

ESTTA Tracking number: **ESTTA354785**

Filing date: **06/24/2010**

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

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	NATURE'S SUNSHINE PRODUCTS, INC.		
Entity	Corporation	Citizenship	Utah
Address	75 EAST 1700 SOUTH P.O. BOX 19005 PROVO, UT 84606 UNITED STATES		

Attorney information	Michael E. Mangelson Stoel Rives LLP 201 South Main Street, Suite 1100 Salt Lake City, UT 84111 UNITED STATES TM-SLC@stoel.com Phone:801-328-3131
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### Applicant Information

Application No	77869057	Publication date	05/25/2010
Opposition Filing Date	06/24/2010	Opposition Period Ends	06/24/2010
Applicant	AMERICAN NATURAVIT, INC. #110 7274 NW 66th STREET MIAMI, FL 331663008 UNITED STATES		

### Goods/Services Affected by Opposition

Class 005. First Use: 1994/04/21 First Use In Commerce: 1994/05/05  
All goods and services in the class are opposed, namely: Dietary and nutritional supplements; Dietary food supplements; Dietary supplements

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1062040	Application Date	12/29/1975
Registration Date	03/29/1977	Foreign Priority Date	NONE
Word Mark	NATURE'S SUNSHINE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 005. First use: First Use: 1973/10/19 First Use In Commerce: 1974/03/28 CAPSULED HERBS USED AS A DIETARY FOOD SUPPLEMENT		
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U.S. Registration No.	1105438	Application Date	04/06/1978
Registration Date	11/07/1978	Foreign Priority Date	NONE
Word Mark	NATURE'S SUNSHINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1978/03/20 First Use In Commerce: 1978/03/20 SUPPLEMENTAL VITAMINS AND MINERALS		

U.S. Registration No.	1200101	Application Date	04/10/1980
Registration Date	07/06/1982	Foreign Priority Date	NONE
Word Mark	NATURE'S SUNSHINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1978/07/26 First Use In Commerce: 1978/07/26 Dietary Food Supplements-Namely, Herb Extract Powders Dissolved in Liquid Solvent and Liquid Chlorophyl; Medicinal Preparations-Namely, Comfrey Compound Skin Discomfort Cream, and Herbal Cough Syrup		

U.S. Registration No.	1219650	Application Date	04/10/1980
Registration Date	12/14/1982	Foreign Priority Date	NONE
Word Mark	NATURE'S SUNSHINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1978/12/21 First Use In Commerce: 1978/12/21 Dietary Food Supplement in the Form of a Mineral Drink to Be Mixed with Other Drinks Class 032. First use: First Use: 1978/12/21 First Use In Commerce: 1978/12/21 Aloe Vera Juice		

U.S. Registration No.	1707732	Application Date	05/10/1991
Registration Date	08/18/1992	Foreign Priority Date	NONE
Word Mark	NATURE'S SUNSHINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1991/06/14 First Use In Commerce: 1991/06/14		

	house mark for a line of homeopathic medicines		
U.S. Registration No.	2409544	Application Date	12/01/1997
Registration Date	11/28/2000	Foreign Priority Date	NONE
Word Mark	NATURE'S SUNSHINE QUALITY, SERVICE, INTEGRITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1998/01/12 First Use In Commerce: 1998/01/12 Nutritional supplements, namely, herbal preparations and combinations in the forms of capsules, tablets, and/or powders, herb extract liquids and powders, herbal dietary supplements made of capsuled herbs and herbal combinations; supplemental vitamins and minerals and trace mineral supplements and trace mineral supplements suspended in liquid and liquid chlorophyll; weight control beverage concentrates and dietary supplement tablets; non-medicated homeopathic medicines and preparations for various ailments; medical preparations, namely, herbal skin discomfort cream and herbal cough syrup		

Attachments	75979847#TMSN.jpeg ( 1 page )( bytes ) Notice of Opposition.PDF ( 29 pages )(1014480 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Joshua G. Gigger/
Name	Joshua G. Gigger
Date	06/24/2010

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

In the Matter of Application Serial No. 77/869,057  
For the Mark: SUNSHINE NATURALS  
Filed: November 10, 2009  
Published in the Official Gazette on: May 25, 2010

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<b>NATURE'S SUNSHINE PRODUCTS, INC.,</b>	)	
	)	
Opposer,	)	Opposition No. _____
	)	
v.	)	
	)	
<b>AMERICAN NATURAVIT, INC., DBA</b>	)	
<b>SUNSHINE NATURALS,</b>	)	
	)	
Applicant.	)	
	)	

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**NOTICE OF OPPOSITION**

Nature's Sunshine Products, Inc. ("Opposer"), is a Utah corporation with a business address located at 75 East 1700 South, Provo, Utah 84605. Opposer believes that it would be damaged by the issuance of a registration for the trademark SUNSHINE NATURALS and Design ("Applicant's Mark") as applied for by American Naturavit, Inc. DBA Sunshine Naturals ("Applicant") in Application Serial No. 77/869,057 identified above (the "Application"). Accordingly, Opposer hereby opposes registration of Applicant's Mark and requests that registration of the Application be refused.

As grounds in support of its opposition, Opposer asserts as follows:

1. Opposer is in the business of developing, manufacturing and selling dietary supplements.

2. Opposer, since long prior to any date of first use upon which Applicant can rely, has adopted and used the designation NATURE'S SUNSHINE as a trademark in connection with dietary supplements.

3. Opposer is the owner of Registration Nos. 1,062,040; 1,105,438; 1,200,101; 1,219,650; and 1,707,732 for the NATURE'S SUNSHINE mark and Registration No. 2,409,544 for the NATURE'S SUNSHINE QUALITY, SERVICE, INTEGRITY and Design Mark. (collectively, the "Nature's Sunshine Registrations"). The identifications of goods for the Nature's Sunshine Registrations include capsuled herbs used as dietary food supplements, supplemental vitamins and minerals, dietary food supplements, medicinal preparations, homeopathic medicines, and nutritional supplements in International Class 5. The Nature's Sunshine Registrations are valid, subsisting, unrevoked and uncanceled. True and correct copies of printouts of the Nature's Sunshine Registrations from the U.S. Patent and Trademark Office ("USPTO") Trademark Applications and Registrations Retrieval ("TARR") system are attached hereto as Exhibit A.

4. On July 5, 1983, the USPTO accepted Opposer's Section 15 Statement of Incontestability for Registration Number 1,062,040. *See* Exhibit A. As a result, the Registration became incontestable pursuant to 15 U.S.C. § 1065. By at least as early as April 5, 1989, Registration Nos. 1,105,438; 1,200,101; and 1,219,650 also became incontestable pursuant to 15 U.S.C. § 1065. *See* Exhibit A. Additionally, Registration Nos. 1,707,732 and 2,409,544 became incontestable by at least as early as November 12, 1998 and May 26, 2006, respectively. *See* Exhibit A.

5. On November 10, 2009, Applicant filed, under Section 1(a) of the Trademark Act, an application to register the mark SUNSHINE NATURALS and Design for use in connection

with “dietary and nutritional supplements; dietary food supplements; dietary supplements” in International Class 5. The Application was assigned Serial No. 77/869,057. A true and correct copy of a printout of the Application from the USPTO TARR system is attached hereto as Exhibit B.

6. Applicant’s Mark so resembles Opposer’s previously used and registered marks that it is likely to cause confusion, mistake or deception within the meaning of Section 2(d) of the Trademark Act when applied to the dietary supplements set forth in the Application, which are identical to the products associated with the Nature’s Sunshine Registrations.

WHEREFORE, Opposer prays that the opposition be sustained, that registration to Applicant be refused, and for such other and further relief as may be deemed to be just and proper.

A credit card payment in the amount of \$300.00 for the filing fee accompanies this Notice of Opposition. Any additional fees that may be required may be withdrawn from Deposit Account No. 50-2375.

Dated: June 24, 2010

STOEL RIVES LLP

  
\_\_\_\_\_  
Michael E. Mangelson (Utah State Bar #8067)  
Joshua G. Gigger (Utah State Bar #12100)  
Attorneys for Opposer  
Stoel Rives LLP  
One Utah Center  
201 South Main Street, Suite 1100  
Salt Lake City, Utah 84111  
(801) 328-3131

**CERTIFICATE OF SERVICE**

I hereby certify that on the 24<sup>th</sup> day of June, 2010, a true and correct copy of the foregoing **NOTICE OF OPPOSITION** was deposited, via U.S. mail, postage prepaid, to the following:

American Naturavit, Inc.  
7274 NW 66th Street #110  
Miami, FL 33166-3008

A handwritten signature in cursive script, reading "Emily Henschoten", is written over a horizontal line.

**EXHIBIT A**

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2010-06-22 19:08:09 ET**

**Serial Number:** 73072967 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 1062040

**Mark (words only):** NATURE'S SUNSHINE

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2007-05-03

**Filing Date:** 1975-12-29

**Transformed into a National Application:** No

**Registration Date:** 1977-03-29

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2007-11-13

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#### LAST APPLICANT(S)/OWNER(S) OF RECORD

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1. NATURE'S SUNSHINE PRODUCTS, INC.

**Address:**

NATURE'S SUNSHINE PRODUCTS, INC.  
75 EAST 1700 SOUTH P.O. BOX 19005  
PROVO, UT 846059005  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Utah

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#### GOODS AND/OR SERVICES

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**International Class:** 005

**Class Status:** Active

**CAPSULED HERBS USED AS A DIETARY FOOD SUPPLEMENT****Basis:** 1(a)**First Use Date:** 1973-10-19**First Use in Commerce Date:** 1974-03-28

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2007-11-13 - Case File In TICRS

2007-05-03 - Second renewal 10 year

2007-05-03 - Section 8 (10-year) accepted/ Section 9 granted

2007-04-26 - Assigned To Paralegal

2007-03-26 - Combined Section 8 (10-year)/Section 9 filed

2007-03-26 - PAPER RECEIVED

2006-12-12 - Attorney Revoked And/Or Appointed

2006-12-12 - TEAS Revoke/Appoint Attorney Received

1997-04-22 - First renewal 10 year

1997-03-06 - Section 9 filed/check record for Section 8

1982-08-10 - Section 7 amendment issued

1983-07-05 - Section 8 (6-year) accepted &amp; Section 15 acknowledged

1982-08-20 - Section 7 amendment issued

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Michael E. Mangelson,

**Correspondent**

MICHAEL E. MANGELSON,  
STOEL RIVES LLP  
201 SO. MAIN STREET  
ONE UTAH CENTER, STE 1100  
SALT LAKE CITY, UT 84111  
Phone Number: (801) 578-6903  
Fax Number: (801) 578-6999

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2010-06-22 19:09:27 ET**

**Serial Number:** 73165167 [Assignment Information](#)      [Trademark Document Retrieval](#)

**Registration Number:** 1105438

**Mark (words only):** NATURE'S SUNSHINE

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2008-05-08

**Filing Date:** 1978-04-06

**Transformed into a National Application:** No

**Registration Date:** 1978-11-07

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 830 -Post Registration

**Date In Location:** 2008-05-08

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. NATURE'S SUNSHINE PRODUCTS, INC.

**Address:**

NATURE'S SUNSHINE PRODUCTS, INC.  
75 EAST 1700 SOUTH P. O. BOX 19005  
PROVO, UT 846059005  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Utah

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**GOODS AND/OR SERVICES**

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**International Class:** 005

**Class Status:** Active

## SUPPLEMENTAL VITAMINS AND MINERALS

**Basis:** 1(a)**First Use Date:** 1978-03-20**First Use in Commerce Date:** 1978-03-20

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**ADDITIONAL INFORMATION**

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**Prior Registration Number(s):**

1062040

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-05-08 - Second renewal 10 year

2008-05-08 - Section 8 (10-year) accepted/ Section 9 granted

2008-02-13 - Assigned To Paralegal

2008-02-04 - Combined Section 8 (10-year)/Section 9 filed

2008-02-04 - Combined Section 8 (10-year)/Section 9 filed

2008-02-04 - PAPER RECEIVED

2007-12-31 - Case File In TICRS

2006-12-12 - Attorney Revoked And/Or Appointed

2006-12-12 - TEAS Revoke/Appoint Attorney Received

1999-02-12 - First renewal 10 year

1998-11-09 - Section 9 filed/check record for Section 8

1985-03-18 - Section 8 (6-year) accepted &amp; Section 15 acknowledged

1984-09-24 - Section 8 (6-year) and Section 15 Filed

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Michael E. Mangelson, Esq.

**Correspondent**

Michael E. Mangelson, Esq.

STOEL RIVES LLP

One Utah Center

201 So. Main Street, Suite 1100

Salt Lake City UT 84111

Phone Number: (801) 578-6903

Fax Number: (801) 578-6999

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2010-06-22 19:09:41 ET**

**Serial Number:** 73247572 [Assignment Information](#)      [Trademark Document Retrieval](#)

**Registration Number:** 1200101

**Mark (words only):** NATURE'S SUNSHINE

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2002-09-26

**Filing Date:** 1980-04-10

**Transformed into a National Application:** No

**Registration Date:** 1982-07-06

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2008-03-25

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. NATURE'S SUNSHINE PRODUCTS, INC.

**Address:**

NATURE'S SUNSHINE PRODUCTS, INC.  
75 EAST 1700 SOUTH P. O. BOX 19005  
PROVO, UT 84605  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Utah

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**GOODS AND/OR SERVICES**

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**International Class:** 005

**Class Status:** Active

Dietary Food Supplements-Namely, Herb Extract Powders Dissolved in Liquid Solvent and Liquid Chlorophyl; Medicinal Preparations-Namely, Comfrey Compound Skin Discomfort Cream, and Herbal Cough Syrup

**Basis:** 1(a)

**First Use Date:** 1978-07-26

**First Use in Commerce Date:** 1978-07-26

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#### ADDITIONAL INFORMATION

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(NOT AVAILABLE)

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#### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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#### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-03-25 - Case File In TICRS

2006-12-12 - Attorney Revoked And/Or Appointed

2006-12-12 - TEAS Revoke/Appoint Attorney Received

2002-09-26 - First renewal 10 year

2002-09-26 - Section 8 (10-year) accepted/ Section 9 granted

2002-07-03 - Combined Section 8 (10-year)/Section 9 filed

2002-07-03 - PAPER RECEIVED

1988-04-04 - Section 8 (6-year) accepted & Section 15 acknowledged

1987-09-24 - Section 8 (6-year) and Section 15 Filed

1987-09-24 - Section 8 (6-year) and Section 15 Filed

1982-07-06 - Registered - Principal Register

1982-04-13 - Published for opposition

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#### ATTORNEY/CORRESPONDENT INFORMATION

---

**Attorney of Record**

Michael E. Mangelson, Esq.

**Correspondent**

MICHAEL E. MANGELSON,  
STOEL RIVES LLP  
201 SO. MAIN STREET  
ONE UTAH CENTER, STE 1100  
SALT LAKE CITY, UT 84111  
Phone Number: (801) 578-6903  
Fax Number: (801) 578-6999

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2010-06-22 19:09:36 ET**

**Serial Number:** 73247585 [Assignment Information](#)      [Trademark Document Retrieval](#)

**Registration Number:** 1219650

**Mark (words only):** NATURE'S SUNSHINE

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2003-03-11

**Filing Date:** 1980-04-10

**Transformed into a National Application:** No

**Registration Date:** 1982-12-14

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2008-04-17

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. NATURE'S SUNSHINE PRODOUCTS, INC.

**Address:**

NATURE'S SUNSHINE PRODOUCTS, INC.  
76 EAST 1700 SOUTH P. O. BOX 19005  
PROVO, UT 84605-900  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Utah

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**GOODS AND/OR SERVICES**

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**International Class:** 005

**Class Status:** Active

Dietary Food Supplement in the Form of a Mineral Drink to Be Mixed with Other Drinks

**Basis:** 1(a)

**First Use Date:** 1978-12-21

**First Use in Commerce Date:** 1978-12-21

**International Class:** 032

**Class Status:** Active

Aloe Vera Juice

**Basis:** 1(a)

**First Use Date:** 1978-12-21

**First Use in Commerce Date:** 1978-12-21

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#### ADDITIONAL INFORMATION

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(NOT AVAILABLE)

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#### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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#### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-04-17 - Case File In TICRS

2006-12-12 - Attorney Revoked And/Or Appointed

2006-12-12 - TEAS Revoke/Appoint Attorney Received

2003-03-11 - First renewal 10 year

2003-03-11 - Section 8 (10-year) accepted/ Section 9 granted

2002-12-14 - Post Registration action mailed Sections 8 & 9

2002-12-03 - Combined Section 8 (10-year)/Section 9 filed

2002-12-03 - PAPER RECEIVED

1989-04-05 - Section 8 (6-year) accepted & Section 15 acknowledged

1989-01-23 - Response received for Post Registration action

1989-01-04 - Post Registration action mailed Section 8 & 15

1988-10-24 - Section 8 (6-year) and Section 15 Filed

1982-12-14 - Registered - Principal Register

1982-09-21 - Published for opposition

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Michael E. Mangelson, Esq.

**Correspondent**

Michael E. Mangelson, Esq.

STOEL RIVES LLP

One Utah Center

201 So. Main Street, Suite 1100

Salt Lake City UT 84111

Phone Number: (801) 578-6903

Fax Number: (801) 578-6999

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2010-06-22 19:09:20 ET**

**Serial Number:** 74167174 [Assignment Information](#)      [Trademark Document Retrieval](#)

**Registration Number:** 1707732

**Mark (words only):** NATURE'S SUNSHINE

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2002-09-28

**Filing Date:** 1991-05-10

**Transformed into a National Application:** No

**Registration Date:** 1992-08-18

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 11

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2008-02-13

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Nature's Sunshine Products, Inc.

**Address:**

Nature's Sunshine Products, Inc.  
75 East 1700 South P. O. Box 19005  
Provo, UT 846059005  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Utah

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**GOODS AND/OR SERVICES**

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**International Class:** 005

**Class Status:** Active

house mark for a line of homeopathic medicines

**Basis:** 1(a)

**First Use Date:** 1991-06-14

**First Use in Commerce Date:** 1991-06-14

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### ADDITIONAL INFORMATION

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(NOT AVAILABLE)

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-02-13 - Case File In TICRS

2006-12-12 - Attorney Revoked And/Or Appointed

2006-12-12 - TEAS Revoke/Appoint Attorney Received

2002-09-28 - First renewal 10 year

2002-09-28 - Section 8 (10-year) accepted/ Section 9 granted

2002-07-03 - Combined Section 8 (10-year)/Section 9 filed

2002-07-03 - Combined Section 8 (10-year)/Section 9 filed

2002-07-03 - PAPER RECEIVED

1998-11-12 - Section 8 (6-year) accepted & Section 15 acknowledged

1998-08-18 - Section 8 (6-year) and Section 15 Filed

1992-08-18 - Registered - Principal Register

1992-05-26 - Published for opposition

1992-04-24 - Notice of publication

1992-01-21 - Amendment to Use approved

1991-11-18 - Approved For Pub - Principal Register

1991-10-07 - Communication received from applicant

1991-11-05 - Amendment To Use Processing Complete

1991-10-17 - Use Amendment Filed

1991-09-05 - Non-final action mailed

1991-08-22 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Michael E. Mangelson, Esq.

**Correspondent**

Michael E. Mangelson, Esq.

STOEL RIVES LLP

One Utah Center

201 So. Main Street, Suite 1100

Salt Lake City UT 84111

Phone Number: (801) 578-6903

Fax Number: (801) 578-6999

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2010-06-22 19:09:04 ET**

**Serial Number:** 75979847 [Assignment Information](#)      [Trademark Document Retrieval](#)

**Registration Number:** 2409544

**Mark**



**(words only):** NATURE'S SUNSHINE QUALITY, SERVICE, INTEGRITY

**Standard Character claim:** No

**Current Status:** Section 8 and 15 affidavits have been accepted and acknowledged.

**Date of Status:** 2006-05-26

**Filing Date:** 1997-12-01

**Transformed into a National Application:** No

**Registration Date:** 2000-11-28

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 112

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 830 -Post Registration

**Date In Location:** 2010-06-11

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Nature's Sunshine Products, Inc.

**Address:**

Nature's Sunshine Products, Inc.  
75 East 1700 South P. O. Box 19005

Provo, UT 84605

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Utah

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### GOODS AND/OR SERVICES

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**International Class:** 005

**Class Status:** Active

Nutritional supplements, namely, herbal preparations and combinations in the forms of capsules, tablets, and/or powders, herb extract liquids and powders, herbal dietary supplements made of capsuled herbs and herbal combinations; supplemental vitamins and minerals and trace mineral supplements and trace mineral supplements suspended in liquid and liquid chlorophyll; weight control beverage concentrates and dietary supplement tablets; non-medicated homeopathic medicines and preparations for various ailments; medical preparations, namely, herbal skin discomfort cream and herbal cough syrup

**Basis:** 1(a)

**First Use Date:** 1998-01-12

**First Use in Commerce Date:** 1998-01-12

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### ADDITIONAL INFORMATION

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**Design Search Code(s):**

**01.15.06** - Advertising, skywriting; Clouds; Fog

**05.01.10** - More than one tree or bush; thicket; group of trees; Thicket

**05.01.25** - Cypress tree; Other trees or bushes; Willow tree

**06.09.05** - Other cultivated areas

**24.09.07** - Advertising, banners; Banners

**26.03.17** - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric

**26.03.21** - Ovals that are completely or partially shaded

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2010-04-28 - Section 7 amendment issued

2010-04-21 - Case Assigned To Post Registration Paralegal

2010-04-20 - TEAS Section 7 Request Received

2009-01-27 - Notice Of Design Search Code And Pseudo Mark Mailed

2006-12-12 - Attorney Revoked And/Or Appointed  
2006-12-12 - TEAS Revoke/Appoint Attorney Received  
2006-08-02 - Case File In TICRS  
2006-05-26 - Section 8 (6-year) accepted & Section 15 acknowledged  
2006-03-16 - Section 8 (6-year) and Section 15 Filed  
2006-03-16 - TEAS Section 8 & 15 Received  
2000-11-28 - Registered - Principal Register  
2000-09-19 - Allowed for Registration - Principal Register (SOU accepted)  
2000-09-08 - Statement Of Use Processing Complete  
2000-03-03 - Use Amendment Filed  
2000-09-09 - Divisional processing completed  
2000-03-03 - Divisional request received  
1999-09-07 - Noa Mailed - SOU Required From Applicant  
1999-06-15 - Published for opposition  
1999-05-14 - Notice of publication  
1999-03-05 - Approved For Pub - Principal Register  
1999-03-01 - Examiner's amendment mailed  
1999-01-21 - Assigned To Examiner  
1998-11-06 - Communication received from applicant  
1998-05-08 - Non-final action mailed  
1998-04-25 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

Michael E. Mangelson, Esq.

**Correspondent**Michael E. Mangelson, Esq.  
STOEL RIVES LLP

One Utah Center  
201 So. Main Street, Suite 1100  
Salt Lake City UT 84111  
Phone Number: (801) 578-6903  
Fax Number: (801) 578-6999

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**EXHIBIT B**

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2010-06-22 18:25:17 ET**

**Serial Number:** 77869057 [Assignment Information](#)      [Trademark Document Retrieval](#)

**Registration Number:** (NOT AVAILABLE)

**Mark**



**(words only):** SUNSHINE NATURALS

**Standard Character claim:** No

**Current Status:** Application has been published for opposition.

**Date of Status:** 2010-05-25

**Filing Date:** 2009-11-10

**Filed as TEAS Plus Application:** Yes

**Currently TEAS Plus Application:** Yes

**The Information will be/was published in the Official Gazette on** 2010-05-25

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 115

**Attorney Assigned:**  
SMITH BRIDGETT G

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2010-04-18

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. AMERICAN NATURAVIT, INC.

**DBA/AKA/TA/Formerly:** DBA SUNSHINE NATURALS

**Address:**

AMERICAN NATURAVIT, INC.  
#110 7274 NW 66th STREET  
MIAMI, FL 331663008  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Florida

**Phone Number:** 305 593-5417

**Fax Number:** 305 593-8253

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**GOODS AND/OR SERVICES**

**International Class:** 005

**Class Status:** Active

Dietary and nutritional supplements; Dietary food supplements; Dietary supplements

**Basis:** 1(a)

**First Use Date:** 1994-04-21

**First Use in Commerce Date:** 1994-05-05

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**ADDITIONAL INFORMATION**

**Color(s) Claimed:** The color(s) brown, yellow, and orange is/are claimed as a feature of the mark.

**Disclaimer:** "NATURALS"

**Description of Mark:** The mark consists of a brown palm tree in front of a sun colored in yellow and orange. the words "SUNSHINE NATURALS" are depicted in the color yellow outlined in brown.

**Design Search Code(s):**

**01.05.01** - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

**05.01.03** - Palm trées

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**MADRID PROTOCOL INFORMATION**

(NOT AVAILABLE)

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**PROSECUTION HISTORY**

**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2010-05-25 - Notice Of Publication E-Mailed

2010-05-25 - Published for opposition

2010-04-18 - Law Office Publication Review Completed  
2010-04-18 - Assigned To LIE  
2010-04-01 - Approved for Pub - Principal Register (Initial exam)  
2010-03-08 - Examiner's Amendment Entered  
2010-03-05 - Notification Of Examiners Amendment E-Mailed  
2010-03-05 - EXAMINERS AMENDMENT E-MAILED  
2010-03-05 - Examiners Amendment -Written  
2010-02-23 - Examiner's Amendment Entered  
2010-02-22 - Notification Of Examiners Amendment E-Mailed  
2010-02-22 - EXAMINERS AMENDMENT E-MAILED  
2010-02-22 - Examiners Amendment -Written  
2010-02-17 - Data Modification Completed  
2010-02-05 - Assigned To LIE  
2010-01-30 - Teas/Email Correspondence Entered  
2010-01-29 - Communication received from applicant  
2010-01-29 - TEAS Response to Office Action Received  
2010-01-29 - TEAS Response to Office Action Received  
2010-01-28 - Notification Of Non-Final Action E-Mailed  
2010-01-28 - Non-final action e-mailed  
2010-01-28 - Non-Final Action Written  
2010-01-21 - Assigned To Examiner  
2009-11-17 - Notice Of Design Search Code Mailed  
2009-11-16 - New Application Office Supplied Data Entered In Tram  
2009-11-13 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Correspondent**

AMERICAN NATURAVIT, INC.

7274 NW 66TH ST # 110

MIAMI, FL 33166-3008

Phone Number: 305 593-5417

Fax Number: 305 593-8253

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