

ESTTA Tracking number: **ESTTA360339**

Filing date: **07/28/2010**

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	OMS Investments, Inc.
Granted to Date of previous extension	07/28/2010
Address	10250 Constellation Boulevard, Ste. 2800 Los Angeles, CA 90067 UNITED STATES

Attorney information	BRITT L. ANDERSON MANATT, PHELPS & PHILLIPS, LLP 1001 PAGE MILL ROAD, BUILDING #2 PALO ALTO, CA 94304 UNITED STATES patrademarks@manatt.com,blanderson@manatt.com,adgarcia@manatt.com Phone:650-812-1300
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Applicant Information

Application No	77853842	Publication date	03/30/2010
Opposition Filing Date	07/28/2010	Opposition Period Ends	07/28/2010
Applicant	NCA Biotech, Inc. 3406 Pomona Blvd Pomona, CA 91768 UNITED STATES		

Goods/Services Affected by Opposition

Class 001. All goods and services in the class are opposed, namely: Plant growth regulators for agricultural use

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	668868	Application Date	02/28/1958
Registration Date	10/28/1958	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		
Design Mark			

Description of Mark	NONE
Goods/Services	Class U010 (International Class 001). First use: First Use: 1951/04/15 First Use In Commerce: 1951/04/15 WATER SOLUBLE PLANT FOOD

U.S. Registration No.	1223038	Application Date	10/24/1980
Registration Date	01/11/1983	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 1980/10/01 First Use In Commerce: 1980/10/01 Fertilizer in the Form of Spikes for Trees and Shrubs		

U.S. Registration No.	2601682	Application Date	06/29/1999
Registration Date	07/30/2002	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO POUR & FEED		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2002/03/04 First Use In Commerce: 2002/03/04 fertilizer for home and garden use		

U.S. Registration No.	2618698	Application Date	04/14/2000
Registration Date	09/10/2002	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO GARDEN WEED PREVENTER & PLANT FOOD		
Design Mark	<p style="text-align: center;">MIRACLE-GRO GARDEN WEED PREVENTER & PLANT FOOD</p>		
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2001/03/01 First Use In Commerce: 2001/03/01 Fertilizers for domestic use Class 005. First use: First Use: 2001/03/01 First Use In Commerce: 2001/03/01 Herbicides for domestic use		

U.S. Registration No.	2618699	Application Date	04/14/2000
Registration Date	09/10/2002	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO GARDEN WEED PREVENTER		

Design Mark	MIRACLE-GRO GARDEN WEED PREVENTER
Description of Mark	NONE
Goods/Services	Class 001. First use: First Use: 2001/03/01 First Use In Commerce: 2001/03/01 Fertilizers for domestic use Class 005. First use: First Use: 2001/03/01 First Use In Commerce: 2001/03/01 Herbicides for domestic use

U.S. Registration No.	2809982	Application Date	09/12/2002
Registration Date	02/03/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO TREE & SHRUB CARE		
Design Mark	MIRACLE-GRO TREE & SHRUB CARE		
Description of Mark	NONE		
Goods/Services	Class 044. First use: First Use: 1998/01/31 First Use In Commerce: 1998/01/31 lawn, tree and shrub care, landscape gardening services and consulting services in the field of lawn, tree and shrub care and landscape gardening		

U.S. Registration No.	2816031	Application Date	03/07/2001
Registration Date	02/24/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO SELECT PLANTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 2001/03/05 First Use In Commerce: 2001/03/05 CONTAINERS NOT OF METAL FOR USE WITH PLANTS AND FOR COMMERCIAL USE Class 031. First use: First Use: 2001/03/05 First Use In Commerce: 2001/03/05		

	LIVE PLANTS
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U.S. Registration No.	2820953	Application Date	03/04/2003
Registration Date	03/09/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		
Design Mark			
Description of Mark	The mark consists of the word "MIRACLE-GRO" in a bullseye logo with a green leaf dotting the "i" in "MIRACLE-GRO" and a yellow ring in the bullseye.		
Goods/Services	<p>Class 001. First use: First Use: 1997/01/00 First Use In Commerce: 1997/01/00 Fertilizers for domestic use; plant food; garden soil; potting mix; seed starter mix for domestic use; root stimulating hormone that converts plant cells to stem cells</p> <p>Class 005. First use: First Use: 2000/00/00 First Use In Commerce: 2000/00/00 Herbicides for domestic use</p> <p>Class 021. First use: First Use: 2000/12/31 First Use In Commerce: 2000/12/31 Garden feeders, namely, containers designed to hold plant food and are used to feed and water plants</p> <p>Class 031. First use: First Use: 2001/01/00 First Use In Commerce: 2001/01/00 Sphagnum peat moss</p>		

U.S. Registration No.	2822655	Application Date	03/04/2003
Registration Date	03/16/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		
Design Mark			
Description of Mark	The mark consists of the word "MIRACLE-GRO" in a bullseye logo with a leaf dotting the "i" in "MIRACLE-GRO" and a ring in the bullseye.		
Goods/Services	Class 001. First use: First Use: 1997/01/00 First Use In Commerce: 1997/01/00 Fertilizers for domestic use; plant food; garden soil; potting mix; seed starter mix		

	<p>for domestic use; root stimulating hormone that converts plant cells to stem cells Class 005. First use: First Use: 2000/00/00 First Use In Commerce: 2000/00/00 Herbicides for domestic use</p> <p>Class 021. First use: First Use: 2000/12/31 First Use In Commerce: 2000/12/31 Garden feeders, namely containers designed to hold plant food and are used to feed and water plants</p> <p>Class 031. First use: First Use: 2001/01/00 First Use In Commerce: 2001/01/00 Sphagnum peat moss</p>
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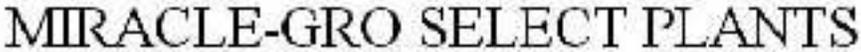
U.S. Registration No.	2856922	Application Date	01/10/2003
Registration Date	06/22/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 2004/01/15 First Use In Commerce: 2004/01/15 Flower pots and planters		

U.S. Registration No.	2856923	Application Date	01/10/2003
Registration Date	06/22/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		
Design Mark			
Description of Mark	The mark consists of the words "MIRACLE-GRO" in a bulls'-eye logo. A stylized leaf forms the dot in the letter "i".		
Goods/Services	Class 021. First use: First Use: 2004/01/15 First Use In Commerce: 2004/01/15 Flower pots and planters		

U.S. Registration No.	2856924	Application Date	01/11/2003
Registration Date	06/22/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		

Design Mark	
Description of Mark	The mark consists of the words "MIRACLE-GRO" in a bulls'-eye logo. A stylized leaf forms the dot in the letter "i".
Goods/Services	Class 021. First use: First Use: 2003/03/31 First Use In Commerce: 2003/03/31 watering cans Class 031. First use: First Use: 2003/12/31 First Use In Commerce: 2003/12/31 Flower, vegetable and plant seeds

U.S. Application No.	77421528	Application Date	03/13/2008
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO SELECT PLANTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 031. First use: Live plants		

U.S. Registration No.	2870768	Application Date	11/29/2001
Registration Date	08/10/2004	Foreign Priority Date	NONE

Word Mark	HAVE YOU USED MIRACLE-GRO LATELY?		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2002/02/01 First Use In Commerce: 2002/02/01		

	<p>Lawn and garden fertilizer for domestic use; plant food; fertilizer in the form of spikes for houseplants, outdoor plants, trees, and shrubbery for domestic use; peat fertilizer; composts; humus; loam; manure; potting soil, soil conditioners, soil amendments, growing media for plants, all for domestic use</p> <p>Class 016. First use: First Use: 2002/04/01 First Use In Commerce: 2002/04/01</p> <p>Brochures about subjects of lawn care and landscape gardening and the use of products relating to lawn care and landscape gardening, including fertilizers, herbicides, fungicides, insecticides, grass seed, flower seeds, garden seeds, plant food, potting soil, soil conditioners and amendments, ground cover, and lawn and garden equipment and advices and information related to flowers and their care</p>
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U.S. Registration No.	2900658	Application Date	10/29/2002
Registration Date	11/02/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO SELECT PLANTS		
Design Mark			
Description of Mark	<p>The mark consists of the words "MIRACLE-GRO" with an arbitrary design in green appearing over the letter "I" superimposed on a circle with a yellow border, "SELECT PLANTS" appearing on a purple ribbon with representation of a flowers in red, pink, purple and a red tomato, all appearing on a green and yellow background.</p>		
Goods/Services	<p>Class 031. First use: First Use: 2003/03/00 First Use In Commerce: 2003/03/00</p> <p>living house plants</p>		

U.S. Registration No.	2906855	Application Date	01/08/2004
Registration Date	11/30/2004	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		
Design Mark			
Description of	<p>The mark consists of the words MIRACLE-GRO in a bulls-eye logo with a leaf</p>		

Mark	dotting the letter "I" a ring in the bulls-eye.
Goods/Services	Class 031. First use: First Use: 2001/03/05 First Use In Commerce: 2001/03/05 live plants

U.S. Registration No.	2906856	Application Date	01/08/2004
Registration Date	11/30/2004	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO
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Design Mark	
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Description of Mark	The color(s) the words MIRACLE-GRO in a bulls-eye logo with a green leaf dotting the "I" and a yellow ring in the bulls-eye is/are claimed as a distinctive feature of the mark.
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Goods/Services	Class 031. First use: First Use: 2001/03/05 First Use In Commerce: 2001/03/05 live plants
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U.S. Registration No.	2935663	Application Date	10/18/2000
Registration Date	03/29/2005	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO MOISTURE CONTROL POTTING MIX CONTAINS AQUACOIR
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Design Mark	
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Description of Mark	The mark consists of the words MIRACLE-GRO MOISTURE CONTROL with an arbitrary design on a label.
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Goods/Services	Class 001. First use: First Use: 2000/12/15 First Use In Commerce: 2000/12/15 Potting soil, growing media for plants
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U.S. Registration No.	2996098	Application Date	08/09/2004
Registration Date	09/13/2005	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO
Design Mark	
Description of Mark	The mark consists of the words MIRACLE-GRO in special form within a circle and an arbitrary logo.
Goods/Services	Class 009. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 protective Work gloves Class 021. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 Gardening gloves and gardening gloves for handling chemicals

U.S. Registration No.	3074660	Application Date	08/09/2004
Registration Date	03/28/2006	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO
Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 protective work gloves Class 021. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 Gardening gloves and gardening gloves for handling chemicals

U.S. Registration No.	3156217	Application Date	09/03/2004
Registration Date	10/17/2006	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO GARDEN SOIL ROSES BONE MEAL ADDED TO GROW BIG, BEAUTIFUL BLOOMS!
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Design Mark			
Description of Mark	The mark consists of the trademark MIRACLE-GRO on a circular logo, with the words GARDEN SOIL, ROSES, and the words BONE MEAL ADDED TO GROW BIG, BEAUTIFUL BLOOMS!, on a package with a figure of a person in a garden.		
Goods/Services	Class 001. First use: First Use: 2005/01/01 First Use In Commerce: 2005/01/01 GARDEN SOIL, PLANTING SOIL, SOIL CONTAINING ADDITIVES, CHEMICAL SOIL CONDITIONERS, SOIL CONDITIONERS FOR AGRICULTURAL, DOMESTIC OR HORTICULTURAL USE AND FERTILIZERS FOR SOIL AND POTTING SOIL		

U.S. Registration No.	3180531	Application Date	12/30/2005
Registration Date	12/05/2006	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO ORGANIC CHOICE
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Design Mark			
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Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2003/03/31 First Use In Commerce: 2003/03/31 Fertilizers for domestic use, potting soil, blood meal, and bone meal		

U.S. Registration No.	3182529	Application Date	09/03/2004
Registration Date	12/12/2006	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO GARDEN SOIL TREES & SHRUBS
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Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2005/02/01 First Use In Commerce: 2005/02/01 GARDEN SOIL, PLANTING SOIL, SOIL CONTAINING ADDITIVES, SOIL CONDITIONERS FOR AGRICULTURAL, DOMESTIC OR HORTICULTURAL USE AND FERTILIZERS FOR SOIL AND POTTING SOIL		

U.S. Registration No.	3190987	Application Date	09/03/2004
Registration Date	01/02/2007	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO GARDEN SOIL FLOWERS & VEGETABLES
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Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2005/02/01 First Use In Commerce: 2005/02/01 GARDEN SOIL, PLANTING SOIL, SOIL CONTAINING ADDITIVES, SOIL CONDITIONERS FOR AGRICULTURAL, DOMESTIC OR HORTICULTURAL USE AND FERTILIZERS FOR SOIL AND POTTING SOIL		

U.S. Registration No.	3233837	Application Date	03/04/2003
Registration Date	04/24/2007	Foreign Priority Date	NONE

Word Mark	MIRACLE-GRO
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Design Mark			
Description of Mark	The mark consists of the word "MIRACLE-GRO" in a bullseye logo with a green leaf dotting the "i" in "MIRACLE-GRO" and a yellow ring in the bullseye.		
Goods/Services	Class 001. First use: First Use: 2000/12/00 First Use In Commerce: 2000/12/00 CHARCOAL FOR HORTICULTURAL PURPOSES AND FOR USE AS A SOIL CONDITIONER; PERLITE FOR HORTICULTURAL PURPOSES AND FOR USE AS A SOIL CONDITIONER		

U.S. Registration No.	3456832	Application Date	06/25/2007
Registration Date	07/01/2008	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 2007/03/12 First Use In Commerce: 2007/03/12 composter machines and components thereof for recycling solid waste		

U.S. Application No.	77775762	Application Date	07/07/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO		

Design Mark	MIRACLE-GRO
Description of Mark	NONE
Goods/Services	Class 031. First use: Flower, vegetable, plant and grass seeds for domestic and agricultural use

U.S. Application No.	77813595	Application Date	08/26/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO COMPLETE		
Design Mark	MIRACLE-GRO COMPLETE		
Description of Mark	NONE		
Goods/Services	Class 001. First use: Growing media for plants		

U.S. Application No.	85041740	Application Date	05/18/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MIRACLE-GRO GRO-BAG		

Design Mark	MIRACLE-GRO GRO-BAG		
Description of Mark	NONE		
Goods/Services	Class 021. First use: Gardening kits for home use comprised of plastic containers and potting soil		

U.S. Application No.	77799595	Application Date	08/07/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GRO-POD		
Design Mark	GRO-POD		
Description of Mark	NONE		
Goods/Services	Class 021. First use: Containers for cultivating plants		

U.S. Registration No.	1378337	Application Date	07/17/1985
Registration Date	01/14/1986	Foreign Priority Date	NONE
Word Mark	EARTHGRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 031. First use: First Use: 1981/08/00 First Use In Commerce: 1981/08/00 TOP SOIL AND PEAT HUMUS		

U.S. Registration No.	1378721	Application Date	07/17/1985
Registration Date	01/21/1986	Foreign Priority	NONE

		Date	
Word Mark	EARTHGRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 1981/08/00 First Use In Commerce: 1981/08/00 COW MANURE, COMPOSTED COW MANURE, DEHYDRATED COW MANURE, POTTING SOIL		

U.S. Registration No.	1723116	Application Date	02/20/1992
Registration Date	10/13/1992	Foreign Priority Date	NONE
Word Mark	EARTHGRO THE NATURAL CHOICE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 1991/09/01 First Use In Commerce: 1992/01/02 natural organic and mineral fertilizer for lawn and garden use, agricultural use and commercial use; cow manure, composted cow manure, dehydrated cow manure, potting soil and humus		

U.S. Registration No.	1726060	Application Date	02/21/1992
Registration Date	10/20/1992	Foreign Priority Date	NONE
Word Mark	EARTHGRO THE NATURAL CHOICE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 031. First use: First Use: 1991/09/01 First Use In Commerce: 1992/01/02		

	top soil		
U.S. Registration No.	3498947	Application Date	02/11/2008
Registration Date	09/09/2008	Foreign Priority Date	NONE
Word Mark	GARDEN-GRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 031. First use: First Use: 2008/02/09 First Use In Commerce: 2008/02/09 mulch		

U.S. Application No.	76653762	Application Date	01/19/2006
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GARDEN GRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: fertilizers		

U.S. Application No.	77341556	Application Date	11/30/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	IT'S GRO TIME		

Design Mark	IT'S GRO TIME		
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2008/02/00 First Use In Commerce: 2008/02/00 Soil amendments, soil conditioners, and soil improving agents for domestic use; plant food; potting soil; planting soil; growing media for plants; humus; manure; peat; compost; and loam		

U.S. Application No.	77341562	Application Date	11/30/2007
Registration Date	NONE	Foreign Priority Date	NONE

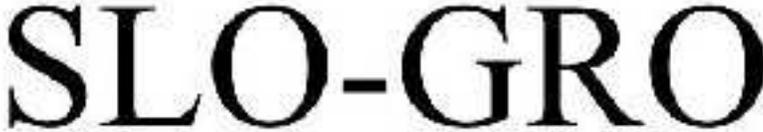
Word Mark	IT'S GRO TIME		
Design Mark	IT'S GRO TIME		
Description of Mark	NONE		
Goods/Services	Class 031. First use: First Use: 2008/02/00 First Use In Commerce: 2008/02/00 Top soil; mulch; soil containing fertilizer		

U.S. Registration No.	3552933	Application Date	11/30/2007
Registration Date	12/30/2008	Foreign Priority Date	NONE
Word Mark	IT'S GRO TIME		

Design Mark	IT'S GRO TIME
Description of Mark	NONE
Goods/Services	Class 044. First use: First Use: 2008/02/00 First Use In Commerce: 2008/02/00 Providing advice and information on the subjects of gardening and lawn care and the use of products relating to gardening and lawn care, namely, plant foods, fertilizers, pesticides, herbicides, grass seed, potting mixes, soil, soil conditioners and amendments, mulches, and lawn and garden equipment; providing advice and information on the subjects of gardening and lawn care and the use of products relating to gardening and lawn care, namely, plant foods, fertilizers, pesticides, herbicides, grass seed, potting mixes, soil, soil conditioners and amendments, mulches, and lawn and garden equipment via the internet; providing in-store consulting services on the subjects of gardening and lawn care and the use of related products, namely, plant foods, fertilizers, pesticides, grass seed, potting mixes, soil, soil conditioners and amendments, mulches, and lawn and garden equipment; lawn, tree, and shrub care services; landscape gardening services; consulting services in the field of lawn, tree, and shrub care and landscape gardening

U.S. Application No.	77406779	Application Date	02/26/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PRO GRO		
Design Mark	PRO GRO		
Description of Mark	NONE		
Goods/Services	Class 001. First use: Fertilizers for domestic, agricultural and horticultural use; soil amendments, soil conditioners, and soil improving agents for domestic, agricultural and horticultural use; plant food; potting soil; planting soil; growing media for plants; humus; manure; peat; compost; and loam		

U.S. Application	77727569	Application Date	05/01/2009
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No.			
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SLO-GRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 031. First use: Grass seed		

U.S. Application No.	77799605	Application Date	08/07/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GRO-MIX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: Growing media for plants		

Attachments	76027637#TMSN.gif (1 page)(bytes) 76027638#TMSN.gif (1 page)(bytes) 76448805#TMSN.gif (1 page)(bytes) 76221700#TMSN.gif (1 page)(bytes) 76496455#TMSN.gif (1 page)(bytes) 76496458#TMSN.gif (1 page)(bytes) 78201990#TMSN.gif (1 page)(bytes) 78202294#TMSN.gif (1 page)(bytes) 77421528#TMSN.jpeg (1 page)(bytes) 75982919#TMSN.gif (1 page)(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	/Britt L. Anderson/
Name	BRITT L. ANDERSON
Date	07/28/2010

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

In the matter of Application Serial No. 77/853,842
Published in the *Official Gazette* on March 30, 2010
Mark: CHAMPIONGRO

OMS Investments, Inc.,)	
)	
Opposer,)	Opposition No. _____
)	
v.)	
)	
NCA Biotech, Inc.)	
)	
Applicant.)	
_____)	

NOTICE OF OPPOSITION

OMS Investments, Inc., a corporation organized and existing under the laws of Delaware, with an office at 10250 Constellation Boulevard, Suite 2800, Los Angeles, California 90067 (“Opposer”), believes it will be damaged by registration of the CHAMPIONGRO mark shown in Application Serial No. 77/853,842, and hereby opposes its registration pursuant to 15 U.S.C. §§ 1051 *et seq.*, including specifically 15 U.S.C. § 1063.

This Notice of Opposition has been timely filed. As grounds for its opposition, Opposer alleges as follows:

1. Upon information and belief, applicant NCA Biotech, Inc. is a California corporation with an address of 3406 Pomona Boulevard, Pomona, California 91768 (“Applicant”).

2. As evidenced in Application Serial No. 77/853,842, Applicant seeks to register the mark CHAMPIONGRO for “plant growth regulators for agricultural use” in International Class 1.

3. Opposer, through its predecessors in interest and affiliates, has used in commerce the famous and distinctive MIRACLE-GRO mark since at least as early as 1951. Over the years, the mark has been used in connection with a wide range of agricultural and horticultural goods and services, including fertilizers, plant hormones and stimulants, and plant growing media in Class 1. Opposer owns numerous federal trademark registrations and applications incorporating the famous and distinctive MIRACLE-GRO mark as reflected in the following representative registrations (the “MIRACLE-GRO Marks”):

Mark	Reg. No. / App. No.	Goods/Services
MIRACLE-GRO	0668868	Class 10: Water soluble plant food.
MIRACLE-GRO	1223038	Class 1: Fertilizer in the form of spikes for trees and shrubs.
MIRACLE-GRO POUR & FEED	2601682	Class 1: Fertilizer for home and garden use.
MIRACLE-GRO GARDEN WEED PREVENTER & PLANT FOOD	2618698	Class 1: Fertilizers for domestic use. Class 5: Herbicides for domestic use.
MIRACLE-GRO GARDEN WEED PREVENTER	2618699	Class 1: Fertilizers for domestic use. Class 5: Herbicides for domestic use.
MIRACLE-GRO TREE & SHRUB CARE	2809982	Class 44: Lawn, tree and shrub care, landscape gardening services and consulting services in the field of lawn, tree and shrub care and landscape gardening.
MIRACLE-GRO SELECT PLANTS & Design	2816031	Class 21: Containers not of metal for use with plants and for commercial use. Class 31: Live plants.

Mark	Reg. No. / App. No.	Goods/Services
MIRACLE-GRO & Design	2820953	Class 1: Fertilizers for domestic use; plant food; garden soil; potting mix; seed starter mix for domestic use; root stimulating hormone that converts plant cells to stem cells. Class 5: Herbicides for domestic use. Class 21: Garden feeders, namely containers designed to hold plant food and are used to feed and water plants. Class 31: Sphagnum peat moss.
MIRACLE-GRO & Design	2822655	Class 1: Fertilizers for domestic use; plant food; garden soil; potting mix; seed starter mix for domestic use; root stimulating hormone that converts plant cells to stem cells. Class 5: Herbicides for domestic use. Class 21: Garden feeders, namely containers designed to hold plant food and are used to feed and water plants. Class 31: Sphagnum peat moss.
MIRACLE-GRO	2856922	Class 21: Flower pots and planters.
MIRACLE-GRO & Design	2856923	Class 21: Flower pots and planters.
MIRACLE-GRO & Design	2856924	Class 21: Watering cans. Class 31: Flower, vegetable and plant seeds.
MIRACLE-GRO SELECT PLANTS	77/421528	Class 31: Live plants.
HAVE YOU USED MIRACLE-GRO LATELY?	2870768	Class 1: Lawn and garden fertilizer for domestic use; plant food; fertilizer in the form of spikes for houseplants, outdoor plants, trees, and shrubbery for domestic use; peat fertilizer; composts; humus; loam; manure; potting soil, soil conditioners, soil amendments, growing media for plants, all for domestic use. Class 16: Brochures about subjects of lawn care and landscape gardening and the use of products relating to lawn care and landscape gardening, including fertilizers, herbicides, fungicides, insecticides, grass seed, flower seeds, garden seeds, plant food, potting soil, soil conditioners and amendments, ground cover, and lawn and garden equipment and advices and information related to flowers and their care.
MIRACLE-GRO SELECT PLANTS & Design	2900658	Class 31: Living house plants.
MIRACLE-GRO & Design	2906855	Class 31: Live plants.
MIRACLE-GRO & Design	2906856	Class 31: Live plants.
MIRACLE-GRO MOISTURE CONTROL POTTING MIX CONTAINS AQUACOIR & Design	2935663	Class 1: Potting soil, growing media for plants.

Mark	Reg. No. / App. No.	Goods/Services
MIRACLE-GRO & Design	2996098	Class 9: Protective work gloves. Class 21: Gardening gloves and gardening gloves for handling chemicals.
MIRACLE-GRO	3074660	Class 9: Protective work gloves. Class 21: Gardening gloves and gardening gloves for handling chemicals.
MIRACLE-GRO GARDEN SOIL ROSES BONE MEAL ADDED TO GROW BIG, BEAUTIFUL BLOOMS! (PACKAGE) (COLOR)	3156217	Class 1: Garden soil, planting soil, soil containing additives, chemical soil conditioners, soil conditioners for agricultural, domestic or horticultural use and fertilizers for soil and potting soil.
MIRACLE-GRO ORGANIC CHOICE & Design	3180531	Class 1: Fertilizers for domestic use, potting soil, blood meal, and bone meal.
MIRACLE-GRO GARDEN SOIL TREES & SHRUBS (PACKAGE) (COLOR)	3182529	Class 1: Garden soil, planting soil, soil containing additives, soil conditioners for agricultural, domestic or horticultural use and fertilizers for soil and potting soil.
MIRACLE-GRO GARDEN SOIL FLOWERS & VEGETABLES & Design	3190987	Class 1: Garden soil, planting soil, soil containing additives, soil conditioners for agricultural, domestic or horticultural use and fertilizers for soil and potting soil.
MIRACLE-GRO & Design	3233837	Class 1: Charcoal for horticultural purposes and for use as a soil conditioner; perlite for horticultural purposes and for use as a soil conditioner.
MIRACLE-GRO	3456832	Class 7: Composter machines and components thereof for recycling solid waste
MIRACLE-GRO	77/775762	Class 31: Flower, vegetable, plant and grass seeds for domestic and agricultural purposes.
MIRACLE-GRO COMPLETE	77/813595	Class 1: Growing media for plants
MIRACLE-GRO GRO-BAG	85/041740	Class 21: Gardening kits for home use comprised of plastic containers and potting soil.

True and correct copies of the electronic records for these registrations printed from the United States Patent and Trademark Office's ("USPTO") online database are attached hereto as Exhibit A. Each of the registrations noted above were issued on the Principal Register and are presently in full force and effect. Notably, Registration Nos. 0668868, 1223038, and 2235973 are incontestable.

4. In addition, Opposer owns numerous other trademark applications and registrations containing the GRO suffix or component, including GRO POD,

EARTHGRO, GARDEN-GRO, PRO GRO, GRO MIX, and SLO-GRO ("GRO

Component Marks"), all as reflected below:

Mark	Reg. No. / App. No.	Goods/Services
GRO-POD	77/799595	Class 21: Containers for cultivating plants
EARTHGRO	1378337	Class 31: Top soil and peat humus.
EARTHGRO	1378721	Class 1: Cow manure, composted cow manure, dehydrated cow manure, potting soil.
EARTHGRO THE NATURAL CHOICE & Design	1723116	Class 1: Natural organic and mineral fertilizer for lawn and garden use, agricultural use and commercial use; cow manure, composted cow manure, dehydrated cow manure, potting soil and humus.
EARTHGRO THE NATURAL CHOICE & Design	1726060	Class 31: Top soil.
GARDEN-GRO	3498947	Class 31: Mulch.
GARDEN GRO	76/653762	Class 1: Fertilizers.
ITS GRO TIME	77/341556	Class 1: Fertilizers for domestic, agricultural and horticultural use; soil amendments, soil conditioners, and soil improving agents for domestic, agricultural and horticultural use; plant food; potting soil; planting soil; growing media for plants; humus; manure; peat; compost; and loam.
ITS GRO TIME	77/341562	Class 31: Grass seed; grass products, namely, grass sod and grass plugs; top soil; mulch; raw bark; peat moss; combination of grass seed, fertilizer and mulch for the purpose of lawn repair; soil containing fertilizer; live plants.
ITS GRO TIME	3552933	Class 44: Providing advice and information on the subjects of gardening and lawn care and the use of products relating to gardening and lawn care, namely, plant foods, fertilizers . . . via the internet; providing in-store consulting services on the subjects of gardening and lawn care and the use of related products, namely, plant foods, fertilizers . . . and shrub care services; landscape gardening services; consulting services in the field of lawn, tree, and shrub care and landscape gardening.
PRO GRO	77/406779	Class 1: Fertilizers for domestic, agricultural and horticultural use; soil amendments, soil conditioners, and soil improving agents for domestic, agricultural and horticultural use; plant food; potting soil; planting soil; growing media for plants; humus; manure; peat; compost; and loam.
SLO-GRO	77/727569	Class 31: Grass seed.
GRO-MIX	77/799605	Class 1: Growing media for plants.

True and correct copies of the electronic records for these registrations and applications printed from the USPTO's online database are attached hereto as Exhibit B (the MIRACLE-GRO Marks and GRO Component Marks are hereinafter collectively referred to as the "GRO Marks"). Notably, Registration Nos. 1378337, 1378721, 1403361, 1723116, and 1726060 are incontestable.

5. The distinctiveness of the GRO Marks is buttressed by their widespread secondary meaning in the marketplace. Opposer has expended and continues to expend substantial time, money and effort in advertising and promoting the GRO Marks to identify itself as the source of its goods and services, such as in newspapers, magazines, sponsorships, and through nationally broadcast television and radio commercials.

6. In addition, the GRO Marks and products have been prominently featured on Opposer's popular website *www.scotts.com*, among others. Over the years, the GRO Marks and the products associated with those marks have received a significant amount of unsolicited press and have been the subject of numerous articles in major publications. In addition, the strength of the GRO Marks is enhanced by Opposer's vigilant and successful policing efforts of these marks.

7. As a result of Opposer's efforts, the GRO Marks have become assets of substantial value and symbols of Opposer's good will. Today, the GRO Marks are some of the most recognizable and valuable brands in the lawn and garden and horticulture industry. Moreover, due to the national, and indeed, worldwide consumer recognition of Opposer's GRO Marks, consumers have come to recognize the suffix "GRO" as also symbolizing the goodwill inherent in the GRO Marks, and further, associate the "GRO" element solely with Opposer and its line of high quality products.

8. No issue of priority exists with respect to Opposer's first use of one or more of its GRO Marks as set forth above and Applicant's CHAMPIONGRO mark. Opposer has used, promoted and advertised its goods under one or more of its GRO Marks in commerce for well over 50 years, since at least as early as 1951. Conversely, Applicant has not yet claimed use of the CHAMPIONGRO mark. Accordingly, Opposer has priority over Applicant with respect to the GRO Marks.

9. Applicant's proposed mark is confusingly similar to Opposer's GRO Marks because it is similar in appearance, sound and commercial impression, pursuant to 15 U.S.C. § 1052(d). Among other things, Applicant's proposed mark incorporates the word element "GRO," which is identical to the famous and distinctive "GRO" element in the GRO Marks. In addition, because the "GRO" word element is used as a suffix in connection with a prior word element, Applicant's proposed mark CHAMPIONGRO resembles Opposer's GRO Marks in commercial impression, and in particular its famous and distinctive MIRACLE-GRO mark. The likelihood of confusion between Applicant's proposed mark and Opposer's GRO Marks is further exacerbated because the goods proposed to be sold under Applicant's mark, namely "plant growth regulators for agricultural use" are identical or closely related to the products sold under Opposer's "GRO" Marks. Applicant's goods sold under the mark may be sold in the same or proximate channels of trade and to the same consumers as those sold under Opposer's GRO Marks. Accordingly, consumers may believe, incorrectly, that CHAMPIONGRO is an extension of Opposer's family of GRO Marks.

10. Given the goodwill and public recognition arising from the association of the GRO Marks with Opposer, consumers are likely to believe that Opposer has licensed,

approved or otherwise authorized Applicant's use of the CHAMPIONGRO mark when it has not.

11. The maturation of Applicant's application into registration will cause a likelihood of confusion, mistake or deception with respect to the source or origin of Applicant's goods. Consumers will erroneously believe that Applicant's goods are produced by or associated with Opposer.

12. Applicant's use and registration of the proposed mark will also cause dilution by tarnishment and dilution by blurring of Opposer's famous GRO Marks, whose fame was established well before Applicant's first use of its proposed mark, as prohibited by 15 U.S.C. § 1125(c).

13. Pursuant to 15 U.S.C. § 1063(a), Opposer will be damaged by registration of Applicant's proposed mark, which would grant Applicant a *prima facie* exclusive right to use the proposed mark despite Opposer's priority over Applicant and the likelihood of confusion, dilution and injury to goodwill that will be caused by Applicant's mark.

14. In summary, registration of the proposed mark would be incorrect and improper in view of the requirements of the Trademark Act of 1946, as amended, including specifically but not limited to the provisions of 15 U.S.C. §§ 1051, *et seq.*

WHEREFORE, Opposer prays that this Opposition be sustained, and that registration to Applicant for CHAMPIONGRO in Application Serial No. 77/853,842 for the goods identified in International Classes 1 be denied.

Opposer submits this Notice of Opposition via the e-filing procedure of the Trademark Trial and Appeal Board, and hereby advises the Board that it may debit the Deposit Account No. 50-1847 of Manatt, Phelps & Phillips LLP for the appropriate filing

fee of \$300.00. Please direct all notices, pleadings and correspondence in this matter to the undersigned counsel for Opposer OMS Investments, Inc.

DATED: July 28, 2010

Respectfully submitted,

By: 

Susan E. Hollander, Esq.
Britt L. Anderson, Esq.

Manatt Phelps & Phillips, LLP
One Embarcadero Center, 30th Floor
San Francisco, CA 94111
(415) 291-7400
(415) 291-7474 (Fax)

Attorneys for Opposer
OMS Investments, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF OPPOSITION** has been properly served upon the Applicant, via U.S. first class mail, postage prepaid, on this 28th day of July, 2010.

Stanley Hsiao
NCA Biotech, Inc.
3406 Pomona Blvd.
Pomona, CA 91768-3236



Linda Allen

EXHIBIT A

NOTICE OF OPPOSITION

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

This page was generated by the TARR system on 2010-07-23 13:04:32 ET

Serial Number: 72046856 Assignment Information Trademark Document Retrieval

Registration Number: 668868

Mark (words only): MIRACLE-GRO

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2008-07-23

Filing Date: 1958-02-28

Transformed into a National Application: No

Registration Date: 1958-10-28

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

Current Location: 40S -Scanning On Demand

Date In Location: 2009-01-16

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

1. SCOTTS MIRACLE-GRO PRODUCTS, INC.

Address:

SCOTTS MIRACLE-GRO PRODUCTS, INC.
800 PORT WASHINGTON BLVD.
PORT WASHINGTON, NY 11050
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Ohio

GOODS AND/OR SERVICES

U.S. Class: 010 (International Class 001)

Class Status: Active

WATER SOLUBLE PLANT FOOD

Basis: 1(a)

First Use Date: 1951-04-15

First Use in Commerce Date: 1951-04-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

- 2010-07-22 - Notice Of Suit
- 2009-01-16 - Case File In TICRS
- 2008-07-23 - Third renewal 10 year
- 2008-07-23 - Section 8 (10-year) accepted/ Section 9 granted
- 2008-07-22 - Assigned To Paralegal
- 2008-07-10 - TEAS Section 8 & 9 Received
- 1999-01-25 - Second renewal 10 year
- 1998-10-28 - Section 9 filed/check record for Section 8
- 1978-10-28 - First renewal

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Aimee A. Zaleski

Correspondent

Aimee A. Zaleski
The Scotts Company LLC
14111 Scottslawn Road
Marysville OH 43041
Phone Number: 937-644-7667
Fax Number: 937-644-7568

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

This page was generated by the TARR system on 2010-07-23 13:04:46 ET

Serial Number: 73283281 Assignment Information Trademark Document Retrieval

Registration Number: 1223038

Mark (words only): MIRACLE-GRO

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2003-03-22

Filing Date: 1980-10-24

Transformed into a National Application: No

Registration Date: 1983-01-11

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-04-11

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

1. OMS INVESTMENTS, INC.

Address:

OMS INVESTMENTS, INC.
100 WILSHIRE BLVD., SUITE 1230
SANTA MONICA, CA 90401
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Fertilizer in the Form of Spikes for Trees and Shrubs

Basis: 1(a)

First Use Date: 1980-10-01

First Use in Commerce Date: 1980-10-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

1141943

6688680

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-04-11 - Case File In TICRS

2003-03-22 - First renewal 10 year

2003-03-22 - Section 8 (10-year) accepted/ Section 9 granted

2003-01-06 - Combined Section 8 (10-year)/Section 9 filed

2003-01-06 - PAPER RECEIVED

1989-05-22 - Section 8 (6-year) accepted & Section 15 acknowledged

1989-05-12 - Response received for Post Registration action

1989-04-18 - Post Registration action mailed Section 8 & 15

1988-12-30 - Section 8 (6-year) and Section 15 Filed

1983-01-11 - Registered - Principal Register

1982-10-19 - Published for opposition

1982-09-07 - Notice of publication

1982-01-05 - Non-final action mailed

1981-09-16 - Assigned To Examiner

1981-03-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

LAWRENCE E. ABELMAN

Correspondent

LAWRENCE E. ABELMAN

ABELMAN FRAYNE & SCHWAB

150 EAST 42ND STREET

NEW YORK, NY 10017-5612

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

This page was generated by the TARR system on 2010-07-23 13:05:00 ET

Serial Number: 75751306 Assignment Information Trademark Document Retrieval

Registration Number: 2601682

Mark (words only): MIRACLE-GRO POUR & FEED

Standard Character claim: No

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

Date of Status: 2008-08-04

Filing Date: 1999-06-29

Transformed into a National Application: No

Registration Date: 2002-07-30

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 830 -Post Registration

Date In Location: 2008-08-04

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

I. OMS Investments, Inc.

Address:

OMS Investments, Inc.
Suite 2800 10250 Constellation Boulevard
Los Angeles, CA 900676228
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

fertilizer for home and garden use

Basis: 1(a)

First Use Date: 2002-03-04

First Use in Commerce Date: 2002-03-04

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2008-08-04 - Section 8 (6-year) accepted & Section 15 acknowledged
2008-07-09 - Assigned To Paralegal
2008-06-30 - TEAS Section 8 & 15 Received
2007-12-20 - Case File In TICRS
2006-02-10 - TEAS Change Of Correspondence Received
2006-02-03 - TEAS Change Of Correspondence Received
2002-07-30 - Registered - Principal Register
2002-04-22 - Allowed for Registration - Principal Register (SOU accepted)
2002-04-17 - Assigned To Examiner
2002-04-15 - Statement Of Use Processing Complete
2002-03-20 - Use Amendment Filed
2002-03-25 - PAPER RECEIVED
2002-01-31 - Extension 2 granted
2002-01-10 - Extension 2 filed
2001-09-25 - Extension 1 granted
2001-09-10 - Extension 1 filed
2001-07-10 - Noa Mailed - SOU Required From Applicant
2001-04-17 - Published for opposition

Latest Status Info

2001-04-04 - Notice of publication
2000-12-21 - Approved For Pub - Principal Register
2000-04-12 - Communication received from applicant
2000-01-10 - Letter of suspension mailed
1999-12-06 - Assigned To Examiner
1999-10-21 - Assigned To Examiner
1999-10-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Aimee A. Zaleski

Correspondent

Aimee A. Zaleski
The Scotts Company LLC
14111 Scottslawn Road
Marysville OH 43041
Phone Number: 937-644-7667
Fax Number: 937-644-7568

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

This page was generated by the TARR system on 2010-07-23 13:05:21 ET

Serial Number: 76027637 Assignment Information Trademark Document Retrieval

Registration Number: 2618698

Mark (words only): MIRACLE-GRO GARDEN WEED PREVENTER & PLANT FOOD

Standard Character claim: No

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

Date of Status: 2008-09-30

Filing Date: 2000-04-14

Transformed into a National Application: No

Registration Date: 2002-09-10

Register: Principal

Law Office Assigned: LAW OFFICE 105

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

Current Location: 830 -Post Registration

Date In Location: 2008-09-30

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Boulevard Suite 2800
Los Angeles, CA 900676228
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Fertilizers for domestic use

Basis: 1(a)

First Use Date: 2001-03-01

First Use in Commerce Date: 2001-03-01

International Class: 005

Class Status: Active

Herbicides for domestic use

Basis: 1(a)

First Use Date: 2001-03-01

First Use in Commerce Date: 2001-03-01

ADDITIONAL INFORMATION

Disclaimer: "GARDEN WEED PREVENTER & PLANT FOOD"

Prior Registration Number(s):

1842586

2345472

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-09-30 - Section 8 (6-year) accepted & Section 15 acknowledged

2008-09-23 - Assigned To Paralegal

2008-09-18 - TEAS Section 8 & 15 Received

2007-10-04 - Case File In TICRS

2002-09-10 - Registered - Principal Register

2002-06-12 - Allowed for Registration - Principal Register (SOU accepted)

2002-06-10 - Statement Of Use Processing Complete

2002-05-29 - Use Amendment Filed

2001-12-11 - Noa Mailed - SOU Required From Applicant

2001-09-18 - Published for opposition

2001-08-29 - Notice of publication

2001-05-03 - Approved For Pub - Principal Register

2001-03-01 - Communication received from applicant

2001-03-01 - Communication received from applicant

2000-09-22 - Non-final action mailed

2000-09-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Aimee A. Zaleski

Correspondent

Aimee A. Zaleski

The Scotts Company LLC

14111 Scottslawn Road

Marysville OH 43041

Phone Number: 937-644-7667

Fax Number: 937-644-7568

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

This page was generated by the TARR system on 2010-07-23 13:05:31 ET

Serial Number: 76027638 Assignment Information Trademark Document Retrieval

Registration Number: 2618699

Mark (words only): MIRACLE-GRO GARDEN WEED PREVENTER

Standard Character claim: No

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

Date of Status: 2008-09-30

Filing Date: 2000-04-14

Transformed into a National Application: No

Registration Date: 2002-09-10

Register: Principal

Law Office Assigned: LAW OFFICE 105

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

Current Location: 830 -Post Registration

Date In Location: 2008-09-30

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Boulevard Suite 2800
Los Angeles, CA 900676228
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Fertilizers for domestic use

Basis: 1(a)

First Use Date: 2001-03-01

First Use in Commerce Date: 2001-03-01

International Class: 005

Class Status: Active

Herbicides for domestic use

Basis: 1(a)

First Use Date: 2001-03-01

First Use in Commerce Date: 2001-03-01

ADDITIONAL INFORMATION

Disclaimer: "GARDEN WEED PREVENTER"

Prior Registration Number(s):

1842586

2345472

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-09-30 - Section 8 (6-year) accepted & Section 15 acknowledged

2008-09-23 - Assigned To Paralegal

2008-09-18 - TEAS Section 8 & 15 Received

2007-10-04 - Case File In TICRS

2002-09-10 - Registered - Principal Register

2002-06-12 - Allowed for Registration - Principal Register (SOU accepted)

2002-06-10 - Statement Of Use Processing Complete

2002-05-29 - Use Amendment Filed

2001-12-11 - Noa Mailed - SOU Required From Applicant

2001-09-18 - Published for opposition

2001-08-29 - Notice of publication

2001-05-03 - Approved For Pub - Principal Register

2001-03-01 - Communication received from applicant

2000-09-22 - Non-final action mailed

2000-09-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Aimee A. Zaleski

Correspondent

Aimee A. Zaleski

The Scotts Company LLC

14111 Scottslawn Road

Marysville OH 43041

Phone Number: 937-644-7667

Fax Number: 937-644-7568

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

This page was generated by the TARR system on 2010-07-23 13:05:42 ET

Serial Number: 76448805 Assignment Information Trademark Document Retrieval

Registration Number: 2809982

Mark (words only): MIRACLE-GRO TREE & SHRUB CARE

Standard Character claim: No

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

Date of Status: 2010-01-19

Filing Date: 2002-09-12

Transformed into a National Application: No

Registration Date: 2004-02-03

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: M20 -TMO Law Office 111

Date In Location: 2010-01-19

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 044

Class Status: Active

lawn, tree and shrub care, landscape gardening services and consulting services in the field of lawn, tree and shrub care and landscape gardening

Basis: I(a)

First Use Date: 1998-01-31

First Use in Commerce Date: 1998-01-31

ADDITIONAL INFORMATION

Disclaimer: "TREE & SHRUB CARE"

Prior Registration Number(s):

1223038

2235973

2345472

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2010-01-19 - Section 8 (6-year) accepted & Section 15 acknowledged

2010-01-11 - Case Assigned To Post Registration Paralegal

2010-01-07 - TEAS Section 8 & 15 Received

2004-02-03 - Registered - Principal Register

2003-11-11 - Published for opposition

2003-10-22 - Notice of publication

2003-09-06 - Approved for Pub - Principal Register (Initial exam)

2003-08-06 - Communication received from applicant

2003-08-29 - Case File In TICRS

2003-08-06 - PAPER RECEIVED

2003-02-11 - Non-final action mailed

2003-02-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

Susan E. Hollander, Esq.
Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Bldg. 2
Palo Alto CA 94304
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:05:56 ET

Serial Number: 76221700 Assignment Information Trademark Document Retrieval

Registration Number: 2816031

Mark



(words only): MIRACLE-GRO SELECT PLANTS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-02-24

Filing Date: 2001-03-07

Transformed into a National Application: No

Registration Date: 2004-02-24

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 40S -Scanning On Demand

Date In Location: 2007-06-07

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
c/o Delaware Corporate Management 1105 North Market Street
Wilmington, DE 19899
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 021

Class Status: Active

CONTAINERS NOT OF METAL FOR USE WITH PLANTS AND FOR COMMERCIAL USE

Basis: 1(a)

First Use Date: 2001-03-05

First Use in Commerce Date: 2001-03-05

International Class: 031

Class Status: Active

LIVE PLANTS

Basis: 1(a)

First Use Date: 2001-03-05

First Use in Commerce Date: 2001-03-05

ADDITIONAL INFORMATION

Disclaimer: "SELECT PLANTS"

Design Search Code(s):

05.05.25 - Daffodils; Iris (flower); Other flowers

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

26.11.10 - Rectangles divided once into two sections

26.11.20 - Rectangles inside one another

26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

668868

2345472

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2007-06-07 - Case File In TICRS

2004-02-24 - Registered - Principal Register

2003-12-02 - Published for opposition

2003-11-12 - Notice of publication

2003-09-29 - Approved for Pub - Principal Register (Initial exam)

2003-08-01 - Communication received from applicant

2003-08-25 - Reinstated

2003-08-01 - PAPER RECEIVED

2003-07-23 - Abandonment - Failure To Respond Or Late Response

2003-06-05 - PAPER RECEIVED

2002-12-02 - Non-final action mailed

2002-09-20 - Communication received from applicant

2002-07-19 - Non-final action mailed

2002-05-24 - Previous Allowance Count Withdrawn

2002-02-14 - Approved for Pub - Principal Register (Initial exam)

2001-10-19 - Communication received from applicant

2001-08-14 - Non-final action mailed

2001-06-18 - Assigned To Examiner

2001-06-07 - Assigned To Examiner

2001-06-02 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E. Abelman

Correspondent

LAWRENCE E. ABELMAN
ABELMAN FRAYNE & SCHWAB
150 E 42ND ST
NEW YORK NY 10017-5612

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

This page was generated by the TARR system on 2010-07-23 13:06:13 ET

Serial Number: 76496455 Assignment Information Trademark Document Retrieval

Registration Number: 2820953

Mark



(words only): MIRACLE-GRO

Standard Character claim: No

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

Date of Status: 2010-03-26

Filing Date: 2003-03-04

Transformed into a National Application: No

Registration Date: 2004-03-09

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: L60 -TMEG Law Office 106

Date In Location: 2010-03-26

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd. , Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Fertilizers for domestic use; plant food; garden soil; potting mix; seed starter mix for domestic use; root stimulating hormone that converts plant cells to stem cells

Basis: 1(a)

First Use Date: 1997-01-00

First Use in Commerce Date: 1997-01-00

International Class: 005

Class Status: Active

Herbicides for domestic use

Basis: 1(a)

First Use Date: 2000-00-00

First Use in Commerce Date: 2000-00-00

International Class: 021

Class Status: Active

Garden feeders, namely, containers designed to hold plant food and are used to feed and water plants

Basis: 1(a)

First Use Date: 2000-12-31

First Use in Commerce Date: 2000-12-31

International Class: 031

Class Status: Active

Sphagnum peat moss

Basis: 1(a)

First Use Date: 2001-01-00

First Use in Commerce Date: 2001-01-00

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the word "MIRACLE-GRO" in a bullseye logo with a green leaf dotting the "I" in "MIRACLE-GRO" and a yellow ring in the bullseye.

Design Search Code(s):

05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches

05.03.25 - Leaf, single; Other leaves

21.03.12 - Dart boards; Targets without crosshairs or alignment guides

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

27.03.04 - Plants forming letters or numerals

Prior Registration Number(s):

668868

1051605

1223038

2345472

2525828

2580976
2601682
2618698
2618699

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2010-03-26 - Section 8 (6-year) accepted & Section 15 acknowledged

2010-03-26 - Case Assigned To Post Registration Paralegal

2010-03-09 - TEAS Section 8 & 15 Received

2008-08-05 - Notice Of Suit

2008-06-17 - Notice Of Suit

2004-03-09 - Registered - Principal Register

2003-12-16 - Published for opposition

2003-11-26 - Notice of publication

2003-09-25 - Approved for Pub - Principal Register (Initial exam)

2003-08-11 - Communication received from applicant

2003-09-07 - Case File In TICRS

2003-08-11 - PAPER RECEIVED

2003-06-27 - Non-final action mailed

2003-06-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

Susan E. Hollander, Esq.

Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Bldg. 2
Palo Alto CA 94304
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:06:27 ET

Serial Number: 76496458 Assignment Information Trademark Document Retrieval

Registration Number: 2822655

Mark



(words only): MIRACLE-GRO

Standard Character claim: No

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

Date of Status: 2010-03-10

Filing Date: 2003-03-04

Transformed into a National Application: No

Registration Date: 2004-03-16

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: L60 -TMEG Law Office 106

Date In Location: 2010-03-10

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

1. OMS INVESTMENTS, INC.

Address:

OMS INVESTMENTS, INC.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001**Class Status:** Active

Fertilizers for domestic use; plant food; garden soil; potting mix; seed starter mix for domestic use; root stimulating hormone that converts plant cells to stem cells

Basis: 1(a)**First Use Date:** 1997-01-00**First Use in Commerce Date:** 1997-01-00**International Class:** 005**Class Status:** Active

Herbicides for domestic use

Basis: 1(a)**First Use Date:** 2000-00-00**First Use in Commerce Date:** 2000-00-00**International Class:** 021**Class Status:** Active

Garden feeders, namely containers designed to hold plant food and are used to feed and water plants

Basis: 1(a)**First Use Date:** 2000-12-31**First Use in Commerce Date:** 2000-12-31**International Class:** 031**Class Status:** Active

Sphagnum peat moss

Basis: 1(a)**First Use Date:** 2001-01-00**First Use in Commerce Date:** 2001-01-00

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the word "MIRACLE-GRO" in a bullseye logo with a leaf dotting the "I" in "MIRACLE-GRO" and a ring in the bullseye.

Design Search Code(s):

05.03.25 - Leaf, single; Other leaves

21.03.12 - Dart boards; Targets without crosshairs or alignment guides

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

27.03.04 - Plants forming letters or numerals

Prior Registration Number(s):

668868

1051605

1223038

2345472

2525828

2580976

2601682
2618698
2618699

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit
2010-03-10 - Section 8 (6-year) accepted & Section 15 acknowledged
2010-03-10 - Case Assigned To Post Registration Paralegal
2010-02-24 - TEAS Section 8 & 15 Received
2004-03-16 - Registered - Principal Register
2003-12-23 - Published for opposition
2003-12-03 - Notice of publication
2003-09-22 - Approved for Pub - Principal Register (Initial exam)
2003-08-11 - Communication received from applicant
2003-09-07 - Case File In TICRS
2003-08-11 - PAPER RECEIVED
2003-06-27 - Non-final action mailed
2003-06-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

Susan E. Hollander, Esq.
Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Bldg. 2
Palo Alto CA 94304
Phone Number: 65-0812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:06:42 ET

Serial Number: 78201924 Assignment Information Trademark Document Retrieval

Registration Number: 2856922

Mark (words only): MIRACLE-GRO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-22

Filing Date: 2003-01-10

Transformed into a National Application: No

Registration Date: 2004-06-22

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-07-12

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
100 Wilshire Boulevard
Santa Monica, CA 90401
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 021

Class Status: Active

Flower pots and planters

Basis: 1(a)

First Use Date: 2004-01-15

First Use in Commerce Date: 2004-01-15

ADDITIONAL INFORMATION

Prior Registration Number(s):

668868
1051605
1223038
2345472
2525828
2580976
2601682
2618698
2618699

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit
2004-06-22 - Registered - Principal Register
2004-04-20 - Allowed for Registration - Principal Register (SOU accepted)
2004-04-19 - Assigned To Examiner
2004-04-17 - Statement Of Use Processing Complete
2004-04-12 - Use Amendment Filed
2004-04-12 - TEAS Statement of Use Received
2004-03-09 - Noa Mailed - SOU Required From Applicant
2003-12-16 - Published for opposition
2003-11-26 - Notice of publication
2003-09-16 - Approved For Pub - Principal Register
2003-08-06 - Communication received from applicant
2003-08-06 - PAPER RECEIVED
2003-06-30 - Non-final action mailed

2003-06-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

LAWRENCE E ABELMAN

Correspondent

LAWRENCE E ABELMAN

ABELMAN FRAYNE & SCHWAB

150 E 42ND ST

NEW YORK NY 10017-5612

Phone Number: 212-949-9022

Fax Number: 212-949-9190

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

This page was generated by the TARR system on 2010-07-23 13:06:54 ET

Serial Number: 78201990 Assignment Information Trademark Document Retrieval

Registration Number: 2856923

Mark



(words only): MIRACLE-GRO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-22

Filing Date: 2003-01-10

Transformed into a National Application: No

Registration Date: 2004-06-22

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-07-12

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

J. OMS Investments, Inc.

Address:

OMS Investments, Inc.
100 Wilshire Boulevard
Santa Monica, CA 90401
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 021

Class Status: Active

Flower pots and planters

Basis: 1(a)

First Use Date: 2004-01-15

First Use in Commerce Date: 2004-01-15

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the words "MIRACLE-GRO" in a bulls'-eye logo. A stylized leaf forms the dot in the letter "I".

Design Search Code(s):

05.05.25 - Daffodils; Iris (flower); Other flowers

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

Prior Registration Number(s):

668868

1051605

1223038

2345472

2525828

2580976

2601682

2618698

2618699

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2004-06-22 - Registered - Principal Register

2004-04-20 - Allowed for Registration - Principal Register (SOU accepted)

2004-04-19 - Assigned To Examiner

2004-04-15 - Statement Of Use Processing Complete

2004-04-15 - Use Amendment Filed
2004-04-12 - TEAS Statement of Use Received
2004-01-27 - Noa Mailed - SOU Required From Applicant
2003-11-04 - Published for opposition
2003-10-15 - Notice of publication
2003-09-02 - Approved For Pub - Principal Register
2003-08-01 - Communication received from applicant
2003-08-01 - PAPER RECEIVED
2003-06-27 - Non-final action mailed
2003-06-25 - Assigned To Examiner
2003-06-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

LAWRENCE E ABELMAN

Correspondent

LAWRENCE E ABELMAN
ABELMAN FRAYNE & SCHWAB
150 E 42ND ST
NEW YORK NY 10017-5612
Phone Number: 212-949-9022
Fax Number: 212-949-9190

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

This page was generated by the TARR system on 2010-07-23 13:07:04 ET

Serial Number: 78202294 Assignment Information Trademark Document Retrieval

Registration Number: 2856924

Mark



(words only): MIRACLE-GRO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-22

Filing Date: 2003-01-11

Transformed into a National Application: No

Registration Date: 2004-06-22

Register: Principal

Law Office Assigned: LAW OFFICE 106

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.

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-07-12

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
100 Wilshire Boulevard
Santa Monica, CA 90401
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 021

Class Status: Active

watering cans

Basis: 1(a)

First Use Date: 2003-03-31

First Use in Commerce Date: 2003-03-31

International Class: 031

Class Status: Active

Flower, vegetable and plant seeds

Basis: 1(a)

First Use Date: 2003-12-31

First Use in Commerce Date: 2003-12-31

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the words "MIRACLE-GRO" in a bulls'-eye logo. A stylized leaf forms the dot in the letter "I".

Design Search Code(s):

05.05.25 - Daffodils; Iris (flower); Other flowers

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

Prior Registration Number(s):

668868

1051605

1223038

2345472

2525828

2580976

2601682

2618698

2618699

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

Latest Status Info

2004-06-22 - Registered - Principal Register
2004-04-20 - Allowed for Registration - Principal Register (SOU accepted)
2004-04-19 - Assigned To Examiner
2004-04-15 - Statement Of Use Processing Complete
2004-04-12 - Use Amendment Filed
2004-04-12 - TEAS Statement of Use Received
2004-01-27 - Noa Mailed - SOU Required From Applicant
2003-11-04 - Published for opposition
2003-10-15 - Notice of publication
2003-09-02 - Approved For Pub - Principal Register
2003-08-01 - Communication received from applicant
2003-08-01 - PAPER RECEIVED
2003-06-27 - Non-final action mailed
2003-06-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

LAWRENCE E ABELMAN

Correspondent

LAWRENCE E ABELMAN
ABELMAN FRAYNE & SCHWAB
150 E 42ND ST
NEW YORK NY 10017-5612
Phone Number: 212-949-9022
Fax Number: 212-949-9190

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

This page was generated by the TARR system on 2010-07-23 13:07:17 ET

Serial Number: 77421528 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

MIRACLE-GRO SELECT PLANTS

(words only): MIRACLE-GRO SELECT PLANTS

Standard Character claim: Yes

Current Status: A request for the second extension of time to file a statement of use has been granted.

Date of Status: 2010-03-28

Filing Date: 2008-03-13

The Notice of Allowance Date is: 2009-04-07

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 107

Attorney Assigned:
JACKSON STEVEN W

Current Location: 700 -Intent To Use Section

Date In Location: 2010-03-27

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031
Class Status: Active
Live plants
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "SELECT PLANTS"

Prior Registration Number(s):
2525828
2723181
2816031

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-03-30 - Notice Of Approval Of Extension Request E-Mailed
2010-03-28 - Extension 2 granted
2010-02-25 - Extension 2 filed
2010-03-27 - Case Assigned To Intent To Use Paralegal
2010-02-25 - TEAS Extension Received
2009-10-06 - Extension 1 granted
2009-10-06 - Extension 1 filed
2009-10-06 - TEAS Extension Received
2009-04-07 - Noa Mailed - SOU Required From Applicant
2009-01-13 - Published for opposition

2008-12-24 - Notice of publication
2008-12-09 - Law Office Publication Review Completed
2008-12-09 - Assigned To LIE
2008-12-03 - Approved For Pub - Principal Register
2008-11-19 - Teas/Email Correspondence Entered
2008-11-18 - Communication received from applicant
2008-11-18 - TEAS Response to Office Action Received
2008-05-22 - Notification Of Non-Final Action E-Mailed
2008-05-22 - Non-final action e-mailed
2008-05-22 - Non-Final Action Written
2008-05-20 - Assigned To Examiner
2008-03-20 - Notice Of Pseudo Mark Mailed
2008-03-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

SUSAN E. HOLLANDER, ESQ.
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL ROAD, BLDG. 2
PALO ALTO, CA 94304
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:07:31 ET

Serial Number: 75982919 Assignment Information Trademark Document Retrieval

Registration Number: 2870768

Mark (words only): HAVE YOU USED MIRACLE-GRO LATELY?

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-08-10

Filing Date: 2001-11-29

Transformed into a National Application: No

Registration Date: 2004-08-10

Register: Principal

Law Office Assigned: LAW OFFICE 115

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

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-08-16

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
c/o Delaware Corporate Management 1105 North Market Street
Wilmington, DE 19899
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Lawn and garden fertilizer for domestic use; plant food; fertilizer in the form of spikes for houseplants, outdoor plants, trees, and shrubbery for domestic use; peat fertilizer; composts; humus; loam; manure; potting soil, soil conditioners, soil amendments, growing media for plants, all for domestic use

Basis: 1(a)

First Use Date: 2002-02-01

First Use in Commerce Date: 2002-02-01

International Class: 016

Class Status: Active

Brochures about subjects of lawn care and landscape gardening and the use of products relating to lawn care and landscape gardening, including fertilizers, herbicides, fungicides, insecticides, grass seed, flower seeds, garden seeds, plant food, potting soil, soil conditioners and amendments, ground cover, and lawn and garden equipment and advices and information related to flowers and their care

Basis: 1(a)

First Use Date: 2002-04-01

First Use in Commerce Date: 2002-04-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2004-08-10 - Registered - Principal Register

2004-05-18 - Published for opposition

2004-04-28 - Notice of publication

2004-03-10 - Approved for Pub - Principal Register (Initial exam)

2003-10-14 - Communication received from applicant

2003-11-09 - Case File In TICRS

2003-10-14 - PAPER RECEIVED

2003-05-19 - Final refusal mailed

2003-02-27 - Communication received from applicant

2003-02-27 - PAPER RECEIVED

2002-11-13 - Non-final action mailed

Latest Status Info

2002-11-12 - Amendment to Use approved
2002-11-08 - Amendment To Use Processing Complete
2002-07-25 - Use Amendment Filed
2002-09-10 - Divisional processing completed
2002-08-05 - Divisional request received
2002-08-05 - PAPER RECEIVED
2002-02-12 - Non-final action mailed
2002-02-08 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E. Abelman

Correspondent

LAWRENCE E. ABELMAN
ABELMAN, FRAYNE & SCHWAB
150 EAST 42ND STREET
NEW YORK, NY 10017-5612
Phone Number: (212) 949-9022
Fax Number: (212) 949-9190

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This page was generated by the TARR system on 2010-07-23 13:45:08 ET

Serial Number: 78179743 Assignment Information Trademark Document Retrieval

Registration Number: 2900658

Mark



(words only): MIRACLE-GRO SELECT PLANTS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-11-02

Filing Date: 2002-10-29

Transformed into a National Application: No

Registration Date: 2004-11-02

Register: Principal

Law Office Assigned: LAW OFFICE 114

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-09-22

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Place, Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031

Class Status: Active

living house plants

Basis: 1(a)

First Use Date: 2003-03-00

First Use in Commerce Date: 2003-03-00

ADDITIONAL INFORMATION

Disclaimer: "SELECT PLANTS"

Description of Mark: The mark consists of the words "MIRACLE-GRO" with an arbitrary design in green appearing over the letter "I" superimposed on a circle with a yellow border, "SELECT PLANTS" appearing on a purple ribbon with representation of a flowers in red, pink, purple and a red tomato, all appearing on a green and yellow background.

Design Search Code(s):

05.05.25 - Daffodils; Iris (flower); Other flowers

05.09.25 - Coconuts; Other fruits

05.11.04 - Tomatoes

24.09.07 - Advertising, banners; Banners

26.01.02 - Circles, plain single line; Plain single line circles

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

26.11.02 - Plain single line rectangles; Rectangles (single line)

26.11.20 - Rectangles inside one another

26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

2525828

2618698

2618699

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2004-11-02 - Registered - Principal Register

Latest Status Info

2004-09-12 - Law Office Registration Review Completed
2004-08-20 - Assigned To LIE
2004-08-17 - Allowed for Registration - Principal Register (SOU accepted)
2004-08-17 - Assigned To Examiner
2004-08-16 - Statement Of Use Processing Complete
2004-08-02 - Use Amendment Filed
2004-08-02 - TEAS Statement of Use Received
2004-02-03 - Noa Mailed - SOU Required From Applicant
2003-11-11 - Published for opposition
2003-10-22 - Notice of publication
2003-09-17 - Approved For Pub - Principal Register
2003-08-25 - Communication received from applicant
2003-08-25 - PAPER RECEIVED
2003-07-11 - Final refusal mailed
2003-06-02 - Communication received from applicant
2003-06-18 - Case File In TICRS
2003-06-02 - PAPER RECEIVED
2003-04-28 - Non-final action mailed
2003-04-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Lawrence E. Abelman

Correspondent
Lawrence E. Abelman
Abelman, Frayne & Schwab
150 East 42nd Street
New York NY 10017-5612
Phone Number: 212-949-9022
Fax Number: 212-949-9190

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

This page was generated by the TARR system on 2010-07-23 13:07:54 ET

Serial Number: 78349217 Assignment Information Trademark Document Retrieval

Registration Number: 2906855

Mark



(words only): MIRACLE-GRO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-11-30

Filing Date: 2004-01-08

Transformed into a National Application: No

Registration Date: 2004-11-30

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-11-30

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Boulevard, Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031

Class Status: Active

live plants

Basis: 1(a)

First Use Date: 2001-03-05

First Use in Commerce Date: 2001-03-05

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the words MIRACLE-GRO in a bulls-eye logo with a leaf dotting the letter "I" a ring in the bulls-eye.

Design Search Code(s):

05.05.25 - Daffodils; Iris (flower); Other flowers

26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)

26.01.20 - Circles within a circle

26.01.21 - Circles that are totally or partially shaded.

Prior Registration Number(s):

668868

1051605

1223038

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2004-11-30 - Registered - Principal Register

2004-09-07 - Published for opposition

2004-08-18 - Notice of publication

2004-06-23 - Approved for Pub - Principal Register (Initial exam)

2004-06-23 - Assigned To Examiner

2004-01-13 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E. Abelman

Correspondent

Lawrence E. Abelman

Abelman, Frayne & Schwab

150 East 42nd Street

New York, NY 10017-5612

Phone Number: 212-949-9022

Fax Number: 212-949-9190

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

This page was generated by the TARR system on 2010-07-23 13:08:03 ET

Serial Number: 78349226 Assignment Information Trademark Document Retrieval

Registration Number: 2906856

Mark



(words only): MIRACLE-GRO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-11-30

Filing Date: 2004-01-08

Transformed into a National Application: No

Registration Date: 2004-11-30

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-11-30

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Boulevard Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031

Class Status: Active

live plants

Basis: 1(a)

First Use Date: 2001-03-05

First Use in Commerce Date: 2001-03-05

ADDITIONAL INFORMATION

Description of Mark: The color(s) the words MIRACLE-GRO in a bulls-eye logo with a green leaf dotting the "I" and a yellow ring in the bulls-eye is/are claimed as a distinctive feature of the mark.

Design Search Code(s):

05.05.25 - Daffodils; Iris (flower); Other flowers

26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)

26.01.20 - Circles within a circle

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2004-11-30 - Registered - Principal Register

2004-09-07 - Published for opposition

2004-08-18 - Notice of publication

2004-06-23 - Approved for Pub - Principal Register (Initial exam)

2004-06-23 - Assigned To Examiner

2004-01-26 - Applicant amendment prior to exam entered

2004-01-26 - Communication received from applicant

2004-01-26 - TEAS Voluntary Amendment Received

2004-01-13 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E. Abelman

Correspondent

Lawrence E. Abelman

Abelman, Frayne & Schwab

150 East 42nd Street

New York, NY 10017-5612

Phone Number: 212-949-9022

Fax Number: 212-949-9190

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

This page was generated by the TARR system on 2010-07-23 13:08:14 ET

Serial Number: 75981470 Assignment Information Trademark Document Retrieval

Registration Number: 2935663

Mark



(words only): MIRACLE-GRO MOISTURE CONTROL POTTING MIX CONTAINS AQUACOIR

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-03-29

Filing Date: 2000-10-18

Transformed into a National Application: No

Registration Date: 2005-03-29

Register: Principal

Law Office Assigned: LAW OFFICE 116

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-03-29

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
1105 North Market Street
Wilmington, DE 19899
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Potting soil, growing media for plants

Basis: 1(a)

First Use Date: 2000-12-15

First Use in Commerce Date: 2000-12-15

ADDITIONAL INFORMATION

Disclaimer: POTTING MIX CONTAINS

Description of Mark: The mark consists of the words MIRACLE-GRO MOISTURE CONTROL with an arbitrary design on a label.

Section 2(f), in part, as to MOISTURE CONTROL

Design Search Code(s):

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

26.11.20 - Rectangles inside one another

Prior Registration Number(s):

1051605

2345472

2533745

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2005-03-29 - Registered - Principal Register

2005-01-04 - Published for opposition

2004-12-15 - Notice of publication

2004-11-01 - Law Office Publication Review Completed

2004-11-01 - Assigned To LIE

2004-10-09 - Approved for Pub - Principal Register (Initial exam)
2004-08-27 - Amendment From Applicant Entered
2004-08-11 - Communication received from applicant
2004-08-11 - PAPER RECEIVED
2004-08-03 - Final refusal mailed
2004-06-14 - Amendment From Applicant Entered
2004-06-14 - Communication received from applicant
2004-06-14 - PAPER RECEIVED
2003-12-29 - Non-final action mailed
2003-09-22 - Communication received from applicant
2003-09-22 - PAPER RECEIVED
2003-07-28 - Non-final action mailed
2003-06-09 - Communication received from applicant
2003-06-26 - Case File In TICRS
2003-06-09 - PAPER RECEIVED
2003-04-29 - Final refusal mailed
2003-03-17 - Reinstated
2002-12-23 - Petition To Revive-Received
2002-12-23 - PAPER RECEIVED
2002-12-09 - Abandonment - Failure To Respond Or Late Response
2002-09-19 - Amendment to Use approved
2002-09-17 - Amendment To Use Processing Complete
2001-02-13 - Use Amendment Filed
2001-09-29 - Divisional processing completed
2001-02-13 - Divisional request received
2001-02-13 - Unresponsive/Duplicate Paper Received
2001-04-12 - Non-final action mailed
<http://tarr.uspto.gov/tarr?regser=registration&entry=2935663>

2001-03-26 - Assigned To Examiner

2001-03-14 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E Abelman

Correspondent

LAWRENCE E ABELMAN
ABELMAN FRAYNE & SCHWAB
150 E 42ND ST
NEW YORK NY 10017-5612

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This page was generated by the TARR system on 2010-07-23 13:08:26 ET

Serial Number: 78464646 Assignment Information Trademark Document Retrieval

Registration Number: 2996098

Mark



(words only): MIRACLE-GRO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-09-13

Filing Date: 2004-08-09

Transformed into a National Application: No

Registration Date: 2005-09-13

Register: Principal

Law Office Assigned: LAW OFFICE 114

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-08-04

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

protective Work gloves

Basis: 1(a)

First Use Date: 2005-03-31

First Use in Commerce Date: 2005-03-31

International Class: 021

Class Status: Active

Gardening gloves and gardening gloves for handling chemicals

Basis: 1(a)

First Use Date: 2005-03-31

First Use in Commerce Date: 2005-03-31

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the words MIRACLE-GRO in special form within a circle and an arbitrary logo.

Design Search Code(s):

05.03.25 - Leaf, single; Other leaves

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

27.03.04 - Plants forming letters or numerals

Prior Registration Number(s):

1223038

2820953

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2005-09-13 - Registered - Principal Register

2005-08-02 - Law Office Registration Review Completed

2005-07-29 - Assigned To LIE

Latest Status Info

2005-07-27 - Allowed for Registration - Principal Register (SOU accepted)
2005-07-25 - Statement Of Use Processing Complete
2005-07-14 - Use Amendment Filed
2005-07-14 - TEAS Statement of Use Received
2005-02-15 - Noa Mailed - SOU Required From Applicant
2004-11-23 - Published for opposition
2004-11-03 - Notice of publication
2004-09-15 - Law Office Publication Review Completed
2004-08-30 - Assigned To LIE
2004-08-25 - Approved For Pub - Principal Register
2004-08-25 - Assigned To Examiner
2004-08-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E. Abelman

Correspondent

LAWRENCE E. ABELMAN
ABELMAN FRAYNE & SCHWAB
666 3RD AVE 10TH FL
NEW YORK NY 10017
Phone Number: 212-949-9022
Fax Number: 212-949-9190

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This page was generated by the TARR system on 2010-07-23 13:47:45 ET

Serial Number: 78464648 Assignment Information Trademark Document Retrieval

Registration Number: 3074660

Mark

MIRACLE-GRO

(words only): MIRACLE-GRO

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-03-28

Filing Date: 2004-08-09

Transformed into a National Application: No

Registration Date: 2006-03-28

Register: Principal

Law Office Assigned: LAW OFFICE 114

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-02-16

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

<http://tarr.uspto.gov/tarr?regser=registration&entry=3074660>

7/23/2010

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active
protective work gloves

Basis: 1(a)

First Use Date: 2005-03-31

First Use in Commerce Date: 2005-03-31

International Class: 021

Class Status: Active
Gardening gloves and gardening gloves for handling chemicals

Basis: 1(a)

First Use Date: 2005-03-31

First Use in Commerce Date: 2005-03-31

ADDITIONAL INFORMATION

Prior Registration Number(s):

1223038

2820953

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2006-03-28 - Registered - Principal Register

2006-02-07 - Data Modification Completed

2006-02-07 - PAPER RECEIVED

2006-02-14 - Law Office Registration Review Completed

2006-02-10 - Assigned To LIE

2006-02-09 - Allowed for Registration - Principal Register (SOU accepted)

2006-02-09 - Statement Of Use Processing Complete

2005-07-14 - Use Amendment Filed

2005-07-14 - TEAS Statement of Use Received
2005-02-15 - Noa Mailed - SOU Required From Applicant
2004-11-23 - Published for opposition
2004-11-03 - Notice of publication
2004-09-15 - Law Office Publication Review Completed
2004-08-30 - Assigned To LIE
2004-08-25 - Approved For Pub - Principal Register
2004-08-25 - Assigned To Examiner
2004-08-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E. Abelman

Correspondent

LAWRENCE E. ABELMAN
ABELMAN, FRAYNE & SCHWAB
666 3RD AVE., 10TH FL
NEW YORK, NY 10017
Phone Number: 212-949-9022
Fax Number: 212-949-9190

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:48:05 ET

Serial Number: 78478913 Assignment Information Trademark Document Retrieval

Registration Number: 3156217

Mark



(words only): MIRACLE-GRO GARDEN SOIL ROSES BONE MEAL ADDED TO GROW BIG, BEAUTIFUL BLOOMS!

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-10-17

Filing Date: 2004-09-03

Transformed into a National Application: No

Registration Date: 2006-10-17

Register: Principal

Law Office Assigned: LAW OFFICE 116

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-10-17

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

<http://tarr.uspto.gov/tarr?regser=registration&entry=3156217>

7/23/2010

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

GARDEN SOIL, PLANTING SOIL, SOIL CONTAINING ADDITIVES, CHEMICAL SOIL CONDITIONERS, SOIL CONDITIONERS FOR AGRICULTURAL, DOMESTIC OR HORTICULTURAL USE AND FERTILIZERS FOR SOIL AND POTTING SOIL

Basis: 1(a)

First Use Date: 2005-01-01

First Use in Commerce Date: 2005-01-01

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) red, pink, yellow, green, black and white is/are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The color yellow appears on the bottom two thirds of the package. The black bullet logo with a thin white circle within and the words MIRACLE-GRO unite the pink and yellow packaging. In the center of the trademark appears a picture of a woman gardening among a bed of red and pink roses. The plant portion of the roses are green. The rosebed is bordered by a white fence. The woman is wearing a beige hat. The word ROSES appears in white on a pink banner and the words GARDEN SOIL in black with a green leaf dotting the "I" in soil.

Disclaimer: GARDEN SOIL; ROSES; BONE MEAL ADDED TO GROW BIG BEAUTIFUL BLOOMS, and TIERRA PARA EL JARDIN

Description of Mark: The mark consists of the trademark MIRACLE-GRO on a circular logo, with the words GARDEN SOIL, ROSES, and the words BONE MEAL ADDED TO GROW BIG, BEAUTIFUL BLOOMS!, on a package with a figure of a person in a garden.

Name Portrait Consent: The person portrayed in the mark identifies a living individual whose consent is of record.

Translation: The English translation of "tierra para el jardin" is garden soil.

Design Search Code(s):

- 01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise
- 02.03.02 - Silhouettes of women; Women depicted as shadows or silhouettes of women
- 02.03.14 - Bonnets (women wearing); Women wearing bonnets
- 02.03.24 - Women, stylized, including women depicted in caricature form
- 05.05.02 - Roses
- 05.05.25 - Daffodils; Iris (flower); Other flowers
- 05.11.04 - Tomatoes
- 05.11.25 - Artichokes; Asparagus; Avocados; Broccoli; Celery; Other vegetables; Turnips
- 07.11.09 - Brick walls; Fences (including barbed wire and chain link); Garden equipment, fencing; Gates; Walls
- 26.01.13 - Circles, two (not concentric); Two circles
- 26.01.21 - Circles that are totally or partially shaded.
- 26.11.07 - Rectangles with a decorative border, including scalloped, ruffled and zig-zag edges

- 26.11.13 - Rectangles (exactly two rectangles); Two rectangles
- 26.11.20 - Rectangles inside one another
- 26.11.21 - Rectangles that are completely or partially shaded
- 26.11.25 - Rectangles with one or more curved sides
- 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Prior Registration Number(s):

688868
2515267
2822655

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

- 2010-07-22 - Notice Of Suit
- 2006-10-17 - Registered - Principal Register
- 2006-08-01 - Published for opposition
- 2006-07-12 - Notice of publication
- 2006-06-16 - Law Office Publication Review Completed
- 2006-06-02 - Assigned To LIE
- 2006-06-01 - Approved for Pub - Principal Register (Initial exam)
- 2006-05-23 - Attorney Revoked And/Or Appointed
- 2006-05-23 - TEAS Revoke/Appoint Attorney Received
- 2006-05-23 - TEAS Change Of Correspondence Received
- 2006-05-11 - Amendment From Applicant Entered
- 2006-04-24 - Communication received from applicant
- 2006-04-24 - PAPER RECEIVED
- 2006-04-12 - Amendment to Use approved
- 2006-03-06 - Amendment To Use Processing Complete
- 2006-02-17 - Use Amendment Filed

2006-02-07 - PAPER RECEIVED
2006-02-17 - TEAS Amendment of Use Received
2005-12-02 - Non-final action mailed
2005-12-01 - Non-Final Action Written
2005-10-26 - Amendment From Applicant Entered
2005-10-11 - Communication received from applicant
2005-10-11 - PAPER RECEIVED
2005-04-15 - Non-final action mailed
2005-04-14 - Non-Final Action Written
2005-03-31 - Assigned To Examiner
2004-09-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

Susan E. Hollander, Esq.
Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Bldg 2
Palo Alto CA 94304
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:48:20 ET

Serial Number: 78782928 Assignment Information Trademark Document Retrieval

Registration Number: 3180531

Mark



(words only): MIRACLE-GRO ORGANIC CHOICE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-12-05

Filing Date: 2005-12-30

Transformed into a National Application: No

Registration Date: 2006-12-05

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-12-05

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Fertilizers for domestic use, potting soil, blood meal, and bone meal

Basis: 1(a)

First Use Date: 2003-03-31

First Use in Commerce Date: 2003-03-31

ADDITIONAL INFORMATION

Disclaimer: "ORGANIC"

Design Search Code(s):

05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches

05.05.25 - Daffodils; Iris (flower); Other flowers

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

26.01.21 - Circles that are totally or partially shaded.

Prior Registration Number(s):

1223038

2820953

2978064

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2006-12-05 - Registered - Principal Register

2006-09-19 - Published for opposition

2006-08-30 - Notice of publication

2006-07-26 - Law Office Publication Review Completed

2006-07-21 - Assigned To LIE

2006-07-13 - Approved for Pub - Principal Register (Initial exam)

2006-07-13 - Teas/Email Correspondence Entered

2006-07-10 - Communication received from applicant
2006-07-10 - TEAS Response to Office Action Received
2006-06-26 - Non-final action e-mailed
2006-06-26 - Non-Final Action Written
2006-06-23 - Assigned To Examiner
2006-01-06 - Notice Of Design Search Code Mailed
2006-01-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

SUSAN E. HOLLANDER, ESQ.
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1020
Phone Number: 650-812-1300
Fax Number: 650-213-0260

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:48:37 ET

Serial Number: 78478917 Assignment Information Trademark Document Retrieval

Registration Number: 3182529

Mark



(words only): MIRACLE-GRO GARDEN SOIL TREES & SHRUBS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-12-12

Filing Date: 2004-09-03

Transformed into a National Application: No

Registration Date: 2006-12-12

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-12-12

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

<http://tarr.uspto.gov/tarr?regser=registration&entry=3182529>

7/23/2010

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

GARDEN SOIL, PLANTING SOIL, SOIL CONTAINING ADDITIVES, SOIL CONDITIONERS FOR AGRICULTURAL, DOMESTIC OR HORTICULTURAL USE AND FERTILIZERS FOR SOIL AND POTTING SOIL

Basis: 1(a)

First Use Date: 2005-02-01

First Use in Commerce Date: 2005-02-01

ADDITIONAL INFORMATION

Color(s) Claimed: The colors blue, green, red, yellow, white, black, pink and brown are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The top one-third of the bag appearing above and adjacent to the trademark "Miracle-Gro" is in blue, the wording "Grows Big Beautiful Trees & Shrubs Guaranteed" appears in yellow upon a red rectangular background and yellow outer edges, the trademark "Miracle-Gro" appears in white upon a black circle with a yellow outer edge and the color white emanates from the black outer edge of the circles, the wording "Garden Soil" is in black with a white background, the wording "Trees & Shrubs" are in white upon a blue background, the wording "Tierra Para El Jardin" is in red, the leaf appearing above the letter "I" in "Soil" is green and white, the predominant color in the background of the lower part of the drawing below the blue is in yellow and the partial circle running through "Miracle-Gro" on top of the drawing and below the woman gardening is in green, the flowers surrounding the woman gardening are in the colors yellow, pink, red, green, white and orange, the woman gardener is wearing a yellow hat, white dress, and has a brown face, the edge of the drawing on the left and right sides is in blue and the irregularly shaped lines appearing below the wording "Garden Soil" and "Flowers & Vegetables" are in green.

Disclaimer: GARDEN SOIL; TREES & SHRUBS; GROWS BIG BEAUTIFUL TREES & SHRUBS GUARANTEED, and TIERRA PARA EL JARDIN

Name Portrait Consent: The likeness in the mark identifies Lynn Grace a living individual whose consent is of record.

Translation: The English translation of "tierra para el jardin" is garden soil.

Design Search Code(s):

- 01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise
- 02.03.02 - Silhouettes of women; Women depicted as shadows or silhouettes of women
- 02.03.14 - Bonnets (women wearing); Women wearing bonnets
- 02.03.24 - Women, stylized, including women depicted in caricature form
- 05.01.25 - Cypress tree; Other trees or bushes; Willow tree
- 05.05.02 - Roses
- 05.05.25 - Daffodils; Iris (flower); Other flowers
- 05.11.04 - Tomatoes
- 05.11.25 - Artichokes; Asparagus; Avocados; Broccoli; Celery; Other vegetables; Turnips
- 07.11.09 - Brick walls; Fences (including barbed wire and chain link); Garden equipment, fencing; Gates; Walls

Latest Status Info

- 26.01.13** - Circles, two (not concentric); Two circles
26.01.21 - Circles that are totally or partially shaded.
26.11.07 - Rectangles with a decorative border, including scalloped, ruffled and zig-zag edges
26.11.13 - Rectangles (exactly two rectangles); Two rectangles
26.11.20 - Rectangles inside one another
26.11.21 - Rectangles that are completely or partially shaded
26.11.25 - Rectangles with one or more curved sides
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Prior Registration Number(s):

688868
 2515267
 2822655

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

- 2010-07-22 - Notice Of Suit
 2006-12-12 - Registered - Principal Register
 2006-09-26 - Published for opposition
 2006-09-06 - Notice of publication
 2006-07-26 - Law Office Publication Review Completed
 2006-07-26 - Assigned To LIE
 2006-06-28 - Approved for Pub - Principal Register (Initial exam)
 2006-06-27 - Amendment to Use approved
 2006-06-06 - Teas/Email Correspondence Entered
 2006-05-02 - Communication received from applicant
 2006-06-06 - Amendment To Use Processing Complete
 2006-05-02 - Use Amendment Filed
 2006-05-23 - Attorney Revoked And/Or Appointed
 2006-05-23 - TEAS Revoke/Appoint Attorney Received
 2006-05-23 - TEAS Change Of Correspondence Received

Latest Status Info

2006-05-02 - TEAS Amendment of Use Received
2006-04-24 - PAPER RECEIVED
2006-02-07 - Unresponsive/Duplicate Paper Received
2006-03-10 - Assigned To LIE
2006-02-07 - PAPER RECEIVED
2005-11-03 - Non-final action mailed
2005-11-03 - Non-Final Action Written
2005-10-13 - Amendment From Applicant Entered
2005-10-03 - Communication received from applicant
2005-10-03 - PAPER RECEIVED
2005-04-15 - Non-final action mailed
2005-04-15 - Non-Final Action Written
2005-04-13 - Assigned To Examiner
2005-03-31 - Assigned To Examiner
2004-09-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

Susan E. Hollander, Esq.
Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Bldg 2
Palo Alto CA 94304
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:48:51 ET

Serial Number: 78478903 Assignment Information Trademark Document Retrieval

Registration Number: 3190987

Mark



(words only): MIRACLE-GRO GARDEN SOIL FLOWERS & VEGETABLES

Standard Character claim: No

Current Status: Registered.

Date of Status: 2007-01-02

Filing Date: 2004-09-03

Transformed into a National Application: No

Registration Date: 2007-01-02

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-01-02

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

GARDEN SOIL, PLANTING SOIL, SOIL CONTAINING ADDITIVES, SOIL CONDITIONERS FOR AGRICULTURAL, DOMESTIC OR HORTICULTURAL USE AND FERTILIZERS FOR SOIL AND POTTING SOIL

Basis: 1(a)

First Use Date: 2005-02-01

First Use in Commerce Date: 2005-02-01

ADDITIONAL INFORMATION

Color(s) Claimed: The colors green, red, yellow, white, black, pink, orange and brown are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The top one-third of the bag appearing above and adjacent to the trademark MIRACLE-GRO is in green, the wording GROWS PLANTS TWICE AS BIG AS TOPSOIL appears in yellow upon a red rectangular background and yellow outer edges, the trademark MIRACLE-GRO appears in white upon a black circle with a yellow outer edge and the color white emanates from the black outer edge of the circles, the wording "Garden Soil" is in black with a white background, the wording "Flowers & Vegetables" are in white upon a green background, the wording "Tierra Para El Jardin" is in red, the leaf appearing above the letter "I" in "Soil" is green and white, the predominant color in background of the lower part of the drawing below the green is in yellow and the partial circle running through MIRACLE-GRO on top of the drawing and below the woman gardening is in pink, the picket fence is white, the flowers directly behind the picket fence and the woman gardening are in the colors yellow, pink, red, green, white and orange, the woman gardener is wearing a brown hat, blue shirt, white pants, red shoes and has brown arms, the edge of the drawing on the left and right sides is in green as are the irregularly shaped lines appearing below the wording "Garden Soil" and "Flowers and Vegetables".

Disclaimer: GARDEN SOIL, FLOWERS & VEGETABLES, TOPSOIL and TIERRA PARA EL JARDIN

Name Portrait Consent: The likeness in the mark identifies Lynn Grace a living individual whose consent is of record.

Translation: The English translation of "tierra para el jardin" is garden soil.

Section 2(f), in part, as to "Grows Plants Twice As Big."

Design Search Code(s):

- 01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise
- 02.03.02 - Silhouettes of women; Women depicted as shadows or silhouettes of women
- 02.03.14 - Bonnets (women wearing); Women wearing bonnets
- 02.03.24 - Women, stylized, including women depicted in caricature form
- 05.05.02 - Roses
- 05.05.05 - Daisies
- 05.05.25 - Daffodils; Iris (flower); Other flowers
- 05.11.04 - Tomatoes

Latest Status Info

05.11.25 - Artichokes; Asparagus; Avocados; Broccoli; Celery; Other vegetables; Turnips
07.11.09 - Brick walls; Fences (including barbed wire and chain link); Garden equipment, fencing; Gates; Walls
26.01.13 - Circles, two (not concentric); Two circles
26.01.21 - Circles that are totally or partially shaded.
26.11.07 - Rectangles with a decorative border, including scalloped, ruffled and zig-zag edges
26.11.13 - Rectangles (exactly two rectangles); Two rectangles
26.11.20 - Rectangles inside one another
26.11.21 - Rectangles that are completely or partially shaded
26.11.25 - Rectangles with one or more curved sides
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Prior Registration Number(s):

688868
 2515267
 2822655

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit
 2007-01-02 - Registered - Principal Register
 2006-10-17 - Published for opposition
 2006-09-27 - Notice of publication
 2006-08-30 - Law Office Publication Review Completed
 2006-07-14 - Approved for Pub - Principal Register (Initial exam)
 2006-07-03 - Examiner's Amendment Entered
 2006-06-29 - Assigned To LIE
 2006-06-29 - EXAMINERS AMENDMENT E-MAILED
 2006-06-29 - Examiners Amendment - Written
 2006-06-27 - Amendment to Use approved
 2006-06-06 - Amendment From Applicant Entered
 2006-04-24 - Communication received from applicant

Latest Status Info

2006-06-06 - Teas/Email Correspondence Entered
2006-05-02 - Communication received from applicant
2006-06-02 - Amendment To Use Processing Complete
2006-05-02 - Use Amendment Filed
2006-05-23 - Attorney Revoked And/Or Appointed
2006-05-23 - TEAS Revoke/Appoint Attorney Received
2006-05-23 - TEAS Change Of Correspondence Received
2006-05-02 - TEAS Amendment of Use Received
2006-04-24 - PAPER RECEIVED
2006-02-07 - Unresponsive/Duplicate Paper Received
2006-03-10 - Assigned To LIE
2006-02-07 - PAPER RECEIVED
2005-11-04 - Non-final action mailed
2005-11-03 - Non-Final Action Written
2005-10-13 - Amendment From Applicant Entered
2005-10-03 - Communication received from applicant
2005-10-03 - PAPER RECEIVED
2005-04-15 - Non-final action mailed
2005-04-14 - Non-Final Action Written
2005-03-31 - Assigned To Examiner
2004-09-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

Susan E. Hollander, Esq.
Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Bldg 2
Palo Alto CA 94304
Phone Number: 650-812-1300

Fax Number: 650-213-0260

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:49:03 ET

Serial Number: 76496457 Assignment Information Trademark Document Retrieval

Registration Number: 3233837

Mark



(words only): MIRACLE-GRO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2007-04-24

Filing Date: 2003-03-04

Transformed into a National Application: No

Registration Date: 2007-04-24

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-03-16

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

I. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd, Suite 2800
Los Angeles, CA 900676228
United States

Legal Entity Type: Corporation

<http://tarr.uspto.gov/tarr?regser=registration&entry=3233837>

7/23/2010

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

CHARCOAL FOR HORTICULTURAL PURPOSES AND FOR USE AS A SOIL CONDITIONER;
PERLITE FOR HORTICULTURAL PURPOSES AND FOR USE AS A SOIL CONDITIONER

Basis: 1(a)

First Use Date: 2000-12-00

First Use in Commerce Date: 2000-12-00

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the word "MIRACLE-GRO" in a bullseye logo with a green leaf dotting the "I" in "MIRACLE-GRO" and a yellow ring in the bullseye.

Design Search Code(s):

- 05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
- 05.03.25 - Leaf, single; Other leaves
- 21.03.12 - Dart boards; Targets without crosshairs or alignment guides
- 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles
- 26.01.21 - Circles that are totally or partially shaded.
- 27.03.04 - Plants forming letters or numerals

Prior Registration Number(s):

- 668868
 - 1051605
 - 1223038
 - 2345472
 - 2525828
 - 2580976
 - 2601682
 - 2618698
 - 2618699
-

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2007-04-24 - Registered - Principal Register

2007-03-07 - Law Office Registration Review Completed

Latest Status Info

2007-03-07 - Assigned To LIE
2007-02-05 - Allowed for Registration - Principal Register (SOU accepted)
2007-01-23 - Statement Of Use Processing Complete
2006-11-16 - Use Amendment Filed
2006-11-16 - TEAS Statement of Use Received
2006-08-03 - Extension 5 granted
2006-07-06 - Extension 5 filed
2006-07-06 - TEAS Extension Received
2006-05-24 - Applicant/Correspondence Changes (Non-Responsive) Entered
2006-05-24 - TEAS Change Of Owner Address Received
2006-05-23 - Attorney Revoked And/Or Appointed
2006-05-23 - TEAS Revoke/Appoint Attorney Received
2006-05-24 - Extension 4 granted
2006-01-05 - Extension 4 filed
2006-05-23 - TEAS Change Of Correspondence Received
2006-02-07 - PAPER RECEIVED
2006-01-05 - TEAS Extension Received
2005-06-01 - Extension 3 granted
2005-05-13 - Extension 3 filed
2005-05-13 - TEAS Extension Received
2005-02-03 - Extension 2 granted
2005-01-17 - Extension 2 filed
2005-01-17 - TEAS Extension Received
2004-08-11 - Extension 1 granted
2004-07-27 - Extension 1 filed
2004-07-27 - TEAS Extension Received
2004-01-27 - Noa Mailed - SOU Required From Applicant

Latest Status Info

2003-11-04 - Published for opposition
2003-10-15 - Notice of publication
2003-09-02 - Approved For Pub - Principal Register
2003-08-01 - Communication received from applicant
2003-08-01 - PAPER RECEIVED
2003-06-27 - Non-final action mailed
2003-06-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Susan E. Hollander

Correspondent
SUSAN E. HOLLANDER
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL ROAD, BLDG. 2
PALO ALTO, CA 94304
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:49:17 ET

Serial Number: 77215022 Assignment Information Trademark Document Retrieval

Registration Number: 3456832

Mark

MIRACLE-GRO

(words only): MIRACLE-GRO

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2008-07-01

Filing Date: 2007-06-25

Transformed into a National Application: No

Registration Date: 2008-07-01

Register: Principal

Law Office Assigned: LAW OFFICE 105

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-07-01

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 007

Class Status: Active

composter machines and components thereof for recycling solid waste

Basis: 1(a)

First Use Date: 2007-03-12

First Use in Commerce Date: 2007-03-12

ADDITIONAL INFORMATION

Prior Registration Number(s):

2758533

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-07-01 - Registered - Principal Register

2008-04-15 - Published for opposition

2008-03-26 - Notice of publication

2008-03-12 - Law Office Publication Review Completed

2008-03-12 - Assigned To LIE

2008-02-20 - Approved for Pub - Principal Register (Initial exam)

2008-02-19 - Teas/Email Correspondence Entered

2008-02-19 - Communication received from applicant

2008-02-19 - TEAS Response to Office Action Received

2007-09-04 - Notification Of Non-Final Action E-Mailed

2007-09-04 - Non-final action e-mailed

2007-09-04 - Non-Final Action Written

2007-09-03 - Assigned To Examiner

2007-06-30 - Notice Of Pseudo Mark Mailed

2007-06-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq., Paul E. Thomas, Esq. and Gail I. Nevius Abbas, Esq.

Correspondent

SUSAN E. HOLLANDER, ESQ., PAUL E. THOMAS
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1008
Phone Number: 650-812-1300
Fax Number: 650-213-0260

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:49:32 ET

Serial Number: 7775762 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

MIRACLE-GRO

(words only): MIRACLE-GRO

Standard Character claim: Yes

Current Status: A request for the first extension of time to file a statement of use has been granted.

Date of Status: 2010-06-17

Filing Date: 2009-07-07

The Notice of Allowance Date is: 2010-01-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

Attorney Assigned:
WELLS CHRISTOPHER WILLIAM

Current Location: 700 -Intent To Use Section

Date In Location: 2010-01-19

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

<http://tarr.uspto.gov/tarr?regser=serial&entry=7775762>

7/23/2010

Latest Status Info

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031

Class Status: Active

Flower, vegetable, plant and grass seeds for domestic and agricultural use

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

1223038

2235973

2856922

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-06-19 - Notice Of Approval Of Extension Request E-Mailed

2010-06-17 - Extension I granted

2010-06-17 - Extension I filed

2010-06-17 - TEAS Extension Received

2010-01-19 - Noa Mailed - SOU Required From Applicant

2009-10-27 - Notice Of Publication E-Mailed

2009-10-27 - Published for opposition

2009-09-22 - Law Office Publication Review Completed

2009-09-22 - Assigned To LIE

2009-09-11 - Approved For Pub - Principal Register

2009-09-10 - Assigned To Examiner

2009-07-11 - Notice Of Pseudo Mark Mailed

2009-07-10 - New Application Office Supplied Data Entered In Tram

2009-07-10 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

SUSAN E. HOLLANDER, ESQ.
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1008
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:49:45 ET

Serial Number: 77813595 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

MIRACLE-GRO COMPLETE

(words only): MIRACLE-GRO COMPLETE

Standard Character claim: Yes

Current Status: Opposition period completed, a Notice of Allowance has been issued.

Date of Status: 2010-07-06

Filing Date: 2009-08-26

The Notice of Allowance Date is: 2010-07-06

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE I06

Attorney Assigned:
WELLS CHRISTOPHER WILLIAM

Current Location: 700 -Intent To Use Section

Date In Location: 2010-07-06

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

<http://tarr.uspto.gov/tarr?regser=serial&entry=77813595>

7/23/2010

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Growing media for plants

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-06 - Noa E-Mailed - SOU Required From Applicant

2010-05-11 - Notice Of Publication E-Mailed

2010-05-11 - Published for opposition

2010-04-02 - Law Office Publication Review Completed

2010-04-02 - Assigned To LIE

2010-03-17 - Approved For Pub - Principal Register

2010-03-12 - Teas/Email Correspondence Entered

2010-03-11 - Communication received from applicant

2010-03-11 - TEAS Response to Office Action Received

2010-03-11 - TEAS Change Of Correspondence Received

2009-09-11 - Notification Of Non-Final Action E-Mailed

2009-09-11 - Non-final action e-mailed

2009-09-11 - Non-Final Action Written

2009-09-11 - Assigned To Examiner

2009-09-03 - Notice Of Pseudo Mark Mailed

2009-09-02 - New Application Office Supplied Data Entered In Tram

2009-09-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander

Correspondent

SUSAN E. HOLLANDER
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1049
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:50:01 ET

Serial Number: 85041740 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

MIRACLE-GRO GRO-BAG

(words only): MIRACLE-GRO GRO-BAG

Standard Character claim: Yes

Current Status: A non-final action has been mailed. This is a letter from the examining attorney requesting additional information and/or making an initial refusal. However, no final determination as to the registrability of the mark has been made.

Date of Status: 2010-07-13

Filing Date: 2010-05-18

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 117

Attorney Assigned:
LEE DOUGLAS M

Current Location: M8X -Law Office 117 - Examining Attorney Assigned

Date In Location: 2010-07-13

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 021
Class Status: Active
Gardening kits for home use comprised of plastic containers and potting soil
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

- 2010-07-13 - Notification Of Non-Final Action E-Mailed
- 2010-07-13 - Non-final action e-mailed
- 2010-07-13 - Non-Final Action Written
- 2010-07-12 - Assigned To Examiner
- 2010-05-26 - Notice Of Pseudo Mark Mailed
- 2010-05-25 - New Application Office Supplied Data Entered In Tram
- 2010-05-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Susan E. Hollander, Esq.

Correspondent
SUSAN E. HOLLANDER, ESQ.
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1049

Phone Number: 650-812-1300

Fax Number: 650-213-0260

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 2010-07-23 13:56:48 ET

Serial Number: 77799595 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GRO-POD

(words only): GRO-POD

Standard Character claim: Yes

Current Status: A request for the first extension of time to file a statement of use has been granted.

Date of Status: 2010-06-17

Filing Date: 2009-08-07

The Notice of Allowance Date is: 2010-01-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

Attorney Assigned:
WELLS CHRISTOPHER WILLIAM

Current Location: 700 -Intent To Use Section

Date In Location: 2010-01-19

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 021
Class Status: Active
Containers for cultivating plants
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-06-19 - Notice Of Approval Of Extension Request E-Mailed

2010-06-17 - Extension 1 granted

2010-06-17 - Extension 1 filed

2010-06-17 - TEAS Extension Received

2010-01-19 - Noa Mailed - SOU Required From Applicant

2009-10-27 - Notice Of Publication E-Mailed

2009-10-27 - Published for opposition

2009-09-24 - Law Office Publication Review Completed

2009-09-24 - Assigned To LIE

2009-09-14 - Approved For Pub - Principal Register

2009-09-10 - Assigned To Examiner

2009-08-12 - Notice Of Pseudo Mark Mailed

2009-08-11 - New Application Office Supplied Data Entered In Tram

2009-08-11 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

SUSAN E. HOLLANDER, ESQ.
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1049
Phone Number: 650-812-1300
Fax Number: 650-213-0260

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:57:04 ET

Serial Number: 73548581 Assignment Information Trademark Document Retrieval

Registration Number: 1378337

Mark (words only): EARTHGRO

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2006-01-15

Filing Date: 1985-07-17

Transformed into a National Application: No

Registration Date: 1986-01-14

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-06-03

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

1. OMS INVESTMENTS, INC.

Address:
OMS INVESTMENTS, INC.
SUITE 2800 10250 CONSTELLATION BLVD.
LOS ANGELES, CA 90067
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031
Class Status: Active
TOP SOIL AND PEAT HUMUS
Basis: 1(a)
First Use Date: 1981-08-00

First Use in Commerce Date: 1981-08-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-06-03 - Case File In TICRS

2006-01-15 - First renewal 10 year

2006-01-15 - Section 8 (10-year) accepted/ Section 9 granted

2006-01-12 - Assigned To Paralegal

2005-12-05 - Combined Section 8 (10-year)/Section 9 filed

2005-12-05 - PAPER RECEIVED

1992-04-13 - Section 8 (6-year) accepted & Section 15 acknowledged

1992-01-10 - Section 8 (6-year) and Section 15 Filed

1986-01-14 - Registered - Principal Register

1985-10-22 - Published for opposition

1985-09-26 - Notice of publication

1985-09-06 - Approved for Pub - Principal Register (Initial exam)

1985-09-05 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

CORY M. AMRON
VORYS SATER SEYMOUR AND PEASE LLP
1825 L STREET N.W.
11TH FLOOR

WASHINGTON, DC 20036

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:57:17 ET

Serial Number: 73548582 Assignment Information Trademark Document Retrieval

Registration Number: 1378721

Mark (words only): EARTHGRO

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2006-01-15

Filing Date: 1985-07-17

Transformed into a National Application: No

Registration Date: 1986-01-21

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-06-10

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

1. OMS INVESTMENTS, INC.

Address:
OMS INVESTMENTS, INC.
SUITE 2800 10250 CONSTELLATION BLVD.
LOS ANGELES, CA 90067
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001
Class Status: Active
COW MANURE, COMPOSTED COW MANURE, DEHYDRATED COW MANURE, POTTING SOIL
Basis: 1(a)

First Use Date: 1981-08-00

First Use in Commerce Date: 1981-08-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-06-10 - Case File In TICRS

2006-01-15 - First renewal 10 year

2006-01-15 - Section 8 (10-year) accepted/ Section 9 granted

2006-01-12 - Assigned To Paralegal

2005-12-05 - Combined Section 8 (10-year)/Section 9 filed

2005-12-05 - PAPER RECEIVED

1992-04-27 - Section 8 (6-year) accepted & Section 15 acknowledged

1992-01-21 - Section 8 (6-year) and Section 15 Filed

1986-01-21 - Registered - Principal Register

1985-10-29 - Published for opposition

1985-10-01 - Notice of publication

1985-09-06 - Approved for Pub - Principal Register (Initial exam)

1985-09-05 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

CORY M. AMRON

VORYS SATER SEYMOUR AND PEASE LLP

1828 L STREET N.W., 11TH FLOOR

WASHINGTON, DC 20036

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:57:34 ET

Serial Number: 74248033 Assignment Information Trademark Document Retrieval

Registration Number: 1723116

Mark



(words only): EARTHGRO THE NATURAL CHOICE

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2003-10-15

Filing Date: 1992-02-20

Transformed into a National Application: No

Registration Date: 1992-10-13

Register: Principal

Law Office Assigned: LAW OFFICE 13

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-03-14

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

1. OMS INVESTMENTS, INC.

Address:

OMS INVESTMENTS, INC.
100 WILSHIRE BLVD. SUITE 1230
SANTA MONICA, CA 90401
United States

Legal Entity Type: Corporation

<http://tarr.uspto.gov/tarr?regser=registration&entry=1723116>

7/23/2010

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

natural organic and mineral fertilizer for lawn and garden use, agricultural use and commercial use; cow manure, composted cow manure, dehydrated cow manure, potting soil and humus

Basis: 1(a)

First Use Date: 1991-09-01

First Use in Commerce Date: 1992-01-02

ADDITIONAL INFORMATION

Design Search Code(s):

01.07.25 - Globes, other

Prior Registration Number(s):

1378337

1378721

1403628

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-10-09 - Notice Of Design Search Code Mailed

2008-03-14 - Case File In TICRS

2003-10-15 - First renewal 10 year

2003-10-15 - Section 8 (10-year) accepted/ Section 9 granted

2002-07-24 - Combined Section 8 (10-year)/Section 9 filed

2003-09-29 - REINSTATED

2003-09-26 - FAX RECEIVED

2003-07-19 - Canceled Section 8 (10-year)/Expired Section 9

1998-02-07 - Section 8 (6-year) accepted & Section 15 acknowledged

<http://tarr.uspto.gov/tarr?regser=registration&entry=1723116>

7/23/2010

1997-12-29 - Section 8 (6-year) and Section 15 Filed

1992-10-13 - Registered - Principal Register

1992-07-21 - Published for opposition

1992-06-19 - Notice of publication

1992-04-28 - Approved for Pub - Principal Register (Initial exam)

1992-04-16 - Examiner's amendment mailed

1992-04-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

CORY M AMRON

VORYS SATER SEYMOUR & PEASE LLP

1828 L STREET, N.W., 11TH FLOOR

WASHINGTON DC 20036

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:57:45 ET

Serial Number: 74248367 Assignment Information Trademark Document Retrieval

Registration Number: 1726060

Mark



(words only): EARTHGRO THE NATURAL CHOICE

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2003-10-15

Filing Date: 1992-02-21

Transformed into a National Application: No

Registration Date: 1992-10-20

Register: Principal

Law Office Assigned: LAW OFFICE 13

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-03-18

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

1. OMS INVESTMENTS, INC.

Address:

OMS INVESTMENTS, INC.
100 WILSHIRE BLVD. SUITE 1230
SANTA MONICA, CA 90401
United States

Legal Entity Type: Corporation

<http://tarr.uspto.gov/tarr?regser=registration&entry=1726060>

7/23/2010

Latest Status Info

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031**Class Status:** Active

top soil

Basis: 1(a)**First Use Date:** 1991-09-01**First Use in Commerce Date:** 1992-01-02

ADDITIONAL INFORMATION

Design Search Code(s):

01.07.25 - Globes, other

Prior Registration Number(s):

1378337

1378721

1403628

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-10-09 - Notice Of Design Search Code And Pseudo Mark Mailed

2008-03-18 - Case File In TICRS

2003-10-15 - First renewal 10 year

2003-10-15 - Section 8 (10-year) accepted/ Section 9 granted

2002-07-24 - Combined Section 8 (10-year)/Section 9 filed

2003-09-29 - REINSTATED

2003-07-26 - Canceled Section 8 (10-year)/Expired Section 9

1998-01-30 - Section 8 (6-year) accepted & Section 15 acknowledged

1997-12-29 - Section 8 (6-year) and Section 15 Filed

Latest Status Info

1992-10-20 - Registered - Principal Register
1992-07-28 - Published for opposition
1992-06-26 - Notice of publication
1992-04-28 - Approved for Pub - Principal Register (Initial exam)
1992-04-16 - Examiner's amendment mailed
1992-04-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

CORY M AMRON
VORYS SATER SEYMOUR AND PEASE LLP
1828 L STREET, N.W. 11TH FLOOR
WASHINGTON DC 20036

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

This page was generated by the TARR system on 2010-07-23 13:57:58 ET

Serial Number: 77394176 Assignment Information Trademark Document Retrieval

Registration Number: 3498947

Mark

GARDEN-GRO

(words only): GARDEN-GRO

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2008-09-09

Filing Date: 2008-02-11

Transformed into a National Application: No

Registration Date: 2008-09-09

Register: Principal

Law Office Assigned: LAW OFFICE 107

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-09-09

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031

Class Status: Active

mulch

Basis: 1(a)

First Use Date: 2008-02-09

First Use in Commerce Date: 2008-02-09

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-09-09 - Registered - Principal Register

2008-06-24 - Published for opposition

2008-06-04 - Notice of publication

2008-05-21 - Law Office Publication Review Completed

2008-05-21 - Assigned To LIE

2008-05-21 - Approved for Pub - Principal Register (Initial exam)

2008-05-20 - Assigned To Examiner

2008-02-15 - Notice Of Pseudo Mark Mailed

2008-02-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Gail I. Nevius Abbas and Christine M. Klenk

Correspondent

<http://tarr.uspto.gov/tarr?regser=registration&entry=3498947>

7/23/2010

Latest Status Info

SUSAN E. HOLLANDER, GAIL I. NEVIUS
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1008
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:58:13 ET

Serial Number: 76653762 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GARDEN GRO

(words only): GARDEN GRO

Standard Character claim: Yes

Current Status: A request for the fifth extension of time to file a statement of use has been granted.

Date of Status: 2010-04-19

Filing Date: 2006-01-19

The Notice of Allowance Date is: 2007-11-20

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
MORENO PAUL A

Current Location: 700 -Intent To Use Section

Date In Location: 2009-10-20

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

1. OMS INVESTMENTS, INC.

Address:
OMS INVESTMENTS, INC.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

Latest Status Info

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

fertilizers

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "GARDEN"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-04-20 - Notice Of Approval Of Extension Request E-Mailed

2010-04-19 - Extension 5 granted

2010-04-15 - Extension 5 filed

2010-04-15 - TEAS Extension Received

2009-10-20 - Extension 4 granted

2009-10-06 - Extension 4 filed

2009-10-20 - Case Assigned To Intent To Use Paralegal

2009-10-06 - TEAS Extension Received

2009-04-29 - Extension 3 granted

2009-04-29 - Extension 3 filed

2009-04-29 - TEAS Extension Received

2008-10-10 - Extension 2 granted

Latest Status Info

2008-10-10 - Extension 2 filed
2008-10-10 - TEAS Extension Received
2008-05-09 - Extension 1 granted
2008-05-09 - Extension 1 filed
2008-05-09 - TEAS Extension Received
2007-11-20 - Noa Mailed - SOU Required From Applicant
2007-08-28 - Published for opposition
2007-08-08 - Notice of publication
2007-05-21 - Law Office Publication Review Completed
2007-05-18 - Approved For Pub - Principal Register
2007-01-24 - Assigned To Examiner
2007-01-24 - Amendment From Applicant Entered
2006-12-26 - Communication received from applicant
2007-01-24 - Assigned To LIE
2006-12-26 - PAPER RECEIVED
2006-06-27 - Attorney Revoked And/Or Appointed
2006-06-27 - TEAS Revoke/Appoint Attorney Received
2006-06-26 - Non-final action mailed
2006-06-23 - Non-Final Action Written
2006-06-23 - Assigned To Examiner
2006-02-04 - Application Filing Receipt Mailed
2006-01-31 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

Susan E. Hollander, Esq.
Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Bldg. 2

Latest Status Info

Palo Alto CA 94304

Phone Number: 650-812-1300

Fax Number: 650-213-0260

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:58:25 ET

Serial Number: 77341556 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

IT'S GRO TIME

(words only): IT'S GRO TIME

Standard Character claim: Yes

Current Status: The final review before registration has been completed for this Intent to Use application and it will register in due course.

Date of Status: 2010-06-28

Filing Date: 2007-11-30

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 110

Attorney Assigned:
MANOR THOMAS M

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-06-28

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

<http://tarr.uspto.gov/tarr?regser=serial&entry=77341556>

7/23/2010

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Soil amendments, soil conditioners, and soil improving agents for domestic use; plant food; potting soil; planting soil; growing media for plants; humus; manure; peat; compost; and loam

Basis: 1(a)

First Use Date: 2008-02-00

First Use in Commerce Date: 2008-02-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-06-29 - Notice Of Acceptance Of Statement Of Use E-Mailed

2010-06-28 - Law Office Registration Review Completed

2010-06-28 - Assigned To LIE

2010-06-15 - Allowed for Registration - Principal Register (SOU accepted)

2010-05-25 - Notice Of Approval Of Extension Request E-Mailed

2010-05-24 - Statement Of Use Processing Complete

2010-05-21 - Use Amendment Filed

2010-05-24 - Extension 4 granted

2010-05-21 - Extension 4 filed

2010-05-21 - TEAS Extension Received

2010-05-21 - TEAS Statement of Use Received

2010-01-08 - Extension 3 granted

Latest Status Info

2010-01-06 - Extension 3 filed
2010-01-06 - TEAS Extension Received
2009-07-13 - Extension 2 granted
2009-06-17 - Extension 2 filed
2009-07-13 - Case Assigned To Intent To Use Paralegal
2009-06-17 - TEAS Extension Received
2008-12-03 - Extension 1 granted
2008-12-03 - Extension 1 filed
2008-12-03 - TEAS Extension Received
2008-07-08 - Noa Mailed - SOU Required From Applicant
2008-04-15 - Published for opposition
2008-03-26 - Notice of publication
2008-03-11 - Law Office Publication Review Completed
2008-03-11 - Assigned To LIE
2008-02-15 - Approved For Pub - Principal Register
2008-02-11 - Assigned To Examiner
2007-12-06 - Notice Of Pseudo Mark Mailed
2007-12-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander

Correspondent

SUSAN E. HOLLANDER
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1008
Phone Number: 650-812-1300
Fax Number: 650-213-0260

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:58:34 ET

Serial Number: 77341562 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

IT'S GRO TIME

(words only): IT'S GRO TIME

Standard Character claim: Yes

Current Status: The final review before registration has been completed for this Intent to Use application and it will register in due course.

Date of Status: 2010-06-28

Filing Date: 2007-11-30

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 110

Attorney Assigned:
MANOR THOMAS M

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-06-28

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

<http://tarr.uspto.gov/tarr?regser=serial&entry=77341562>

7/23/2010

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031
Class Status: Active
Top soil; mulch; soil containing fertilizer
Basis: 1(a)
First Use Date: 2008-02-00
First Use in Commerce Date: 2008-02-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

- 2010-06-29 - Notice Of Acceptance Of Statement Of Use E-Mailed
- 2010-06-28 - Law Office Registration Review Completed
- 2010-06-28 - Assigned To LIE
- 2010-06-15 - Allowed for Registration - Principal Register (SOU accepted)
- 2010-05-25 - Notice Of Approval Of Extension Request E-Mailed
- 2010-05-24 - Statement Of Use Processing Complete
- 2010-05-21 - Use Amendment Filed
- 2010-05-24 - Extension 4 granted
- 2010-05-21 - Extension 4 filed
- 2010-05-21 - TEAS Extension Received
- 2010-05-21 - TEAS Statement of Use Received
- 2010-01-08 - Extension 3 granted
- 2010-01-06 - Extension 3 filed

Latest Status Info

2010-01-06 - TEAS Extension Received
2009-07-13 - Extension 2 granted
2009-06-17 - Extension 2 filed
2009-07-13 - Case Assigned To Intent To Use Paralegal
2009-06-17 - TEAS Extension Received
2008-12-03 - Extension 1 granted
2008-12-03 - Extension 1 filed
2008-12-03 - TEAS Extension Received
2008-07-08 - Noa Mailed - SOU Required From Applicant
2008-04-15 - Published for opposition
2008-03-26 - Notice of publication
2008-03-11 - Law Office Publication Review Completed
2008-03-11 - Assigned To LIE
2008-02-15 - Approved For Pub - Principal Register
2008-02-11 - Assigned To Examiner
2007-12-06 - Notice Of Pseudo Mark Mailed
2007-12-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander

Correspondent

SUSAN E. HOLLANDER
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1008
Phone Number: 650-812-1300
Fax Number: 650-213-0260

Latest Status Info

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

This page was generated by the TARR system on 2010-07-23 13:58:50 ET

Serial Number: 77341566 Assignment Information Trademark Document Retrieval

Registration Number: 3552933

Mark

IT'S GRO TIME

(words only): IT'S GRO TIME

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2008-12-30

Filing Date: 2007-11-30

Transformed into a National Application: No

Registration Date: 2008-12-30

Register: Principal

Law Office Assigned: LAW OFFICE 110

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-12-30

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

1. OMS Investments, Inc.

Address:

OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067
United States

Legal Entity Type: Corporation

<http://tarr.uspto.gov/tarr?regser=registration&entry=3552933&action=Request+Status>

7/23/2010

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 044

Class Status: Active

Providing advice and information on the subjects of gardening and lawn care and the use of products relating to gardening and lawn care, namely, plant foods, fertilizers, pesticides, herbicides, grass seed, potting mixes, soil, soil conditioners and amendments, mulches, and lawn and garden equipment; providing advice and information on the subjects of gardening and lawn care and the use of products relating to gardening and lawn care, namely, plant foods, fertilizers, pesticides, herbicides, grass seed, potting mixes, soil, soil conditioners and amendments, mulches, and lawn and garden equipment via the internet; providing in-store consulting services on the subjects of gardening and lawn care and the use of related products, namely, plant foods, fertilizers, pesticides, grass seed, potting mixes, soil, soil conditioners and amendments, mulches, and lawn and garden equipment; lawn, tree, and shrub care services; landscape gardening services; consulting services in the field of lawn, tree, and shrub care and landscape gardening

Basis: 1(a)

First Use Date: 2008-02-00

First Use in Commerce Date: 2008-02-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-07-22 - Notice Of Suit

2008-12-30 - Registered - Principal Register

2008-10-14 - Published for opposition

2008-09-24 - Notice of publication

2008-09-09 - Law Office Publication Review Completed

2008-09-09 - Assigned To LIE

2008-08-29 - Approved for Pub - Principal Register (Initial exam)

2008-08-29 - Amendment to Use approved

Latest Status Info

2008-08-12 - Teas/Email Correspondence Entered
2008-08-11 - Communication received from applicant
2008-08-11 - TEAS Response to Office Action Received
2008-08-12 - Amendment To Use Processing Complete
2008-08-12 - Use Amendment Filed
2008-08-11 - TEAS Amendment of Use Received
2008-02-11 - Notification Of Non-Final Action E-Mailed
2008-02-11 - Non-final action e-mailed
2008-02-11 - Non-Final Action Written
2008-02-11 - Assigned To Examiner
2007-12-06 - Notice Of Pseudo Mark Mailed
2007-12-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, esq.

Correspondent

SUSAN E. HOLLANDER, ESQ.
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1008
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:59:03 ET

Serial Number: 77406779 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

PRO GRO

(words only): PRO GRO

Standard Character claim: Yes

Current Status: A request for the second extension of time to file a statement of use has been granted.

Date of Status: 2010-04-06

Filing Date: 2008-02-26

The Notice of Allowance Date is: 2009-04-07

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 107

Attorney Assigned:
JACKSON STEVEN W

Current Location: 700 -Intent To Use Section

Date In Location: 2010-04-06

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

1. OMS Investments, inc.

Address:

OMS Investments, inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Fertilizers for domestic, agricultural and horticultural use; soil amendments, soil conditioners, and soil improving agents for domestic, agricultural and horticultural use; plant food; potting soil; planting soil; growing media for plants; humus; manure; peat; compost; and loam

Basis: I(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-04-07 - Notice Of Approval Of Extension Request E-Mailed

2010-04-06 - Extension 2 granted

2010-03-10 - Extension 2 filed

2010-04-06 - Case Assigned To Intent To Use Paralegal

2010-03-10 - TEAS Extension Received

2009-10-06 - Extension 1 granted

2009-10-06 - Extension 1 filed

2009-10-06 - TEAS Extension Received

2009-04-07 - Noa Mailed - SOU Required From Applicant

2009-01-13 - Published for opposition

2008-12-24 - Notice of publication

Latest Status Info

2008-12-11 - Law Office Publication Review Completed
2008-12-11 - Assigned To LIE
2008-12-05 - Approved For Pub - Principal Register
2008-11-25 - Teas/Email Correspondence Entered
2008-11-24 - Communication received from applicant
2008-11-24 - TEAS Response to Office Action Received
2008-05-22 - Notification Of Non-Final Action E-Mailed
2008-05-22 - Non-final action e-mailed
2008-05-22 - Non-Final Action Written
2008-05-20 - Assigned To Examiner
2008-03-04 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq., Gail I. Nevius Abbas, Esq. and Christine M. Klenk, Esq.

Correspondent

SUSAN E. HOLLANDER, ESQ., GAIL I. NEVIUS
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1008
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:59:15 ET

Serial Number: 77727569 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SLO-GRO

(words only): SLO-GRO

Standard Character claim: Yes

Current Status: A request for the first extension of time to file a statement of use has been granted.

Date of Status: 2010-01-27

Filing Date: 2009-05-01

The Notice of Allowance Date is: 2009-09-29

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 101

Attorney Assigned:
PEREZ STEVEN M

Current Location: 700 -Intent To Use Section

Date In Location: 2009-09-29

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

<http://tarr.uspto.gov/tarr?regser=serial&entry=77727569>

7/23/2010

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 031

Class Status: Active

Grass seed

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-01-27 - Extension 1 granted

2010-01-27 - Extension 1 filed

2010-01-27 - TEAS Extension Received

2009-09-29 - Noa Mailed - SOU Required From Applicant

2009-07-07 - Published for opposition

2009-06-17 - Notice of publication

2009-06-04 - Law Office Publication Review Completed

2009-06-03 - Assigned To LIE

2009-06-03 - Approved For Pub - Principal Register

2009-06-01 - Assigned To Examiner

2009-05-06 - Notice Of Pseudo Mark Mailed

2009-05-05 - New Application Office Supplied Data Entered In Tram

2009-05-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

SUSAN E. HOLLANDER, ESQ.
MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL RD BLDG 2
PALO ALTO, CA 94304-1008
Phone Number: 650-812-1300
Fax Number: 650-213-0260

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

This page was generated by the TARR system on 2010-07-23 13:59:34 ET

Serial Number: 77799605 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GRO-MIX

(words only): GRO-MIX

Standard Character claim: Yes

Current Status: A request for the first extension of time to file a statement of use has been granted.

Date of Status: 2010-06-17

Filing Date: 2009-08-07

The Notice of Allowance Date is: 2010-01-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

Attorney Assigned:
WELLS CHRISTOPHER WILLIAM

Current Location: 700 -Intent To Use Section

Date In Location: 2010-01-19

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

1. OMS Investments, Inc.

Address:
OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CA 90067

United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001
Class Status: Active
Growing media for plants
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-06-19 - Notice Of Approval Of Extension Request E-Mailed
2010-06-17 - Extension I granted
2010-06-17 - Extension I filed
2010-06-17 - TEAS Extension Received
2010-01-19 - Noa Mailed - SOU Required From Applicant
2009-10-27 - Notice Of Publication E-Mailed
2009-10-27 - Published for opposition
2009-09-24 - Law Office Publication Review Completed
2009-09-24 - Assigned To LIE
2009-09-14 - Approved For Pub - Principal Register
2009-09-10 - Assigned To Examiner
2009-08-12 - TEAS Amendment Entered Before Attorney Assigned

Latest Status Info

2009-08-12 - TEAS Voluntary Amendment Received

2009-08-12 - Notice Of Pseudo Mark Mailed

2009-08-11 - New Application Office Supplied Data Entered In Tram

2009-08-11 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan E. Hollander, Esq.

Correspondent

SUSAN E. HOLLANDER, ESQ.

MANATT, PHELPS & PHILLIPS, LLP

1001 PAGE MILL RD BLDG 2

PALO ALTO, CA 94304-1049

Phone Number: 650-812-1300

Fax Number: 650-213-0260
