolate covered nuts; chocolate covered popcorn; chocolate covered pretzels; chocolate covered raisins; chocolate covered roasted coffee beans; chocolate for confectionery and bread; chocolate for toppings; chocolate sauce; chocolate syrup; chocolate topped pretzels; chocolate topping; chocolate truffles; chocolate-based beverages; chocolate-based beverages with milk; chocolate-based fillings for cakes and pies; chocolate-based spread also containing nuts; chocolate-filled dried fig confections; chocolates and chocolate based

Print: Aug 26, 2014

86108839

ready to eat candies and snacks; confectioneries, namely, snack foods, namely, chocolate; filled chocolate; gummy candies; hot chocolate.
First Use: 2013/09/01. First Use In Commerce: 2013/09/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHOCOLATES" APART FROM THE MARK AS SHOWN.

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2013/11/03

Amended Register Date

2013/11/03

Examining Attorney

WATTS-FITZGERALD, CAIT

SOUTH RODDEO

Chocolates