

ESTTA Tracking number: **ESTTA534957**

Filing date: **04/29/2013**

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

Proceeding	91194974
Party	Defendant GFA Brands, Inc.
Correspondence Address	JOHANNA M WILBERT QUARLES & BRADY LLP 411 EAST WISCONSIN AVENUE, SUITE 2040 MILWAUKEE, WI 53202-4497 UNITED STATES johanna.wilbert@quarles.com, marta.levine@quarles.com, david.cross@quarles.com, deena.rafinski@quarles.com
Submission	Defendant's Notice of Reliance
Filer's Name	Johanna M. Wilbert
Filer's e-mail	johanna.wilbert@quarles.com, david.cross@quarles.com, andrea.fowler@quarles.com, deena.rafinski@quarles.com
Signature	/Johanna M. Wilbert/
Date	04/29/2013
Attachments	Ex 11 - 3d party SIMPLY SMART Serial No. 75761515.pdf (6 pages)(61411 bytes) Ex 12 - 3d party SMART DELI Serial No 76400581.pdf (4 pages)(55164 bytes) Ex 13 - 3d party SMART DOGS Serial No 76400583.pdf (4 pages)(53262 bytes) Ex 14 - 3d party SMART POP Serial No 74255416.pdf (5 pages)(51391 bytes) Ex 15 - 3d party SMART SAUSAGES Serial No 77303906.pdf (3 pages)(55850 bytes) Ex 16 - 3d party SMART START Serial No 73744896.pdf (25 pages)(187597 bytes) Ex 17 - 3d party SMART WATER Serial No 78799834.pdf (7 pages)(92015 bytes) Ex 18 - 3d party SMARTFOOD Serial No 73534195.pdf (8 pages)(66620 bytes) Ex 19 - 3d party SMARTNOURISH Serial No 77757499.pdf (5 pages)(62633 bytes) Ex 20 - 3d party SMARTTASTE Serial No 77976495.pdf (3 pages)(55880 bytes)

EXHIBIT 11
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

Phone: 617-570-1000

Fax: 617-523-1231

Correspondent e-mail: tmadmin@goodwinprocter.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 05, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Apr. 05, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 01, 2010	TEAS SECTION 8 & 9 RECEIVED	
Mar. 23, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 23, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 26, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 26, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 01, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 01, 2005	ASSIGNED TO PARALEGAL	67723
Jun. 06, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 06, 2005	TEAS SECTION 8 & 15 RECEIVED	
Jul. 24, 2001	CANCELLATION TERMINATED NO. 999999	30342
Jul. 24, 2001	CANCELLATION DISMISSED NO. 999999	30342
Jul. 20, 2000	CANCELLATION INSTITUTED NO. 999999	30342
Apr. 04, 2000	REGISTERED-PRINCIPAL REGISTER	
Jan. 11, 2000	PUBLISHED FOR OPPOSITION	
Dec. 10, 1999	NOTICE OF PUBLICATION	
Nov. 10, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 04, 1999	ASSIGNED TO EXAMINER	76836

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 04, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Apr. 05, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: H.P. Hood Inc.

Assignment 1 of 3

Conveyance: MERGER

Reel/Frame: [2834/0213](#)

Pages: 13

Date Recorded: Apr. 15, 2004

Supporting Documents: [assignment-tm-2834-0213.pdf](#)

Assignor

Name: [HP HOOD INC.](#)

Execution Date: Apr. 01, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [HP HOOD LLC](#)

Legal Entity Type: DELAWARE LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 90 EVERETT AVENUE, SUITE 200
CHELSEA, MASSACHUSETTS 02150

Correspondent

Correspondent Name: MIRIAM J. ROVNER

Correspondent Address: GOODWIN PROCTER LLP
EXCHANGE PLACE
53 STATE STREET
BOSTON, MA 02109-2881

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: AMENDED AND RESTATED MEMORANDUM OF TRADEMARK AND S

Reel/Frame: [2864/0639](#)

Pages: 9

Date Recorded: May 26, 2004

Supporting Documents: [assignment-tm-2864-0639.pdf](#)

Assignor

Name: [HP HOOD LLC](#)

Execution Date: Apr. 05, 2004

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: DELAWARE

Assignee

Name: [FLEET NATIONAL BANK](#)

Legal Entity Type: NATIONAL BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 100 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: ROPES & GRAY LLP

Correspondent Address: JOANNE WOLFORTH
ONE INTERNATIONAL PLACE
BOSTON, MA 02110

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3889/0659](#)

Pages: 23

Date Recorded: Nov. 18, 2008

Supporting Documents: [assignment-tm-3889-0659.pdf](#)

Assignor

Name: [HP HOOD LLC](#)

Execution Date: Aug. 21, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [BIC ACQUISITION LLC](#)

Execution Date: Aug. 21, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [BOOTH BROS. DAIRY LLC](#)

Execution Date: Aug. 21, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [GILLETTE TRANSPORTATION, LLC](#)

Execution Date: Aug. 21, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [GOODRICH DAIRY COMPANY, LLC](#)

Execution Date: Aug. 21, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [GOODRICH FRANCHISE, LLC](#)

Execution Date: Aug. 21, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [H.P. HOOD & SONS, LLC](#)

Execution Date: Aug. 21, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [IT'S THE COWS, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Aug. 21, 2008
State or Country Where Organized: No Place Where Organized Found

Name: [KEMPS LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Aug. 21, 2008
State or Country Where Organized: No Place Where Organized Found

Name: [MARIGOLD VENTURE, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Aug. 21, 2008
State or Country Where Organized: No Place Where Organized Found

Name: [OAK GROVE HOLDINGS, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Aug. 21, 2008
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)
Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Address: 100 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: ADAM M. GRANDY

Correspondent Address: 111 HUNTINGTON AVENUE
EDWARDS ANGELL PALMER & DODGE LLP
BOSTON, MA 02199

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: [92030342](#)

Filing Date: Jul 10, 2000

Status: Terminated

Status Date: Jul 24, 2001

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: H.P. HOOD, INC.

Correspondent Address: SARAH A. OLIVIER
SULLIVAN & WORCESTER, LLP
ONE POST OFFICE SQUARE
BOSTON MA , 02109

Associated marks

Mark	Application Status	Serial Number	Registration Number
SIMPLY SMART	Renewed	75761515	2338871

Plaintiff(s)

Name: AMSTELL, INC. AMSTELL HOLDING, INC.

Correspondent Address: MICHAEL A. ALBERT
WOLF, GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON MA , 02210

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 10, 2000	
2	NOTICE SENT ANSWER DUE 08/29/00	Jul 20, 2000	
3	PENDING, INSTITUTED	Jul 20, 2000	
4	NOTICE OF DEFAULT	Nov 13, 2000	
5	DEF MOT & MEM OF LAW TO SHOW CAUSE WHY J UDG BY DEFAULT SHOULDN'T BE ENTERED	Dec 07, 2000	

6	BOARD ORDER PL HAS 20 DAYS TO ANSWER	Mar 02, 2001
7	DEF CHANGE OF ADDRESS	Aug 21, 2000
8	PL RESPONSE TO #5, INCLUDING PLEADINGS I N CIVIL ACTION	Mar 21, 2001
9	PROCEEDINGS ARE SUSPENDED PENDING TRIAL DISPOSITION OF THE CIVIL ACTION	May 10, 2001
10	STIP REQUEST TO DISMISS WITH PREJUDICE	Jul 13, 2001
11	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Jul 24, 2001
12	TERMINATED	Jul 24, 2001

EXHIBIT 12
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

Correspondent

Correspondent Name/Address: Christopher M. Bikus
Husch Blackwell Sanders LLP
1620 Dodge Street, Suite 2100
Omaha, NEBRASKA 68102
UNITED STATES

Phone: 402-964-5144

Fax: 402-964-5050

Correspondent e-mail: pto-om@huschblackwell.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Sep. 10, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Sep. 08, 2009	TEAS SECTION 8 & 15 RECEIVED	
Oct. 02, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 02, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 12, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 14, 2003	REGISTERED-PRINCIPAL REGISTER	
Aug. 13, 2003	CASE FILE IN TICRS	
May 01, 2003	PAPER RECEIVED	
Feb. 04, 2003	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 14, 2003	PUBLISHED FOR OPPOSITION	
Jan. 09, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 25, 2002	NOTICE OF PUBLICATION	
Sep. 04, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 23, 2002	EXAMINER'S AMENDMENT MAILED	
Aug. 14, 2002	ASSIGNED TO EXAMINER	76736
Aug. 09, 2002	ASSIGNED TO EXAMINER	76726

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Sep. 10, 2009

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Registrant: ConAgra Brands, Inc.

Assignment 1 of 1

Conveyance: MERGER EFFECTIVE 05282007

Reel/Frame: [3612/0909](#)

Pages: 25

Date Recorded: Aug. 31, 2007

Supporting Documents: [assignment-tm-3612-0909.pdf](#)

Assignor

Name: [CONAGRA BRANDS, INC.](#)

Execution Date: May 21, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: NEBRASKA

Assignee

Name: [CONAGRA FOODS RDM, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: ONE CONAGRA DRIVE
OMAHA, NEBRASKA 68102

Correspondent

Correspondent Name: TRACY L. DEUTMEYER

Correspondent Address: 1601 DODGE STREET
SUITE 3700 FIRST NATIONAL TOWER
OMAHA, NE 68102

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [76400581](#)

Filing Date: Feb 04, 2003

Status: Terminated

Status Date: Jul 30, 2003

Interlocutory Attorney:

Defendant

Name: ConAgra Brands, Inc.

Correspondent Address: PATRICK C STEPHENSON
MCGRATH NORTH MULLIN & KRATZ, PC LLO
SUITE 3700 FIRST NATIONAL TOWER 1601 DODGE STREET
OMAHA NE , 68102

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART DELI	Section 8 and 15 - Accepted and Acknowledged	76400581	2773155

Potential Opposer(s)

Name: Fitness Foods, Inc. and GFA Brands, Inc

Correspondent Address: John L. Ambrogli
Welsh & Katz, Ltd.
120 S. Riverside Plaza, 22nd Floor
Chicago IL , 60606

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jan 28, 2003	
2	EXTENSION OF TIME GRANTED	Feb 04, 2003	
3	AMENDMENT TO APPLICATION	Jul 23, 2003	
4	AMENDMENT FORWARDED TO EXAMINER	Jul 30, 2003	

EXHIBIT 13
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

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Mark: SMART DOGS

SMART DOGS

US Serial Number: 76400583
Application Filing Date: Apr. 26, 2002
US Registration Number: 2686279
Registration Date: Feb. 11, 2003
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 23, 2013
Publication Date: Nov. 19, 2002

Mark Information

Mark Literal Elements: SMART DOGS
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "DOGS"

Related Properties Information

Claimed Ownership of US [1801640](#), [1807749](#), [2318293](#)
Registrations:

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Soy based hot dog substitute
International Class: 029 - Primary Class
U.S Class: 046
Class Status: ACTIVE
Basis: 1(a)
First Use: 1996
Use in Commerce: 1996

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: CONAGRA FOODS RDM, INC.
Owner Address: ONE CONAGRA DRIVE
OMAHA, NEBRASKA 68102
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Christopher M. Bikus
Attorney Primary Email Address: pto-om@huschblackwell.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Christopher M. Bikus
Husch Blackwell LLP
1620 DODGE STREET, SUITE 2100
OMAHA, NEBRASKA 68102-1504
UNITED STATES

Phone: 402-964-5144

Fax: 402-964-5050

Correspondent e-mail: pto-om@huschblackwell.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 23, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 23, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Feb. 23, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Feb. 23, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Feb. 06, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jan. 31, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Jan. 23, 2009	ASSIGNED TO PARALEGAL	67723
Jan. 15, 2009	TEAS SECTION 8 & 15 RECEIVED	
Oct. 02, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 02, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 22, 2008	CASE FILE IN TICRS	
Sep. 12, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 11, 2003	REGISTERED-PRINCIPAL REGISTER	
Jan. 09, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 19, 2002	PUBLISHED FOR OPPOSITION	
Oct. 30, 2002	NOTICE OF PUBLICATION	
Sep. 04, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 23, 2002	EXAMINER'S AMENDMENT MAILED	
Aug. 14, 2002	ASSIGNED TO EXAMINER	76736
Aug. 09, 2002	ASSIGNED TO EXAMINER	76726

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 11, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 23, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: ConAgra Brands, Inc.

Assignment 1 of 1

Conveyance: MERGER EFFECTIVE 05282007

Reel/Frame: [3612/0909](#)

Pages: 25

Date Recorded: Aug. 31, 2007

Supporting Documents: [assignment-tm-3612-0909.pdf](#)

Assignor

Name: [CONAGRA BRANDS, INC.](#) **Execution Date:** May 21, 2007
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEBRASKA

Assignee

Name: [CONAGRA FOODS RDM, INC.](#) **State or Country Where Organized:** DELAWARE
Legal Entity Type: CORPORATION
Address: ONE CONAGRA DRIVE
OMAHA, NEBRASKA 68102

Correspondent

Correspondent Name: TRACY L. DEUTMEYER
Correspondent Address: 1601 DODGE STREET
SUITE 3700 FIRST NATIONAL TOWER
OMAHA, NE 68102

Domestic Representative - Not Found

EXHIBIT 14
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

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Mark: SMART POP

US Serial Number: 74255416
US Registration Number: 1874796
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 16, 2005
Publication Date: Aug. 04, 1992
Application Filing Date: Mar. 13, 1992
Registration Date: Jan. 17, 1995
Notice of Allowance Date: Jun. 29, 1993

Mark Information

Mark Literal Elements: SMART POP
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "POP"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: unpoped popcorn
International Class: 031 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 27, 1992
U.S Class: 001, 046
Use in Commerce: Jul. 27, 1992

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: SMARTFOODS, INC.
Owner Address: 7701 Legacy Drive
Plano, TEXAS 75024
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: THOMAS P. SCHUR
Attorney Primary Email: trademarks@fritolay.com
Docket Number: 19589
Attorney Email: Yes

Address: _____

Authorized:

Correspondent

Correspondent Name/Address: Joseph J. Ferretti
FRITO-LAY NORTH AMERICA, INC.
7701 LEGACY DRIVE
MAIL STOP 3A-421
PLANO, TEXAS 75024
UNITED STATES

Phone: 972-334-2587

Correspondent e-mail: trademarks@pepsico.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 03, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 16, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 16, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 25, 2005	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	
Nov. 05, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 05, 2004	TEAS SECTION 8 & 9 RECEIVED	
Apr. 20, 2001	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jan. 17, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 17, 1995	REGISTERED-PRINCIPAL REGISTER	
Oct. 11, 1994	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 09, 1994	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 30, 1994	STATEMENT OF USE PROCESSING COMPLETE	
Aug. 09, 1993	USE AMENDMENT FILED	
Jun. 22, 1994	REINSTATED	
Dec. 30, 1993	ABANDONMENT - NO USE STATEMENT FILED	
Jun. 29, 1993	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 12, 1993	OPPOSITION TERMINATED NO. 999999	89896
Apr. 05, 1993	OPPOSITION DISMISSED NO. 999999	89896
Jan. 15, 1993	OPPOSITION INSTITUTED NO. 999999	89896
Aug. 04, 1992	PUBLISHED FOR OPPOSITION	
Jul. 02, 1992	NOTICE OF PUBLICATION	
May 21, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 18, 1992	EXAMINER'S AMENDMENT MAILED	
May 15, 1992	ASSIGNED TO EXAMINER	62178

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 17, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Feb. 16, 2005

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Hunt-Wesson, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1540/0428](#)

Pages: 3

Date Recorded: Dec. 16, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [HUNT-WESSON, INC.](#)

Execution Date: Jan. 17, 1995

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [SMARTFOODS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 259 CEDAR HILLS STREET
MARLBOROUGH, MASSACHUSETTS 01752

Correspondent

Correspondent Name: PEPSICO, INC.

Correspondent Address: ANNEMARIE PROVINO
700 ANDERSON HILL ROAD
PURCHASE, NY 10577

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [2041/0410](#)

Pages: 8

Date Recorded: Sep. 08, 1999

Supporting Documents: [assignment-tm-2041-0410.pdf](#)

Assignor

Name: [HUNT-WESSON, INC.](#)

Execution Date: Jul. 19, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [CONAGRA GROCERY PRODUCTS COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1645 WEST VALENCIA DRIVE
FULLERTON, CALIFORNIA 92833

Correspondent

Correspondent Name: CONAGRA GROCERY PRODUCTS COMPANY

Correspondent Address: GISELA MATHISON
1645 W. VALENCIA DRIVE
FULLERTON, CA 92833

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91089896](#)

Filing Date: Nov 05, 1992

Status: Terminated

Status Date: Apr 12, 1993

Interlocutory Attorney:

Defendant

Name: HUNT-WESSON, INC.

Correspondent Address: DIANE M. CHAVEZ
HUNT-WESSON, INC.
1645 W. VALENCIA DRIVE
FULLERTON CA , 92634

Associated marks

Mark

Application Status

Serial Number

Registration Number

SMART POP

Renewed

[74255416](#)

[1874796](#)

Plaintiff(s)

Name: SMARTFOODS, INC.

Correspondent Address: DAVID C. HILLIARD
PATTISHALL, MCAULIFFE, NEWBURY, HILLIARD
& GERALDSON 311 SOUTH WACKER DRIVE, SUITE 5000
CHICAGO IL , 60606

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTFOOD	Renewed	73534195	1367966

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 05, 1992	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Jan 15, 1993	Feb 24, 1993
3	PENDING, INSTITUTED	Jan 15, 1993	
4	PLS MOT TO WITHDRAW OPPOSITION W/CONSENT	Mar 05, 1993	
5	BD'S DECISION: DISMISSED W/O PREJUDICE	Apr 05, 1993	
6	TERMINATED	Apr 12, 1993	

EXHIBIT 15
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

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Mark: SMART SAUSAGES

SMART SAUSAGES

US Serial Number: 77303906

Application Filing Date: Oct. 15, 2007

US Registration Number: 3522138

Registration Date: Oct. 21, 2008

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Oct. 21, 2008

Publication Date: Feb. 12, 2008

Notice of Allowance Date: May 06, 2008

Mark Information

Mark Literal Elements: SMART SAUSAGES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "SAUSAGE"

Related Properties Information

Claimed Ownership of US [2318293](#), [2749717](#), [2773155](#) and others
Registrations:

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Soy based food products used as sausage substitutes

International Class: 029 - Primary Class

U.S Class: 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 02, 2008

Use in Commerce: Jan. 02, 2008

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: ConAgra Foods RDM, Inc.

Owner Address: One ConAgra Drive
Omaha, NEBRASKA 68102
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Christopher M. Bikus

Attorney Primary Email
Address: pto-om@huschblackwell.com

Attorney Email No
Authorized:

Correspondent

Correspondent Christopher M. Bikus

Name/Address: Husch Blackwell Sanders LLP
1620 Dodge Street
Suite 2100
Omaha, NEBRASKA 68102
UNITED STATES

Phone: 402-964-5144

Fax: 402-964-5050

Correspondent e-mail: pto-om@huschblackwell.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 15, 2009	AMENDMENT UNDER SECTION 7 - ISSUED	73376
Jan. 26, 2009	ASSIGNED TO PARALEGAL	73376
Jan. 14, 2009	TEAS SECTION 7 REQUEST RECEIVED	
Oct. 21, 2008	REGISTERED-PRINCIPAL REGISTER	
Oct. 02, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 02, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 12, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	76539
Sep. 11, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 09, 2008	ASSIGNED TO EXAMINER	76464
Sep. 04, 2008	STATEMENT OF USE PROCESSING COMPLETE	71034
Aug. 29, 2008	USE AMENDMENT FILED	71034
Sep. 04, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Aug. 29, 2008	TEAS STATEMENT OF USE RECEIVED	
May 06, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 12, 2008	PUBLISHED FOR OPPOSITION	
Jan. 23, 2008	NOTICE OF PUBLICATION	
Jan. 08, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
Jan. 08, 2008	ASSIGNED TO LIE	76539
Nov. 20, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 20, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 20, 2007	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 20, 2007	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 20, 2007	EXAMINERS AMENDMENT -WRITTEN	83191
Nov. 19, 2007	ASSIGNED TO EXAMINER	83191
Oct. 18, 2007	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Change in Registration: Yes

Amendment to a Registration/Renewal Certificate: The drawing is amended to appear as follows: SMART SAUSAGES

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 26, 2009

EXHIBIT 16
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

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Mark: SMART START

US Serial Number: 73744896
Application Filing Date: Aug. 08, 1988
US Registration Number: 1555954
Registration Date: Sep. 12, 1989
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 20, 2009
Publication Date: Mar. 07, 1989

Mark Information

Mark Literal Elements: SMART START
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *...* identify additional (new) wording in the goods/services.

For: CEREAL-DERIVED FOOD PRODUCT TO BE USED AS BREAKFAST FOOD, [CEREAL BAR,] SNACK FOOD OR INGREDIENT FOR MAKING FOOD

International Class: 030 - Primary Class

U.S Class: 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 27, 1979

Use in Commerce: Jul. 28, 1988

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: KELLOGG COMPANY
Owner Address: ONE KELLOGG SQUARE
P.O. BOX 3599
BATTLE CREEK, MICHIGAN 490163599
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: GEOFFREY D. AURINI
KELLOGG COMPANY
One Kellogg Square P. O. Box 3599
Battle Creek, MICHIGAN 49016-3599
UNITED STATES

Phone: 269-961-9333

Fax: 269-961-3276

Correspondent e-mail: trademarks@kellogg.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 21, 2010	COUNTERCLAIM OPP. NO. 999999	192918
Nov. 20, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59807
Nov. 20, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 18, 2009	TEAS SECTION 8 & 9 RECEIVED	
Sep. 10, 2008	CASE FILE IN TICRS	
Oct. 03, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 03, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 04, 2003	REGISTERED - SEC. 15 ACKNOWLEDGED	
Mar. 05, 2003	REGISTERED - SEC. 15 AFFIDAVIT FILED	
Mar. 05, 2003	TEAS SECTION 15 RECEIVED	
May 09, 1996	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Sep. 08, 1995	REGISTERED - SEC. 8 (6-YR) FILED	
Sep. 12, 1989	REGISTERED-PRINCIPAL REGISTER	
Mar. 07, 1989	PUBLISHED FOR OPPOSITION	
Feb. 04, 1989	NOTICE OF PUBLICATION	
Oct. 12, 1988	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 12, 1988	ASSIGNED TO EXAMINER	62343

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 12, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Nov. 20, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: KELLOGG COMPANY

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2769/0833](#)

Pages: 6

Date Recorded: Dec. 29, 2003

Supporting Documents: [assignment-tm-2769-0833.pdf](#)

Assignor

Name: [KELLOGG COMPANY](#)

Execution Date: Dec. 28, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KELLOGG USA INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: MICHIGAN
Address: ONE KELLOGG SQUARE
BATTLE CREEK, MICHIGAN 49016

Correspondent

Correspondent Name: HARNESS, DICKEY & PIERCE, P.L.C.
Correspondent Address: 5445 CORPORATE DRIVE
TROY, MI 48098

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2769/0855](#) Pages: 6
Date Recorded: Dec. 29, 2003
Supporting Documents: [assignment-tm-2769-0855.pdf](#)

Assignor

Name: [KELLOGG USA INC.](#) Execution Date: Dec. 28, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: MICHIGAN

Assignee

Name: [KEEBLER HOLDING CORP.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: GEORGIA
Address: 677 LARCH AVENUE
ELMHURST, ILLINOIS 60126

Correspondent

Correspondent Name: HARNESS, DICKEY & PIERCE, P.L.C.
Correspondent Address: 5445 CORPORATE DRIVE
SUITE 400
TROY, MI 48098

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2770/0547](#) Pages: 6
Date Recorded: Dec. 30, 2003
Supporting Documents: [assignment-tm-2770-0547.pdf](#)

Assignor

Name: [KEEBLER FOODS COMPANY](#) Execution Date: Dec. 28, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [KEEBLER COMPANY](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 677 LARCH AVENUE
ELMHURST, ILLINOIS 60126

Correspondent

Correspondent Name: HARNESS, DICKEY & PIERCE, P.L.C.
Correspondent Address: 5445 CORPORATE DRIVE
SUITE 400
TROY, MI 48098

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2770/0553](#) Pages: 6
Date Recorded: Dec. 30, 2003
Supporting Documents: [assignment-tm-2770-0553.pdf](#)

Assignor

Name: [KEEBLER HOLDING CORP.](#) Execution Date: Dec. 28, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: GEORGIA

Organized:

Assignee

Name: [KEEBLER FOODS COMPANY](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 677 LARCH AVENUE
ELMHURST, ILLINOIS 60126

Correspondent

Correspondent Name: HARNESS, DICKEY & PIERCE, P.L.C.
Correspondent Address: 5445 CORPORATE DRIVE
SUITE 400
TROY, MI 48098

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2770/0791](#) **Pages:** 6
Date Recorded: Dec. 30, 2003
Supporting Documents: [assignment-tm-2770-0791.pdf](#)

Assignor

Name: [KEEBLER COMPANY](#) **Execution Date:** Dec. 28, 2003
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [KELLOGG NORTH AMERICA COMPANY](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: ONE KELLOGG SQUARE
BATTLE CREEK, MICHIGAN 49016

Correspondent

Correspondent Name: HARNESS, DICKEY & PIERCE, P.L.C.
Correspondent Address: 5445 CORPORATE DRIVE
SUITE 400
TROY, MI 48098

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 25

Type of Proceeding: Opposition

Proceeding Number: [91202269](#) **Filing Date:** Oct 26, 2011
Status: Terminated **Status Date:** Feb 07, 2012
Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: NutriSmart Cereals, LLC
Correspondent Address: JOHN B DUNFORD
NUTRISMART CEREALS LLC
4302 BLUEBIRD DRIVE
MIDLAND MI , 48640
UNITED STATES
Correspondent e-mail: to johndunford@yahoo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
NUTRISMART	Abandoned - After Inter-Partes Decision	85235039	

Plaintiff(s)

Name: Kellogg North America Company
Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQUARE, PO BOX 3599
BATTLE CREEK MI , 49016-3599
UNITED STATES
Correspondent e-mail: trademarks@kellogg.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
NUTRI-GRAIN	Renewed	73298946	1255456
NUTRI-GRAIN	Renewed	73530886	1367960
NUTRI-GRAIN	Registered	77021308	3389446
NUTRI-GRAIN	Registered	77462062	3534053
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 26, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2011	Dec 05, 2011
3	PENDING, INSTITUTED	Oct 26, 2011	
4	NOTICE OF DEFAULT	Dec 21, 2011	
5	BOARD'S DECISION: SUSTAINED	Feb 07, 2012	
6	TERMINATED	Feb 07, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91199237](#)

Filing Date: Apr 01, 2011

Status: Terminated

Status Date: Aug 12, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Meijer, Inc.

Correspondent Address: ROBERT J VERHEULEN
MEIJER INC
2929 WALKER AVE NW
GRAND RAPIDS MI , 49544-9428
UNITED STATES

Correspondent e-mail: Robert.VerHeulen@meijer.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
OAT START	Abandoned - After Inter-Partes Decision	85070577	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQ, PO BOX 3599
BATTLE CREEK MI , 49016-3599
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 01, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 01, 2011	May 11, 2011
3	PENDING, INSTITUTED	Apr 01, 2011	
4	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Apr 04, 2011	
5	SUSPENDED	Apr 04, 2011	
6	WITHDRAWAL OF APPLICATION WITH CONSENT	Aug 08, 2011	
7	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 12, 2011	

Type of Proceeding: OppositionProceeding Number: [91198489](#)

Filing Date: Feb 07, 2011

Status: Terminated

Status Date: Jun 20, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: GFA Brands, Inc.

Correspondent Address: MARTA S LEVINE
QUARLES AND BRADY LLP
411 EAST WISCONSIN AVENUE
MILWAUKEE WI , 53202
UNITED STATESCorrespondent e-mail: tm-dept@quarles.com , marta.levine@quarles.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SMART BALANCE	Opposition Pending	77864268	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: LISABETH H COAKLEY
HARNES DICKY AND PIERCE PLC
5445 CORPORATE DRIVE, SUITE 200
TROY MI , 48098
UNITED STATESCorrespondent e-mail: coakley@hdp.com , tjcomparoni@hdp.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 07, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 07, 2011	Mar 19, 2011
3	PENDING, INSTITUTED	Feb 07, 2011	
4	D'S CHANGE OF CORRESPONDENCE ADDRESS	Feb 08, 2011	
5	ANSWER	Feb 18, 2011	
6	APPEARANCE	Mar 08, 2011	
7	CHANGE OF CORRESPONDENCE ADDRESS	Mar 08, 2011	
8	BOARD'S ORDER TRIAL DATES REMAIN AS PREVIOUSLY SET	Mar 10, 2011	
9	P'S MOTION TO CONSOLIDATE	Apr 11, 2011	
10	CONSOLIDATED - CHILD OF 91196963	Jun 16, 2011	
11	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 01, 2011	
12	BD'S DECISION: DISMISSED W/ PREJUDICE	Jun 20, 2012	
13	TERMINATED	Jun 20, 2012	

Type of Proceeding: OppositionProceeding Number: [91197800](#)

Filing Date: Dec 13, 2010

Status: Terminated

Status Date: Aug 07, 2011

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Susie's Smart Cookie LLC

Correspondent Address: STEPHEN L BAKER
BAKER AND RANNELLS PA
575 ROUTE 28 , SUITE 102
RARITAN NJ , 08869-1354
UNITED STATESCorrespondent e-mail: officeactions@br-tmlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SUSIE'S SMART	Registered	77920729	4234368
Plaintiff(s)			

Name: Kellogg North America Company

Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQUARE, PO BOX 3599
BATTLE CREEK MI , 49016-3599
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 13, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 13, 2010	Jan 22, 2011
3	PENDING, INSTITUTED	Dec 13, 2010	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jan 21, 2011	
5	SUSPENDED	Feb 01, 2011	
6	STIPULATION FOR AN EXTENSION OF TIME	May 16, 2011	
7	EXTENSION OF TIME GRANTED	May 16, 2011	
8	APPLICANT'S AMENDMENT WITHDRAWAL OF OP	Jul 12, 2011	
9	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 07, 2011	
10	TERMINATED	Aug 07, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91197294](#)

Filing Date: Nov 08, 2010

Status: Terminated

Status Date: Aug 29, 2011

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Sears Brands, LLC

Correspondent Address: MARK R GALIS
GREENBERG TRAURIG LLP
77 WEST WACKER DRIVE SUITE 3100
CHICAGO IL , 60601 1732
UNITED STATES

Correspondent e-mail: chiipmail@gtlaw.com , galism@gtlaw.com , osheak@gtlaw.com , dunningj@gtlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMART SENSE	Second Extension - Granted	77735593	
Plaintiff(s)			

Name: Kellogg North America Company

Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQUARE, PO BOX 3599
BATTLE CREEK MI , 49016-3599
UNITED STATES

Correspondent e-mail: david.herdman@kellogg.com , patricia.conor@kellogg.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 08, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 08, 2010	Dec 18, 2010
3	PENDING, INSTITUTED	Nov 08, 2010	
4	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 09, 2010	
5	SUSPENDED	Dec 09, 2010	
6	STIPULATION FOR AN EXTENSION OF TIME	Feb 14, 2011	
7	EXTENSION OF TIME GRANTED	Feb 14, 2011	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 17, 2011	
9	EXTENSION OF TIME GRANTED	Mar 17, 2011	
10	STIPULATION FOR AN EXTENSION OF TIME	Jun 15, 2011	
11	EXTENSION OF TIME GRANTED	Jun 15, 2011	
12	D'S MOTION TO AMEND APPLICATION	Aug 03, 2011	
13	STIPULATION TO AMEND APPLICATION	Aug 09, 2011	
14	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 29, 2011	
15	TERMINATED	Aug 29, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91197204](#)

Filing Date: Nov 01, 2010

Status: Terminated

Status Date: Mar 14, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Heartland Health Solutions, LLC

Correspondent Address: CHARLES R SCHAUB
EMCH SCHAFFER SCHAUB & PORCELLO CO LPA
ONE SEAGATE SUITE 1980, PO BOX 916
TOLEDO OH , 43697-0916
UNITED STATES

Correspondent e-mail: essp@essp-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTER	Registered	77713407	4127263

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: GEOFFREY D AURINI
HARNES DICKY & PIERCE PLC
5445 CORPORATE DRIVE SUITE 200
TROY MI , 48098
UNITED STATES

Correspondent e-mail: coakley@hdp.com , tjcomparoni@hdp.com , gdaurini@hdp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 01, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 01, 2010	Dec 11, 2010
3	PENDING, INSTITUTED	Nov 01, 2010	
4	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Dec 08, 2010	
5	SUSPENDED	Jan 05, 2011	
6	ANSWER APPEARANCE	Apr 07, 2011	

7	APPEARANCE	Apr 27, 2011
8	CHANGE OF CORRESPONDENCE ADDRESS	Apr 27, 2011
9	TRIAL DATES REMAIN AS SET	May 03, 2011
10	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 10, 2011
11	SUSPENDED	May 13, 2011
12	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jul 08, 2011
13	SUSPENDED	Jul 20, 2011
14	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 10, 2011
15	SUSPENDED	Aug 31, 2011
16	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 09, 2011
17	SUSPENDED	Sep 21, 2011
18	AMDT TO APPL AND WITHDRAW OF OP	Jan 13, 2012
19	BD'S DECISION: DISMISSED W/O PREJUDICE	Mar 14, 2012
20	TERMINATED	Mar 14, 2012

Type of Proceeding: Opposition

Proceeding Number: [91196963](#) **Filing Date:** Oct 18, 2010
Status: Terminated **Status Date:** Jun 20, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: GFA Brands, Inc.

Correspondent Address: MARTA S LEVINE
 QUARLES & BRADY LLP
 411 EAST WISCONSIN AVENUE
 MILWAUKEE WI , 53202
 UNITED STATES

Correspondent e-mail: marta.levine@quarles.com , david.cross@quarles.com , johanna.wilbert@quarles.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART BALANCE	First Extension - Granted	77864279	
SMART BALANCE	Opposition Pending	77864206	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: LISABETH H COAKLEY
 HARNESS DICKEY & PIERCE PLC
 5445 CORPORATE DRIVE, SUITE 200
 TROY MI , 48098
 UNITED STATES

Correspondent e-mail: coakley@hdp.com , tjcomparoni@hdp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 18, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 18, 2010	Nov 27, 2010
3	PENDING, INSTITUTED	Oct 18, 2010	
4	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Nov 08, 2010	
5	SUSPENDED	Nov 09, 2010	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jan 12, 2011	
7	ANSWER	Jan 28, 2011	
8	APPEARANCE	Mar 08, 2011	
9	CHANGE OF CORRESPONDENCE ADDRESS	Mar 08, 2011	

10	P'S MOTION TO CONSOLIDATE	Apr 11, 2011
11	CONSOLIDATED - PARENT OF 91198489	Jun 16, 2011
12	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 01, 2011
13	SUSPENDED	Sep 14, 2011
14	STIPULATION FOR AN EXTENSION OF TIME	Oct 18, 2011
15	EXTENSION OF TIME GRANTED	Oct 21, 2011
16	STIPULATION FOR AN EXTENSION OF TIME	Dec 13, 2011
17	EXTENSION OF TIME GRANTED	Jan 10, 2012
18	STIPULATION FOR AN EXTENSION OF TIME	Feb 03, 2012
19	EXTENSION OF TIME GRANTED	Feb 09, 2012
20	D'S REQ CANC REGISTRATION	Mar 26, 2012
21	STIPULATION FOR AN EXTENSION OF TIME	Apr 12, 2012
22	EXTENSION OF TIME GRANTED	Apr 18, 2012
23	STIPULATION FOR AN EXTENSION OF TIME	May 10, 2012
24	EXTENSION OF TIME GRANTED	May 11, 2012
25	MOTION TO AMEND APPLICATION	May 17, 2012
26	BD'S DECISION: DISMISSED W/ PREJUDICE	Jun 20, 2012
27	TERMINATED	Jun 20, 2012

Type of Proceeding: Opposition

Proceeding Number: [91196177](#)

Filing Date: Aug 20, 2010

Status: Terminated

Status Date: Jun 15, 2012

Interlocutory Attorney: MICHAEL B ADLIN

Defendant

Name: Heartland Health Solutions, LLC

Correspondent Address: CHARLES R SCHAUB
EMCH SCHAFFER SCHAUB PORCELLO CO LPA
ONE SEAGATE SUITE 1980
TOLEDO OH , 43604
UNITED STATES

Correspondent e-mail: essp@essp-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTER FOODS	Registered	77713438	4177448

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: LISABETH H COAKLEY
HARNES DICKY PIERCE PLC
5445 CORPORATE DRIVE SUITE 200
TROY MI , 48098
UNITED STATES

Correspondent e-mail: coakley@hdp.com , tjcomparoni@hdp.com , gdaurini@hdp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 20, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 20, 2010	Sep 29, 2010
3	PENDING, INSTITUTED	Aug 20, 2010	
4	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 31, 2010	
5	SUSPENDED	Sep 03, 2010	

6	SUSPENDED	Sep 03, 2010	
7	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Dec 08, 2010	
8	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Dec 15, 2010	
9	ANSWER	Apr 07, 2011	
10	APPEARANCE	Apr 27, 2011	
11	CHANGE OF CORRESPONDENCE ADDRESS	Apr 27, 2011	
12	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 10, 2011	
13	SUSPENDED	May 13, 2011	
14	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jul 08, 2011	
15	SUSPENDED	Jul 19, 2011	
16	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 10, 2011	
17	SUSPENDED	Aug 25, 2011	
18	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 09, 2011	
19	SUSPENDED	Sep 28, 2011	
20	STIP TO AMEND AND WITHDRAWAL	Jan 13, 2012	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Jan 26, 2012	Feb 25, 2012
22	DEF'S MOT TO AMEND APPLICATION AND WITHDRAWAL OF OPPOSITION	Mar 05, 2012	
23	BD'S DECISION: DISMISSED W/O PREJUDICE	Jun 15, 2012	
24	TERMINATED	Jun 15, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91195881](#) **Filing Date:** Aug 02, 2010
Status: Terminated **Status Date:** Nov 23, 2011
Interlocutory Attorney: ANN LINNEHAN

Defendant

Name: Centene Corporation
Correspondent Address: ANDREW B MAYFIELD
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST LOUIS MO , 63105
UNITED STATES
Correspondent e-mail: mgamill@armstrongteasdale.com , iptm@armstrongteasdale.com , amayfield@armstrongteasdale.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
START SMART FOR YOUR HEALTH	Registered	77853815	4143059

Plaintiff(s)

Name: Kellogg North America Company
Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQUARE, PO BOX 3599
BATTLE CREEK MI , 49016 3599
UNITED STATES
Correspondent e-mail: trademarks@kellogg.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 02, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 02, 2010	Sep 11, 2010
3	PENDING, INSTITUTED	Aug 02, 2010	
4	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS SUSPENDED	Aug 09, 2010	

5	SUSPENDED	Aug 16, 2010
6	TRIAL DATES RESET	Nov 05, 2010
7	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Nov 07, 2010
8	SUSPENDED	Nov 07, 2010
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jan 10, 2011
10	SUSPENDED	Jan 11, 2011
11	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2011
12	SUSPENDED	May 11, 2011
13	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jun 30, 2011
14	SUSPENDED	Jul 01, 2011
15	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Sep 08, 2011
16	EXTENSION OF TIME GRANTED	Sep 08, 2011
17	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Nov 07, 2011
18	EXTENSION OF TIME GRANTED	Nov 07, 2011
19	STIPULATED MOTION TO AMEND APPLICATION AND WITHDRAWAL OPPOSITION WITHOUT PREJUDICE	Nov 18, 2011
20	BD'S DECISION: DISMISSED W/O PREJUDICE	Nov 23, 2011
21	TERMINATED	Nov 23, 2011

Type of Proceeding: Opposition

Proceeding Number: [91194850](#)

Filing Date: May 12, 2010

Status: Terminated

Status Date: Aug 23, 2010

Interlocutory Attorney: ANN LINNEHAN

Defendant

Name: PARTNERS a tasteful choice company

Correspondent Address: PARTNERS A TASTEFUL CHOICE COMPANY
20232 72ND AVENUE SOUTH
KENT WA , 98032-2322
UNITED STATES

Correspondent e-mail: CARAF@partnerscrackers.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE SMART OF SNACKING	Abandoned - After Inter-Partes Decision	77802176	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: DAVID A. HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQUARE, P.O. BOX 3599
BATTLE CREEK MI , 49016-3599
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 12, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 12, 2010	Jun 21, 2010
3	PENDING, INSTITUTED	May 12, 2010	
4	NOTICE OF DEFAULT	Jul 06, 2010	
5	BOARD'S DECISION: SUSTAINED	Aug 23, 2010	
6	TERMINATED	Aug 23, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91194553](#)

Filing Date: Apr 19, 2010

Status: Terminated

Status Date: Mar 02, 2011

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Radlo Foods LLC

Correspondent Address: JENNIFER L. WILLISTON
BUCHANAN INGERSOLL & ROONEY, PC
1737 KING STREET
ALEXANDRIA VA , 22314-2727
UNITED STATES

Correspondent e-mail: lloyd.smith@bipc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART GOODNESS	Abandoned - After Inter-Partes Decision	77620901	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQUARE, PO BOX 3599
BATTLE CREEK MI , 49016-3599
UNITED STATES

Correspondent e-mail: patricia.conor@kellog.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 19, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2010	May 30, 2010
3	PENDING, INSTITUTED	Apr 20, 2010	
4	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Apr 29, 2010	
5	CHANGE OF CORRESPONDENCE ADDRESS	Apr 29, 2010	
6	SUSPENDED	May 03, 2010	
7	STIPULATION FOR AN EXTENSION OF TIME	Sep 03, 2010	
8	EXTENSION OF TIME GRANTED	Sep 03, 2010	
9	NOTICE OF DEFAULT	Jan 12, 2011	
10	BOARD'S DECISION: SUSTAINED	Mar 02, 2011	
11	TERMINATED	Mar 02, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91194612](#)

Filing Date: Apr 19, 2010

Status: Terminated

Status Date: May 03, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Radlo Foods LLC

Correspondent Address: JENNIFER L. WILLISTON
BUCHANAN INGERSOLL & ROONEY, PC
1737 KING ST
ALEXANDRIA VA , 22314-2727
UNITED STATES

Correspondent e-mail: jennifer.williston@bipc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART GOODNESS	Abandoned - After Inter-Partes Decision	77620901	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQUARE, PO BOX 3599
BATTLE CREEK MI , 49016-3599
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 19, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 24, 2010	Jun 03, 2010
3	PENDING, INSTITUTED	Apr 24, 2010	
4	CHANGE OF CORRESPONDENCE ADDRESS	Apr 29, 2010	
5	BOARD'S DECISION: DISMISSED	May 03, 2010	
6	TERMINATED	May 03, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91193520](#)

Filing Date: Jan 25, 2010

Status: Terminated

Status Date: Apr 20, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: BLACKBIRD FOODS, INC.

Correspondent Address: VICTORIA CARVER
CARVER LAW
PO BOX 1497
SANTA BARBARA CA , 93102-1497
UNITED STATES

Correspondent e-mail: VC@ETMLAW.COM

Associated marks			
Mark	Application Status	Serial Number	Registration Number
FITSTART	Abandoned - After Inter-Partes Decision	77572168	

Plaintiff(s)

Name: KELLOGG NORTH AMERICA COMPANY

Correspondent Address: Lisabeth H. Coakley
Harness, Dickey & Pierce, P.L.C.
5445 Corporate Drive, Suite 200
Troy MI , 48098
UNITED STATES

Correspondent e-mail: coakley@hdp.com , tjcomparoni@hdp.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 25, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 25, 2010	Mar 06, 2010
3	PENDING, INSTITUTED	Jan 25, 2010	
4	ANSWER	Mar 08, 2010	
5	ANSWER	Mar 08, 2010	
6	APPEARANCE	Mar 24, 2010	

7	CHANGE OF CORRESPONDENCE ADDRESS	Mar 24, 2010
8	WITHDRAWAL OF APPLICATION	Apr 11, 2010
9	WITHDRAWAL OF APPLICATION	Apr 13, 2010
10	BOARD'S DECISION: SUSTAINED	Apr 20, 2010
11	TERMINATED	Apr 20, 2010

Type of Proceeding: Opposition

Proceeding Number: [91193136](#)

Filing Date: Dec 23, 2009

Status: Terminated

Status Date: Jun 14, 2010

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Luis de la Garza

Correspondent Address: LUIS DE LA GARZA
1289 POPLAR SPRING RD
CHULA VISTA CA , 91915
UNITED STATES

Correspondent e-mail: ldelagarza@sbcglobal.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART OATS	Abandoned - After Inter-Partes Decision	7772328	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: LISABETH H. COAKLEY
HARNES, DICKEY & PIERCE, P.L.C.
5445 CORPORATE DRIVE, SUITE 200
TROY MI , 48098
UNITED STATES

Correspondent e-mail: coakley@hdp.com , tjcomparoni@hdp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 23, 2009	Feb 01, 2010
3	PENDING, INSTITUTED	Dec 23, 2009	
4	ANSWER	Feb 01, 2010	
5	COPY OF ANSWER FORWARDED TO PL	Feb 04, 2010	
6	APPEARANCE	Feb 22, 2010	
7	CHANGE OF CORRESPONDENCE ADDRESS	Feb 22, 2010	
8	P'S MOTION FOR SANCTIONS	Apr 01, 2010	
9	SUSPENDED	Apr 07, 2010	
10	BOARD'S DECISION: SUSTAINED	Jun 14, 2010	
11	TERMINATED	Jun 14, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91192918](#)

Filing Date: Dec 07, 2009

Status: Terminated

Status Date: Jun 10, 2010

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Save-A-Lot Food Stores, Ltd.

Correspondent Address: JENNIFER A. VISINTINE
THOMPSON COBURN LLP
505 N 7TH ST # 1
SAINT LOUIS MO , 63101-1612
UNITED STATES

Correspondent e-mail: ipdocket@thompsoncoburn.com

Mark	Application Status	Serial Number	Registration Number
SMART SELECTIONS	Fifth Extension - Granted	77621230	

Plaintiff(s)

Name: KELLOGG NORTH AMERICA COMPANY

Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
ONE KELLOGG SQUARE , PO BOX 3599
Battle Creek MI , 49016
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 07, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 07, 2009	Jan 16, 2010
3	PENDING, INSTITUTED	Dec 07, 2009	
4	ANSWER AND COUNTERCLAIM (FEE)	Jan 19, 2010	
5	BOARD'S ORDER	Jan 20, 2010	
6	STIPULATION FOR AN EXTENSION OF TIME	Feb 18, 2010	
7	EXTENSION OF TIME GRANTED	Feb 23, 2010	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 22, 2010	
9	EXTENSION OF TIME GRANTED	Mar 24, 2010	
10	STIPULATION FOR AN EXTENSION OF TIME	Apr 21, 2010	
11	EXTENSION OF TIME GRANTED	Apr 23, 2010	
12	P'S MOTION FOR AN EXTENSION OF TIME	Apr 28, 2010	
13	SUSPENDED	May 11, 2010	
14	AMENDMENT TO APPLICATION	May 24, 2010	
15	RESPONSE DUE 30 DAYS (DUE DATE)	May 27, 2010	Jun 26, 2010
16	PAPER RECEIVED AT TTAB	Jun 07, 2010	
17	BD'S DECISION: DISMISSED W/ PREJUDICE	Jun 10, 2010	
18	TERMINATED	Jun 10, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91192335](#)

Filing Date: Oct 19, 2009

Status: Terminated

Status Date: Nov 03, 2009

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Grupo Bimbo, S.A. B. de C.V.

Correspondent Address: RUSSELL N. RIPPAMONTI
FISH & RICHARDSON P.C.
PO BOX 1022
MINNEAPOLIS MN , 55440-1022
UNITED STATES

Mark	Application Status	Serial Number	Registration Number
SMART BITES	Abandoned - After Inter-Partes Decision	77655136	

Plaintiff(s)

Name: KELLOGG NORTH AMERICA COMPANY

Correspondent Address: DAVID A HERDMAN

KELLOGG NORTH AMERICA COMPANY
One Kellogg Square, PO Box 3599
Battle Creek MI , 49016
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452
MINI-WHEATS LITTLE BITES	Registered	77459323	3596366
RIGHT BITES	Partial Section 8 and 15 Accepted and Acknowledged	78571728	3185643
TONY'S TIGER BITES	Renewed	74183007	1697609

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 19, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 19, 2009	Nov 28, 2009
3	PENDING, INSTITUTED	Oct 19, 2009	
4	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Oct 21, 2009	
5	SUSPENDED	Oct 29, 2009	
6	WITHDRAWAL OF APPLICATION	Nov 02, 2009	
7	BOARD'S DECISION: SUSTAINED	Nov 03, 2009	
8	TERMINATED	Nov 03, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91192252](#)

Filing Date: Oct 13, 2009

Status: Terminated

Status Date: Nov 04, 2009

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Grupo Bimbo, S.A. B. de C.V.

Correspondent Address: RUSSELL N. RIPPAMONTI
FISH & RICHARDSON P.C.
P.O. BOX 1022
MINNEAPOLIS MN , 55440-1022
UNITED STATES

Mark	Application Status	Serial Number	Registration Number
SMART BITES	Abandoned - After Inter-Partes Decision	77650260	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
One Kellogg Square, PO Box 3599
Battle Creek MI , 49016
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452
MINI-WHEATS LITTLE BITES	Registered	77459323	3596366
RIGHT BITES	Partial Section 8 and 15 Accepted and Acknowledged	78571728	3185643
TONY'S TIGER BITES	Renewed	74183007	1697609

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 13, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 13, 2009	Nov 22, 2009
3	PENDING, INSTITUTED	Oct 13, 2009	
4	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Oct 21, 2009	
5	SUSPENDED	Oct 24, 2009	
6	WITHDRAWAL OF APPLICATION	Nov 02, 2009	
7	BOARD'S DECISION: SUSTAINED	Nov 04, 2009	
8	TERMINATED	Nov 04, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91188357](#)

Filing Date: Jan 12, 2009

Status: Terminated

Status Date: Mar 29, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Charoen Pokphand Foods Public Company Limited

Correspondent Address: THOMAS W. ADAMS
 RENNER OTTO BOISSELLE & SKLAR LLP
 1621 EUCLID AVE FL 19
 CLEVELAND OH , 44115-2193
 UNITED STATES

Correspondent e-mail: tadams@rennerotto.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART MEAL READY FOOD FOR YOUR HEALTH	Fifth Extension - Granted	77250905	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: DAVID A HERDMAN
 KELLOGG NORTH AMERICA COMPANY
 One Kellogg Square , PO Box 3599
 Battle Creek MI , 49016
 UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 12, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 12, 2009	Feb 21, 2009
3	PENDING, INSTITUTED	Jan 12, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Jan 15, 2009	
5	EXTENSION OF TIME GRANTED	Jan 15, 2009	
6	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 18, 2009	
7	SUSPENDED	May 20, 2009	
8	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 06, 2009	
9	SUSPENDED	Aug 10, 2009	
10	STIPULATION FOR AN EXTENSION OF TIME	Nov 11, 2009	
11	EXTENSION OF TIME GRANTED	Nov 11, 2009	
12	STIPULATION FOR AN EXTENSION OF TIME	Mar 01, 2010	
13	EXTENSION OF TIME GRANTED	Mar 01, 2010	
14	D'S MOTION TO AMEND	Mar 23, 2010	

15	#14 WITH SERVICE	Mar 23, 2010
16	CONTINGENT WITHDRAWAL OF OPP	Mar 23, 2010
17	BD'S DECISION: DISMISSED W/O PREJUDICE	Mar 29, 2010
18	TERMINATED	Mar 29, 2010

Type of Proceeding: Opposition

Proceeding Number: [91187826](#) **Filing Date:** Dec 01, 2008
Status: Terminated **Status Date:** Jul 17, 2009

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Jamnica d.d.

Correspondent Address: Alyn Taylor
DLA Piper US LLP
2000 University Avenue
East Palo Alto CA , 94303
UNITED STATES

Correspondent e-mail: Alyn.Taylor@dlapiper.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART [SNACK]	Abandoned - After Inter-Partes Decision	79046531	

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: David A. Herdman
Kellogg North America Company
One Kellogg Square , PO Box 3599
Battle Creek MI , 49016
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 01, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 03, 2008	Jan 12, 2009
3	PENDING, INSTITUTED	Dec 03, 2008	
4	STIPULATION FOR AN EXTENSION OF TIME	Jan 12, 2009	
5	EXTENSION OF TIME GRANTED	Jan 12, 2009	
6	NOTICE OF DEFAULT	May 22, 2009	
7	BOARD'S DECISION: SUSTAINED	Jul 17, 2009	
8	TERMINATED	Jul 17, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91186953](#) **Filing Date:** Oct 14, 2008
Status: Terminated **Status Date:** Jul 14, 2010

Interlocutory Attorney: ANGELA LYKOS

Defendant

Name: Aldi Inc.

Correspondent Address: ALLEN L. LANDMEIER
SMITH, LANDMEIER & ELDERS, P.C.
15 NORTH SECOND STREET, P.O. BOX 127
GENEVA IL , 60314
UNITED STATES

Correspondent e-mail: trademarks@smithlandmeier.com , a_landmeier@smithlandmeier.com , v_elders@smithlandmeier.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Plaintiff(s)**Name:** Kellogg North America Company**Correspondent Address:** LISABETH H. COAKLEY
HARNES, DICKEY & PIERCE P.L.C.
5445 CORPORATE DRIVE, SUITE 200
TROY MI , 48098
UNITED STATES**Correspondent e-mail:** lcoakley@HDP.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452
	Registered	78748818	3221846

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 14, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 14, 2008	Nov 23, 2008
3	PENDING, INSTITUTED	Oct 14, 2008	
4	ANSWER	Nov 14, 2008	
5	APPEARANCE	Nov 24, 2008	
6	CHANGE OF CORRESPONDENCE ADDRESS	Nov 24, 2008	
7	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jan 21, 2009	
8	SUSPENDED	Jan 22, 2009	
9	STIPULATION FOR AN EXTENSION OF TIME	Oct 19, 2009	
10	EXTENSION OF TIME GRANTED	Oct 19, 2009	
11	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2009	
12	STIPULATION NOTED AND APPROVED	Nov 24, 2009	
13	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 20, 2010	
14	SUSPENDED	Jan 20, 2010	
15	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Apr 16, 2010	
16	SUSPENDED	Apr 16, 2010	
17	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jun 16, 2010	
18	SUSPENDED	Jun 16, 2010	
19	D'S ABANDONMENT WITH CONSENT	Jul 06, 2010	
20	BD'S DECISION: DISMISSED W/O PREJUDICE	Jul 14, 2010	
21	TERMINATED	Jul 14, 2010	

Type of Proceeding: Opposition**Proceeding Number:** [91185345](#)**Filing Date:** Jul 21, 2008**Status:** Terminated**Status Date:** Jan 20, 2011**Interlocutory Attorney:** JENNIFER KRISP**Defendant****Name:** Roquette Freres**Correspondent Address:** BREWSTER TAYLOR
STITES & HARBISON, PLLC
1199 NORTH FAIRFAX STREET, SUITE 900
ALEXANDRIA VA , 22314-1437
UNITED STATES**Correspondent e-mail:** BTAYLOR@STITES.COM**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SMART CALORIES	Registered	79031208	3924806

Plaintiff(s)

Name: Kellogg North America Company

Correspondent Address: LISABETH H COAKLEY
HARNES DICKY & PIERCE, PLC
5445 CORPORATE DRIVE, SUITE 200
TROY MI , 48098
UNITED STATES

Correspondent e-mail: coakley@hdp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 21, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 23, 2008	Sep 01, 2008
3	PENDING, INSTITUTED	Jul 23, 2008	
4	ANSWER	Sep 02, 2008	
5	APPEARANCE	Sep 22, 2008	
6	CHANGE OF CORRESPONDENCE ADDRESS	Sep 22, 2008	
7	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 30, 2008	
8	MOTION GRANTED	Sep 30, 2008	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Dec 22, 2008	
10	SUSPENDED	Jan 06, 2009	
11	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Apr 06, 2009	
12	MOTION GRANTED	Apr 09, 2009	
13	MOTION GRANTED	Apr 09, 2009	
14	MOTION GRANTED	Apr 09, 2009	
15	STIPULATION FOR AN EXTENSION OF TIME	Oct 21, 2009	
16	EXTENSION OF TIME GRANTED	Oct 21, 2009	
17	STIPULATION FOR AN EXTENSION OF TIME	Dec 02, 2009	
18	EXTENSION OF TIME GRANTED	Dec 03, 2009	
19	STIPULATION FOR AN EXTENSION OF TIME	Jan 04, 2010	
20	SUSPENDED	Jan 15, 2010	
21	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Oct 11, 2010	
22	SUSPENDED	Oct 28, 2010	
23	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Nov 11, 2010	
24	SUSPENDED	Dec 08, 2010	
25	D'S RESPONSE TO BOARD ORDER/INQUIRY	Dec 13, 2010	
26	SUSPENDED	Jan 06, 2011	
27	AMENDMENT	Jan 12, 2011	
28	BD'S DECISION: DISMISSED W/O PREJUDICE	Jan 20, 2011	
29	TERMINATED	Jan 20, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91184385](#)

Filing Date: Jun 02, 2008

Status: Terminated

Status Date: Mar 30, 2009

Interlocutory Attorney: LINDA M SKORO

Defendant

Name: U.S. Medical Care Holdings, L.L.C.

Correspondent Address: Ronald N. Rosenwasser
Friedman, Rosenwasser & Goldbaum, P.A.
5355 Town Center Road, Suite 801
Boca Raton FL , 33486

UNITED STATES

Correspondent e-mail: rosenwasser@frglaw.com , wkraslow@frglaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART FOR YOU SMART FOR THE WORLD	Abandoned - After Publication	77212131	

Plaintiff(s)

Name: KELLOGG NORTH AMERICA COMPANY

Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
One Kellogg Square , PO Box 3599
Battle Creek MI , 49016
UNITED STATES

Correspondent e-mail: trademarks@kellogg.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 02, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 02, 2008	Jul 12, 2008
3	PENDING, INSTITUTED	Jun 02, 2008	
4	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jun 06, 2008	
5	SUSPENDED	Jun 06, 2008	
6	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 17, 2008	
7	SUSPENDED	Sep 17, 2008	
8	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 07, 2009	
9	SUSPENDED	Jan 07, 2009	
10	WITHDRAWAL OF OPPOSITION	Mar 16, 2009	
11	BD'S DECISION: DISMISSED W/ PREJUDICE	Mar 20, 2009	
12	TERMINATED	Mar 30, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91183662](#)

Filing Date: Apr 21, 2008

Status: Terminated

Status Date: Sep 22, 2009

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: CHERRYDALE MANUFACTURING, LLC

Correspondent Address: Robert W. Smith
McCarter & English, LLP
100 Mulberry Street Four Gateway Center
Newark NJ , 07102
UNITED STATES

Correspondent e-mail: RSmith@McCarter.com , dpopovic@mccarter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HEAVENLY SMART	Abandoned - After Inter-Partes Decision	76675947	

Plaintiff(s)

Name: KELLOGG NORTH AMERICA COMPANY

Correspondent Address: Lisabeth H. Coakley
Harness, Dickey & Pierce, P.L.C.
5445 Corporate Drive, Suite 200
Troy MI , 48098
UNITED STATES

Correspondent e-mail: ebrook@hdp.com , lcoakley@hdp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 21, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 21, 2008	May 31, 2008
3	PENDING, INSTITUTED	Apr 21, 2008	
4	APPEARANCE	May 20, 2008	
5	CHANGE OF CORRESPONDENCE ADDRESS	May 20, 2008	
6	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 23, 2008	
7	SUSPENDED	May 28, 2008	
8	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 25, 2008	
9	SUSPENDED	Sep 25, 2008	
10	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 27, 2009	
11	SUSPENDED	Mar 27, 2009	
12	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jun 19, 2009	
13	SUSPENDED	Jun 22, 2009	
14	WITHDRAWAL OF APPLICATION	Sep 21, 2009	
15	BOARD'S DECISION: SUSTAINED	Sep 22, 2009	
16	TERMINATED	Sep 22, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91183663](#)

Filing Date: Apr 21, 2008

Status: Terminated

Status Date: Sep 22, 2009

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: CHERRYDALE MANUFACTURING, LLC

Correspondent Address: Robert W. Smith
McCarter & English, LLP
100 Mulberry Street Four Gateway Center
Newark NJ , 07102
UNITED STATES

Correspondent e-mail: RSmith@McCarter.com , dpopovic@mccarter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HEAVENLY SMART	Abandoned - After Inter-Partes Decision	76676073	

Plaintiff(s)

Name: KELLOGG NORTH AMERICA COMPANY

Correspondent Address: Lisabeth H. Coakley
Harness, Dickey & Pierce, P.L.C.
5445 Corporate Drive, Suite 200
Troy MI , 48098
UNITED STATES

Correspondent e-mail: ebrook@hdp.com , lcoakley@hdp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 21, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 21, 2008	May 31, 2008

3	PENDING, INSTITUTED	Apr 21, 2008
4	APPEARANCE	May 20, 2008
5	CHANGE OF CORRESPONDENCE ADDRESS	May 20, 2008
6	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 23, 2008
7	SUSPENDED	Jun 12, 2008
8	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Oct 06, 2008
9	SUSPENDED	Oct 06, 2008
10	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 27, 2009
11	SUSPENDED	Mar 27, 2009
12	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jun 19, 2009
13	SUSPENDED	Jun 23, 2009
14	WITHDRAWAL OF APPLICATION	Sep 21, 2009
15	BOARD'S DECISION: SUSTAINED	Sep 22, 2009
16	TERMINATED	Sep 22, 2009

Type of Proceeding: Opposition

Proceeding Number: [91183409](#) **Filing Date:** Apr 07, 2008
Status: Terminated **Status Date:** Jun 19, 2008
Interlocutory Attorney: FRANCES S WOLFSON

Defendant

Name: Metrecal Holdings LLC
Correspondent Address: MATTHEW H. SWYERS, ESQ.
THE TRADEMARK COMPANY, PLLC
344 MAPLE AVE W STE 151
VIENNA VA , 22180-5612
UNITED STATES
Correspondent e-mail: mswyers@TheTrademarkCompany.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART NUTRITION TO GO.	Abandoned - No Statement Of Use Filed	77153711	

Plaintiff(s)

Name: KELLOGG NORTH AMERICA COMPANY
Correspondent Address: DAVID A HERDMAN
KELLOGG NORTH AMERICA COMPANY
One Kellogg Square PO Box 3599
Battle Creek MI , 49016
UNITED STATES
Correspondent e-mail: David.Herdman@kellogg.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART START	Renewed	73744896	1555954
SMART START	Renewed	75682188	2332452

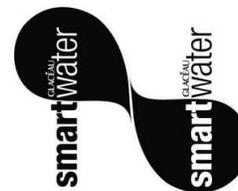
Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 07, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 07, 2008	May 17, 2008
3	PENDING, INSTITUTED	Apr 07, 2008	
4	STIPULATION FOR AN EXTENSION OF TIME	May 16, 2008	
5	EXTENSION OF TIME GRANTED	May 16, 2008	
6	WITHDRAWAL OF OPPOSITION	May 27, 2008	
7	BD'S DECISION: DISMISSED W/O PREJUDICE	Jun 19, 2008	
8	TERMINATED	Jun 19, 2008	

EXHIBIT 17
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

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Mark: GLACÉAU SMARTWATER



US Serial Number: 78799834

Application Filing Date: Jan. 26, 2006

US Registration Number: 3420245

Registration Date: Apr. 29, 2008

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 29, 2008

Publication Date: Sep. 26, 2006

Notice of Allowance Date: Dec. 19, 2006

Mark Information

Mark Literal Elements: GLACÉAU SMARTWATER

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 01.15.18 - More than one drop including teardrops or raindrops; Teardrops (more than a single drop); Raindrops (more than a single drop); multiple drops (rain, tear, etc.)

Related Properties Information

Claimed Ownership of US [2740881](#), [2778914](#), [2840063](#) and others Registrations:

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Bottled drinking water

International Class: 032 - Primary Class

U.S Class: 045, 046, 048

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2006

Use in Commerce: Jan. 01, 2006

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Energy Brands Inc.

DBA, AKA, Formerly: DBA Glaceau

Owner Address: 17-20 Whitestone Expressway
Whitestone, NEW YORK 11357
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where: NEW YORK

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Dinisa H. Folmar **Docket Number:** 81126698
Attorney Primary Email Address: dfolmar@na.ko.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Dinisa H. Folmar
The Coca-Cola Company
One Coca-Cola Plaza
USA 1112B
Atlanta, GEORGIA 30313
UNITED STATES
Phone: 404-676-2351 **Fax:** 404-598-2351
Correspondent e-mail: dfolmar@na.ko.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 21, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 21, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 15, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 15, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 29, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 24, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Mar. 18, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 28, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	67287
Feb. 28, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
Feb. 28, 2008	ASSIGNED TO LIE	67287
Jan. 25, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 04, 2007	NON-FINAL ACTION MAILED	
Sep. 04, 2007	SU - NON-FINAL ACTION - WRITTEN	82086
Aug. 02, 2007	STATEMENT OF USE PROCESSING COMPLETE	76537
May 29, 2007	USE AMENDMENT FILED	76537
May 29, 2007	TEAS STATEMENT OF USE RECEIVED	
Dec. 19, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 26, 2006	PUBLISHED FOR OPPOSITION	
Sep. 06, 2006	NOTICE OF PUBLICATION	
Aug. 01, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Jul. 21, 2006	ASSIGNED TO LIE	67215
Jul. 20, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 18, 2006	ASSIGNED TO EXAMINER	82086
Apr. 20, 2006	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Feb. 01, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 24, 2008

Proceedings

Summary

Number of Proceedings: 5

Type of Proceeding: Opposition

Proceeding Number: [91191773](#)

Filing Date: Sep 02, 2009

Status: Terminated

Status Date: Dec 16, 2009

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Geniuswater Ltd.

Correspondent Address: Darren M. Geliebter
Lombard & Geliebter LLP
230 Park Ave., 10th Floor
New York NY , 10169
UNITED STATES

Correspondent e-mail: dgeliebter@lgtrademark.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
GENIUSWATER	Abandoned - After Inter-Partes Decision	77297705	

Plaintiff(s)

Name: Energy Brands Inc. d/b/a Glaceau

Correspondent Address: David H. Bernstein
Debevoise & Plimpton LLP
919 Third Avenue
New York NY , 10022
UNITED STATES

Correspondent e-mail: trademarks@debevoise.com , szparnass@debevoise.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTWATER	Section 8 and 15 - Accepted and Acknowledged	76174464	2778914
GLACEAU SMARTWATER	Renewed	75526484	2740881
GLACÉAU SMARTWATER	Registered	78799834	3420245

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 02, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 02, 2009	Oct 12, 2009
3	PENDING, INSTITUTED	Sep 02, 2009	
4	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 15, 2009	
5	NOTICE OF DEFAULT	Nov 06, 2009	
6	BOARD'S DECISION: SUSTAINED	Dec 16, 2009	
7	TERMINATED	Dec 16, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91188388](#)

Filing Date: Jan 12, 2009

Status: Terminated

Status Date: Mar 27, 2009

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: JAMNICA d.d.

Correspondent Address: Allyn Taylor
DLA Piper US LLP
2000 University Avenue
East Palo Alto CA , 94303
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART [DRINKS]	Abandoned - After Inter-Partes Decision	79046243	

Plaintiff(s)

Name: Energy Brands Inc. d/b/a Glaceau

Correspondent Address: David H. Bernstein
Debevoise & Plimpton LLP
919 Third Avenue
New York NY , 10022
UNITED STATES

Correspondent e-mail: dhbernstein@debevoise.com , trademarks@debevoise.com , szparnass@debevoise.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMARTWATER	Section 8 and 15 - Accepted and Acknowledged	76174464	2778914
GLACEAU SMARTWATER	Renewed	75526484	2740881
GLACEAU SMARTWATER	Registered	78799834	3420245

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 12, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2009	Feb 23, 2009
3	PENDING, INSTITUTED	Jan 14, 2009	
4	P'S MOTION FOR DEFAULT JUDGEMENT	Feb 25, 2009	
5	BOARD'S DECISION: SUSTAINED	Mar 27, 2009	
6	TERMINATED	Mar 27, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91187037](#)

Filing Date: Oct 20, 2008

Status: Terminated

Status Date: Oct 29, 2008

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: New Wave Enviro Products, Inc.

Correspondent Address: NEIL P. MOVITZ, ESQ.
LAW OFFICE OF NEIL P. MOVITZ
6900 E BELLEVIEW AVE STE 350
GREENWOOD VILLAGE CO , 80111-1630
UNITED STATES

Correspondent e-mail: npmovitz@hotmail.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMARTERWATER	Abandoned - After Publication	77318016	

Plaintiff(s)

Name: Energy Brands Inc. d/b/a Glaceau

Correspondent Address: David H. Bernstein
Debevoise & Plimpton LLP
919 Third Avenue
New York NY , 10022
UNITED STATES

Correspondent e-mail: trademarks@debevoise.com , szparnass@debevoise.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMARTWATER	Section 8 and 15 - Accepted and Acknowledged	76174464	2778914
GLACEAU SMARTWATER	Renewed	75526484	2740881
GLACEAU SMARTWATER	Registered	78799834	3420245

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 20, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 20, 2008	Nov 29, 2008
3	PENDING, INSTITUTED	Oct 20, 2008	
4	BOARD'S DECISION: DISMISSED AS MOOT	Oct 29, 2008	

Type of Proceeding: OppositionProceeding Number: [91185157](#)

Filing Date: Jul 11, 2008

Status: Terminated

Status Date: Mar 19, 2009

Interlocutory Attorney: ANGELA LYKOS

Defendant

Name: For Us By Us, Inc

Correspondent Address: SCOTT ZARIN
ZARIN & ASSOCIATES P.C.
1775 BROADWAY SUITE 2300
NEW YORK NY , 10019
UNITED STATESCorrespondent e-mail: scottzarin@copyrighttrademarkcounsel.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SPIRITUALWATER	Abandoned - After Inter-Partes Decision	77211725	

Plaintiff(s)

Name: Energy Brands Inc. d/b/a Glaceau

Correspondent Address: David H. Bernstein
Debevoise & Plimpton LLP
919 Third Avenue
New York NY , 10022
UNITED STATESCorrespondent e-mail: trademarks@debevoise.com , szparnass@debevoise.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SMARTWATER	Section 8 and 15 - Accepted and Acknowledged	76174464	2778914
GLACEAU SMARTWATER	Renewed	75526484	2740881
GLACEAU SMARTWATER	Registered	78799834	3420245

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 11, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 11, 2008	Aug 20, 2008
3	PENDING, INSTITUTED	Jul 11, 2008	
4	ANSWER	Aug 22, 2008	
5	P'S MOT TO SUSP PEND DISP CIV ACTION	Sep 19, 2008	
6	SUSPENDED PENDING C/ACTION	Oct 21, 2008	
7	P'S MOTION FOR JUDGMENT	Dec 03, 2008	
8	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Dec 17, 2008	
9	BOARD'S DECISION: SUSTAINED	Mar 19, 2009	
10	TERMINATED	Mar 19, 2009	

Type of Proceeding: OppositionProceeding Number: [91180463](#)

Filing Date: Oct 31, 2007

Status: Terminated

Status Date: Jan 23, 2008

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Patti Jucha

Correspondent Address: PATTI JUCHA
2312 SUNSET DR
EUSTIS FL , 32726-7651
UNITED STATESCorrespondent e-mail: pjucha2002@aol.com**Associated marks**

Mark	Application Status	Serial	Registration
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EARTHSMARTWATER	Abandoned - After Inter-Partes Decision	77155752	Number	Number
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Plaintiff(s)

Name: Energy Brands Inc.

Correspondent Address: David H. Bernstein
Debevoise & Plimpton LLP
919 Third Avenue
New York NY , 10022
UNITED STATES

Correspondent e-mail: trademarks@debevoise.com , szarnas@debevoise.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTWATER	Section 8 and 15 - Accepted and Acknowledged	76174464	2778914
GLACEAU SMARTWATER	Renewed	75526484	2740881
GLACEAU SMARTWATER	Section 8 and 15 - Accepted and Acknowledged	78158616	2840063
GLACEAU SMARTWATER	Registered	78799834	3420245

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 31, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 31, 2007	Dec 10, 2007
3	PENDING, INSTITUTED	Oct 31, 2007	
4	P'S MOTION FOR DEFAULT JUDGEMENT	Dec 18, 2007	
5	BOARD'S DECISION: SUSTAINED	Jan 23, 2008	
6	TERMINATED	Jan 23, 2008	

EXHIBIT 18
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

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Mark: SMARTFOOD

US Serial Number: 73534195
US Registration Number: 1367966
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 14, 2005
Publication Date: Aug. 20, 1985

Application Filing Date: Apr. 25, 1985
Registration Date: Oct. 29, 1985

Mark Information

Mark Literal Elements: SMARTFOOD
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *...* identify additional (new) wording in the goods/services.

For: POPPED POPCORN
International Class: 030 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 01, 1985
U.S Class: 046
Use in Commerce: Mar. 25, 1985

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: SMARTFOODS, INC.
Owner Address: 7701 LEGACY DRIVE
MAIL DROP 3A-421
PLANO, TEXAS 75024
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joseph J. Ferretti

Correspondent

Correspondent Name/Address: Jeanette S. Zimmer
FRITO-LAY NORTH AMERICA, INC.
7701 LEGACY DRIVE
MAIL STOP 3A-421
PLANO, TEXAS 75024
UNITED STATES

Phone: 972-334-2587

Correspondent e-mail: trademarks@pepsico.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 03, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 06, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 11, 2006	CASE FILE IN TICRS	
Dec. 02, 2005	UNDELIVERABLE MAIL - NO ACTION TAKEN	99888
Nov. 22, 2005	PAPER RECEIVED	
Nov. 14, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69934
Nov. 14, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 01, 2005	ASSIGNED TO PARALEGAL	69934
Oct. 11, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Oct. 11, 2005	TEAS SECTION 8 & 9 RECEIVED	
Jan. 30, 1992	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Sep. 25, 1991	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 15, 1989	CERTIFICATE OF CORRECTION ISSUED	
Oct. 20, 1989	RESPONSE RECEIVED TO POST REG. ACTION	
Sep. 25, 1989	POST REGISTRATION ACTION MAILED - SEC. 7	
Aug. 21, 1989	SEC 7 REQUEST FILED	
Oct. 29, 1985	REGISTERED-PRINCIPAL REGISTER	
Aug. 20, 1985	PUBLISHED FOR OPPOSITION	
Jul. 21, 1985	NOTICE OF PUBLICATION	
Jun. 18, 1985	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 18, 1985	EXAMINER'S AMENDMENT MAILED	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 29, 2005

Change in Registration: Yes

Correction made to Registration: IN THE STATEMENT, COLUMN 1, LINE 1, "INCORPORATED" SHOULD BE DELETED AND ", INC." SHOULD BE INSERTED.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 113 - DOCKET CLERK

Date in Location: Jan. 12, 2006

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: SMARTFOODS, INC.

Assignment 1 of 1

Conveyance: MERGER EFFECTIVE 12251993

Reel/Frame: [3977/0746](#)

Pages: 6

Date Recorded: Apr. 28, 2009

Supporting Documents: [assignment-tm-3977-0746.pdf](#)

Assignor

Name: [SMARTFOODS, INC.](#) Execution Date: Dec. 25, 1993
Legal Entity Type: CORPORATION State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [SMARTFOODS, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 7701 LEGACY DRIVE
MAIL DROP 3A-421
PLANO, TEXAS 75024

Correspondent

Correspondent Name: JEANETTE S. ZIMMER
Correspondent Address: 7701 LEGACY DRIVE
MAIL DROP 3A--421
PLANO, TX 75024

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 6

Type of Proceeding: Opposition

Proceeding Number: [91196179](#) Filing Date: Aug 20, 2010
Status: Terminated Status Date: Jun 15, 2012
Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Heartland Health Solutions, LLC
Correspondent Address: CHARLES R SCHAUB
EMCH SCHAFFER SCHAUB PORCELLO CO LPA
ONE SEAGATE, SUITE 1980
TOLEDO OH , 43697-0916
UNITED STATES
Correspondent e-mail: crschaub@essp-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTER FOODS	Registered	77713438	4177448

Plaintiff(s)

Name: Frito-Lay North America, Inc.
Correspondent Address: JEANETTE S ZIMMER
FRITO-LAY NORTH AMERICA INC
7701 LEGACY DRIVE, MAIL STOP 3A-421
PLANO TX , 75024
UNITED STATES
Correspondent e-mail: jeanette.zimmer@pepsico.com , trademarks@pepsico.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTFOOD	Renewed	73534195	1367966
SMARTFOOD	Registered	77636232	3697020
SMARTFOOD	Abandoned - No Statement Of Use Filed	78454783	
SMARTFOOD	Abandoned - No Statement Of Use Filed	77552385	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 20, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 20, 2010	Sep 29, 2010

3	PENDING, INSTITUTED	Aug 20, 2010
4	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 20, 2010
5	SUSPENDED	Sep 20, 2010
6	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 16, 2010
7	SUSPENDED	Dec 16, 2010
8	ANSWER	Mar 28, 2011
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 01, 2011
10	SUSPENDED	Jul 05, 2011
11	STIP TO AMEND APPLICATION	Mar 02, 2012
12	BD'S DECISION: DISMISSED W/O PREJUDICE	Jun 15, 2012
13	TERMINATED	Jun 15, 2012

Type of Proceeding: Opposition

Proceeding Number: [91190493](#) **Filing Date:** Jun 03, 2009
Status: Terminated **Status Date:** Nov 10, 2009
Interlocutory Attorney: LINDA M SKORO

Defendant

Name: David Brandeis Katzin
Correspondent Address: David Brandeis Katzin
 DBKMD Ltd.
 10102 Empyrean Way Apt 302
 Los Angeles CA , 90067-3821
 UNITED STATES
Correspondent e-mail: db_katzin@yahoo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTFOODS TECHNOLOGY	Abandoned - After Inter-Partes Decision	77565214	

Plaintiff(s)

Name: Frito-Lay North America, Inc., Smartfoods, Inc.
Correspondent Address: Jeanette S. Zimmer
 7701 Legacy Drive, Mail Stop 3A-421
 Plano TX , 75024
 UNITED STATES
Correspondent e-mail: trademarks@fritolay.com , jeanette.zimmer@fritolay.com , catherine.barry@fritolay.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTFOOD	Renewed	73534195	1367966
SMARTFOOD	Abandoned - No Statement Of Use Filed	78454783	
SMARTFOOD	Abandoned - No Statement Of Use Filed	77552385	
SMARTFOOD	Registered	77636232	3697020

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 03, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 03, 2009	Jul 13, 2009
3	PENDING, INSTITUTED	Jun 03, 2009	
4	D'S MOTION FOR AN EXTENSION OF TIME	Jun 26, 2009	
5	TRIAL DATES RESET	Jul 27, 2009	
6	NOTICE OF DEFAULT	Sep 26, 2009	
7	BOARD'S DECISION: SUSTAINED	Nov 10, 2009	
8	TERMINATED	Nov 10, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91155215](#) **Filing Date:** Dec 11, 2002
Status: Terminated **Status Date:** Sep 27, 2006

Interlocutory Attorney: PETER W CATALDO

Defendant

Name: General Container Company, L.L.C.

Correspondent Address: CHRISTOPHER A. MITCHELL
YOUNG & BASILE, P.C.
3001 WEST BIG BEAVER ROAD, SUITE 624
TROY MI , 48084-3109

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART POP	Registered	76347782	3275600

Plaintiff(s)

Name: SMARTFOODS, INC.

Correspondent Address: Robert Neuner
Baker Botts LLP
30 Rockefeller Plaza
New York NY , 10112-4498

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTFOOD	Renewed	73534195	1367966

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 11, 2002	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 26, 2003	Apr 07, 2003
3	PENDING, INSTITUTED	Feb 26, 2003	
4	ANSWER	Apr 08, 2003	
5	DEFENDANT'S CONSENTED MOTION TO SUSPEND	Sep 08, 2003	
6	SUSPENDED	Oct 14, 2003	
7	RESUMED;TRIAL DATES RESET	May 10, 2004	
8	P's P/A	Jun 16, 2004	
9	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 03, 2004	
10	P'S MOTION GRANTED;TRIAL DATES RESET	Aug 06, 2004	
11	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 13, 2004	
12	SUSPENDED	Sep 03, 2004	
13	P'S MOT TO SUSPEND W/CON	Mar 09, 2005	
14	PROCS SUSPENDED UNTIL 5/9/05	Mar 10, 2005	
15	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jun 06, 2005	
16	SUSPENDED	Jun 28, 2005	
17	TRIAL DATES RESET	Oct 07, 2005	
18	STIPULATION FOR AN EXTENSION OF TIME	Jan 05, 2006	
19	EXTENSION OF TIME GRANTED	Jan 06, 2006	
20	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Mar 15, 2006	
21	EXTENSION OF TIME GRANTED	Mar 23, 2006	
22	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 31, 2006	
23	SUSPENDED	Jun 01, 2006	
24	D'S AMENDMENT	Jun 14, 2006	
25	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 09, 2006	Sep 08, 2006
26	WITHDRAWAL OF OPPOSITION	Aug 15, 2006	
27	BD'S DECISION: DISMISSED W/O PREJUDICE	Sep 27, 2006	
28	TERMINATED	Sep 27, 2006	

Type of Proceeding: Extension of Time

Proceeding Number: [76347782](#)

Filing Date: Aug 22, 2002

Status: Terminated

Status Date: Aug 22, 2002

Interlocutory Attorney:**Defendant****Name:** General Container Company, L.L.C.**Correspondent Address:** CHRISTOPHER A. MITCHELL
YOUNG & BASILE, P.C.
3001 WEST BIG BEAVER ROAD, SUITE 624
TROY MI , 48084-3109**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SMART POP	Registered	76347782	3275600

Potential Opposer(s)**Name:** Recot, Inc.**Correspondent Address:** Kelly Mahon Tullier
c/o Frito-Lay, Inc.
7701 Legacy Drive
Plano TX , 75024-4099**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SMARTFOOD	Renewed	73534195	1367966

Name: Fitness Foods, Inc. and GFA Brands, Inc.**Correspondent Address:** John L. Ambrogio
Welsh & Katz, LTD
120 South Riverside Plaza, 22nd Floor
Chicago IL , 60606**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Aug 16, 2002	
2	EXTENSION OF TIME GRANTED	Aug 22, 2002	
3	INCOMING - EXT TIME TO OPPOSE FILED	Aug 22, 2002	
4	DELETE ENTRY	Sep 19, 2002	
5	DELETE ENTRY	Sep 18, 2002	
6	REQUEST TO EXT TIME GRANTED REGARDING SECOND OPPOSERS	Sep 19, 2002	
7	INCOMING - EXT TIME TO OPPOSE FILED	Nov 12, 2002	
8	EXTENSION OF TIME GRANTED	Dec 03, 2002	
9	INCOMING - EXT TIME TO OPPOSE FILED	Nov 07, 2002	
10	EXTENSION OF TIME GRANTED	Dec 03, 2002	
11	INCOMING - EXT TIME TO OPPOSE FILED	Dec 10, 2002	
12	EXTENSION OF TIME GRANTED	Dec 20, 2002	
13	RESPONSE DUE 30 DAYS (DUE DATE)	Jan 28, 2003	Feb 27, 2003

Type of Proceeding: Opposition**Proceeding Number:** [91089896](#)**Filing Date:** Nov 05, 1992**Status:** Terminated**Status Date:** Apr 12, 1993**Interlocutory Attorney:****Defendant****Name:** HUNT-WESSON, INC.**Correspondent Address:** DIANE M. CHAVEZ
HUNT-WESSON, INC.
1645 W. VALENCIA DRIVE
FULLERTON CA , 92634**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SMART POP	Renewed	74255416	1874796

Plaintiff(s)**Name:** SMARTFOODS, INC.**Correspondent Address:** DAVID C. HILLIARD

PATTISHALL, MCAULIFFE, NEWBURY, HILLIARD
 & GERALDSON 311 SOUTH WACKER DRIVE, SUITE 5000
 CHICAGO IL , 60606

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMARTFOOD	Renewed	73534195	1367966

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 05, 1992	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Jan 15, 1993	Feb 24, 1993
3	PENDING, INSTITUTED	Jan 15, 1993	
4	PLS MOT TO WITHDRAW OPPOSITION W/CONSENT	Mar 05, 1993	
5	BD'S DECISION: DISMISSED W/O PREJUDICE	Apr 05, 1993	
6	TERMINATED	Apr 12, 1993	

Type of Proceeding: Opposition

Proceeding Number: 91083142	Filing Date: Jul 06, 1990
Status: Terminated	Status Date: Jan 15, 1991
Interlocutory Attorney: MARC BERGSMAN	

Defendant	
Name: CHASEL, INC.	
Correspondent Address: MICHAEL SAND 4450 BELDEN VILLAGE AVENUE N.W. SUITE 201 CANTON OH , 44718	

Associated marks			
Mark	Application Status	Serial Number	Registration Number
RIGHTFOOD	Abandoned - After Inter-Partes Decision	73838719	

Plaintiff(s)	
Name: SMARTFOODS, INC.	
Correspondent Address: JUDITH F. SIMON C/O PEPSICO, INC. 700 ANDERSON HILL ROAD PURCHASE NY , 10577	

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SMARTFOOD	Renewed	73534195	1367966

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 06, 1990	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Aug 07, 1990	Sep 17, 1990
3	PENDING, INSTITUTED	Aug 07, 1990	
4	NOTICE OF DEFAULT	Oct 31, 1990	
5	BOARD'S DECISION: SUSTAINED	Dec 21, 1990	
6	TERMINATED	Jan 15, 1991	

EXHIBIT 19
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

Generated on: This page was generated by TSDR on 2013-04-22 16:19:00 EDT

Mark: SMARTNOURISH

SMARTNOURISH

US Serial Number: 77757499 Application Filing Date: Jun. 11, 2009
US Registration Number: 4183609 Registration Date: Jul. 31, 2012
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 31, 2012
Publication Date: May 25, 2010 Notice of Allowance Date: Mar. 15, 2011

Mark Information

Mark Literal Elements: SMARTNOURISH
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Blend of nutrients and minerals sold as an ingredient in food for babies; Infant Formula; Food and food substances for babies
International Class: 005 - Primary Class U.S Class: 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 31, 2010 Use in Commerce: Mar. 31, 2010

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Société des Produits Nestlé S.A.
Owner Address: Intellectual Property Department
CASE POSTALE 353
1800 VEVEY
SWITZERLAND
Legal Entity Type: société anonyme (sa) State or Country Where Organized: SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JACQUELINE M. STELLING
Attorney Primary Email Address: jacqueline.stelling@us.nestle.com Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JACQUELINE M. STELLING
NESTLE NUTRITION
12 VREELAND ROAD, 2ND FLOOR
FLORHAM PARK, NEW JERSEY 07932

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 31, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 28, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jun. 27, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	70997
Jun. 22, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 30, 2012	STATEMENT OF USE PROCESSING COMPLETE	76874
May 24, 2012	USE AMENDMENT FILED	76874
May 24, 2012	TEAS STATEMENT OF USE RECEIVED	
May 02, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
May 01, 2012	EXTENSION 2 GRANTED	76874
Mar. 15, 2012	EXTENSION 2 FILED	76874
Apr. 27, 2012	NOTICE OF REVIVAL - MAILED	
Apr. 26, 2012	EXTENSION RECEIVED WITH TEAS PETITION	
Apr. 26, 2012	PETITION TO REVIVE-GRANTED	88889
Apr. 26, 2012	TEAS PETITION TO REVIVE RECEIVED	
Apr. 16, 2012	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Apr. 16, 2012	ABANDONMENT - NO USE STATEMENT FILED	99999
Oct. 27, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Oct. 26, 2011	EXTENSION 1 GRANTED	76874
Sep. 15, 2011	EXTENSION 1 FILED	76874
Oct. 25, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 25, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Oct. 25, 2011	EXTENSION RECEIVED WITH TEAS PETITION	
Oct. 25, 2011	PETITION TO REVIVE-GRANTED	88889
Oct. 25, 2011	TEAS PETITION TO REVIVE RECEIVED	
Oct. 17, 2011	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Oct. 17, 2011	ABANDONMENT - NO USE STATEMENT FILED	99999
Mar. 15, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 31, 2011	PAPER RECEIVED	
Feb. 02, 2011	TTAB RELEASE CASE TO TRADEMARKS	197483
Feb. 02, 2011	OPPOSITION TERMINATED NO. 999999	197483
Feb. 02, 2011	OPPOSITION DISMISSED NO. 999999	197483
Nov. 22, 2010	OPPOSITION INSTITUTED NO. 999999	197483
Jun. 24, 2010	EXTENSION OF TIME TO OPPOSE RECEIVED	
May 25, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 25, 2010	PUBLISHED FOR OPPOSITION	
Apr. 16, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Apr. 09, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 24, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	70997
Mar. 24, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Mar. 24, 2010	ASSIGNED TO LIE	70997
Mar. 16, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 17, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 17, 2009	NON-FINAL ACTION E-MAILED	6325

Sep. 17, 2009	NON-FINAL ACTION WRITTEN	83190
Sep. 11, 2009	ASSIGNED TO EXAMINER	83190
Jun. 16, 2009	NOTICE OF PSEUDO MARK MAILED	
Jun. 15, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 15, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 27, 2012

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91197483](#)

Filing Date: Nov 22, 2010

Status: Terminated

Status Date: Feb 02, 2011

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Société des Produits Nestlé S.A.

Correspondent Address: JACQUELINE M STELLING
NESTLE NUTRITION
12 VREELAND ROAD , 2ND FLOOR
FLORHAM PARK NJ , 07932-1521
UNITED STATES

Correspondent e-mail: jacqueline.stelling@us.nestle.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTNOURISH	Registered	77757499	4183609

Plaintiff(s)

Name: ProMark Brand Inc.

Correspondent Address: TIMOTHY P FRAELICH
JONES DAY
901 LAKESIDE AVENUE
CLEVELAND OH , 44114
UNITED STATES

Correspondent e-mail: jwalworth@JonesDay.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMART ONES	Renewed	74528148	1911590
SMART ONES	Renewed	75415119	2204080
SMART ONES	Section 8 and 15 - Accepted and Acknowledged	78352011	2916539
SMART ONES	Section 8 and 15 - Accepted and Acknowledged	78351994	2916538
SMART ONES	Registered	77368176	3462182

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 22, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 22, 2010	Jan 01, 2011
3	PENDING, INSTITUTED	Nov 22, 2010	
4	STIPULATION FOR AN EXTENSION OF TIME	Dec 22, 2010	
5	EXTENSION OF TIME GRANTED	Dec 22, 2010	
6	D'S REQUEST TO AMEND APPLICATION WITH CONSENT AND WITHDRAWAL OF OPPOSITION	Jan 31, 2011	

7 BD'S DECISION: DISMISSED W/O PREJUDICE

Feb 02, 2011

8 TERMINATED

Feb 02, 2011

Type of Proceeding: Extension of Time

Proceeding Number: [77757499](#)

Filing Date: Jun 24, 2010

Status: Terminated

Status Date: Nov 23, 2010

Interlocutory Attorney:

Defendant

Name: Société des Produits Nestlé S.A.

Correspondent Address: JACQUELINE M. STELLING
NESTLE NUTRITION
12 VREELAND RD FL 2
FLORHAM PARK NJ , 07932-1521

Associated marks

Mark	Application Status	Serial Number	Registration Number
SMARTNOURISH	Registered	77757499	4183609

Potential Opposer(s)

Name: ProMark Brand Inc.

Correspondent Address: Timothy P. Fraelich
Jones Day
901 Lakeside Ave
Cleveland OH , 44114
UNITED STATES

Correspondent e-mail: tfraelich@jonesday.com , pcyngier@jonesday.com , jwalworth@jonesday.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jun 24, 2010	
2	EXTENSION OF TIME GRANTED	Jun 24, 2010	
3	INCOMING - EXT TIME TO OPPOSE FILED	Jul 21, 2010	
4	EXTENSION OF TIME GRANTED	Jul 21, 2010	
5	INCOMING - EXT TIME TO OPPOSE FILED	Sep 21, 2010	
6	EXTENSION OF TIME GRANTED	Sep 21, 2010	

EXHIBIT 20
to GFA Brands, Inc's Notice of Reliance
Opposition Nos. 91194974 (parent) and 91196358

Address:

Authorized:

Correspondent

Correspondent Name/Address: Cory M. Amron
Vorys, Sater, Seymour and Pease LLP
P.O. Box 2255
IPLAW@Vorys
Columbus, OHIO 43216-2255
UNITED STATES

Phone: (202) 467-8800

Fax: (202) 533-9099

Correspondent e-mail: iplaw@vorys.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 17, 2009	REGISTERED-PRINCIPAL REGISTER	
Feb. 10, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	76537
Feb. 08, 2009	ASSIGNED TO LIE	76537
Jan. 29, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 14, 2009	STATEMENT OF USE PROCESSING COMPLETE	65362
Jan. 13, 2009	USE AMENDMENT FILED	65362
Jan. 14, 2009	DIVISIONAL PROCESSING COMPLETE	
Jan. 13, 2009	DIVISIONAL REQUEST RECEIVED	
Jan. 13, 2009	FAX RECEIVED	
Jan. 12, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 29, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jul. 15, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 02, 2008	TTAB RELEASE CASE TO TRADEMARKS	183119
Jun. 02, 2008	OPPOSITION TERMINATED NO. 999999	183119
Jun. 02, 2008	OPPOSITION DISMISSED NO. 999999	183119
May 02, 2008	PAPER RECEIVED	
Mar. 24, 2008	OPPOSITION INSTITUTED NO. 999999	183119
Oct. 25, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 25, 2007	PUBLISHED FOR OPPOSITION	
Sep. 05, 2007	NOTICE OF PUBLICATION	
Aug. 18, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Aug. 18, 2007	ASSIGNED TO LIE	68123
Jul. 05, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 03, 2007	ASSIGNED TO EXAMINER	72146
Mar. 27, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 10, 2009