

ESTTA Tracking number: **ESTTA422893**

Filing date: **08/02/2011**

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	Sweetgreen, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	1729 21st Street, NW Washington, DC 20009 UNITED STATES		

Attorney information	Ann K Ford DLA Piper LLP (US) 500 8th Street, NW Washington, DC 20004 UNITED STATES Ann.Ford@dlapiper.com, John.Nading@dlapiper.com, David.Kramer@dlapiper.com, David.Huff@dlapiper.com Phone:2027994000
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Applicant Information

Application No	85254636	Publication date	08/02/2011
Opposition Filing Date	08/02/2011	Opposition Period Ends	09/01/2011
Applicant	SWEET LEAF, INC. 1359 Chain Bridge Road McLean, VA 22101 UNITED STATES		

Goods/Services Affected by Opposition

Class 043. First Use: 2009/04/00 First Use In Commerce: 2009/04/00
All goods and services in the class are opposed, namely: Restaurant Services

Grounds for Opposition

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

U.S. Registration No.	3454783	Application Date	03/07/2007
Registration Date	06/24/2008	Foreign Priority Date	NONE
Word Mark	SWEETGREEN		

Design Mark	SWEETGREEN
Description of Mark	NONE
Goods/Services	Class 043. First use: First Use: 2007/08/01 First Use In Commerce: 2007/08/01 Restaurant Services and Catering Services

U.S. Registration No.	3859178	Application Date	09/09/2009
Registration Date	10/12/2010	Foreign Priority Date	NONE

Word Mark	SWEETGREEN
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Description of Mark	The mark consists of the word "sweetgreen" in lower case form, "sweet" being in dark green and "green" being in light green, to the left of a design of two overlapping leaves each in two shades of green, the leftmost leaf being dark green with light green lining and the rightmost leaf being light green with dark green lining.
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Goods/Services	Class 035. First use: First Use: 2007/08/01 First Use In Commerce: 2007/08/01 Retail store services primarily featuring salads, sandwiches and frozen yogurt Class 043. First use: First Use: 2007/08/01 First Use In Commerce: 2007/08/01 Restaurant services and catering services; restaurant and take-out restaurant services primarily featuring salads, sandwiches and frozen yogurt; catering services primarily featuring salads, sandwiches and frozen yogurt
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U.S. Registration No.	3951701	Application Date	09/18/2009
Registration Date	04/26/2011	Foreign Priority Date	NONE

Word Mark	SWEETGREEN
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Design Mark	SWEETGREEN		
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 2007/08/17 First Use In Commerce: 2007/08/17 Canvas shopping bags; all-purpose reusable carrying bags		

U.S. Registration No.	3951702	Application Date	09/18/2009
Registration Date	04/26/2011	Foreign Priority Date	NONE
Word Mark	SWEETGREEN		
Design Mark	SWEETGREEN		
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 2007/08/17 First Use In Commerce: 2007/08/17 Salad bowls, bowls, water bottles sold empty		

U.S. Application No.	77829450	Application Date	09/18/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SWEETGREEN		

Design Mark	SWEETGREEN		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2007/08/00 First Use In Commerce: 2007/08/00 Clothing, namely, shirts and t-shirts sold as promotional items		

U.S. Application No.	77829451	Application Date	09/18/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SWEETGREEN		
Design Mark	SWEETGREEN		
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2011/05/00 First Use In Commerce: 2011/05/00 Edible oils; olive oil		

U.S. Application No.	85043748	Application Date	05/20/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SWEETGREEN		

Design Mark	<h1>SWEETGREEN</h1>		
Description of Mark	NONE		
Goods/Services	Class 030. First use: granola-based snack bars; grain-based food bars also containing soy, dried fruits, chocolate, nuts		

U.S. Application No.	85082284	Application Date	07/12/2010
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	SWEETGREEN
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Design Mark	<h1>SWEETGREEN</h1>		
Description of Mark	NONE		
Goods/Services	Class 036. First use: Charitable fundraising services, namely, organizing and conducting fundraising events to raise money and awareness for socially progressive causes related to the environment, nutrition, diet, youth activities and health, and general healthy living		

Attachments	77124231#TMSN.gif (1 page)(bytes) 77823137#TMSN.jpeg (1 page)(bytes) 77829444#TMSN.jpeg (1 page)(bytes) 77829447#TMSN.jpeg (1 page)(bytes) 77829450#TMSN.jpeg (1 page)(bytes) 77829451#TMSN.jpeg (1 page)(bytes) 85043748#TMSN.jpeg (1 page)(bytes) 85082284#TMSN.jpeg (1 page)(bytes) Sweetgreen Inc v Sweet Leaf - USOpp - PART 1.pdf (60 pages)(1106104 bytes) Sweetgreen Inc v Sweet Leaf - USOpp - PART 2.pdf (35 pages)(780374 bytes)
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) Sweetgreen Inc v Sweet Leaf - USOpp - PART 3.pdf (38 pages)(504028 bytes) Sweetgreen Inc v Sweet Leaf - USOpp - PART 4.pdf (35 pages)(5231583 bytes) Sweetgreen Inc v Sweat Leaf - USOpp - PART 4.pdf (35 pages)(700539 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	/Ann K Ford/
Name	Ann K Ford
Date	08/02/2011

frozen yogurt. In connection therewith, Sweetgreen uses in interstate commerce and owns the well-known and distinctive trademark "SWEETGREEN," including the following United States trademark registrations and applications:

Reg. No./ App. No.	Trademark	Goods and/or Services	Claimed Date of First Use	Registration Date/Status
3,454,783	SWEETGREEN	IC 43: Restaurant services and catering services	August 1, 2007	June 24, 2008
3,859,178	SWEETGREEN & Design Mark	IC 35: Retail store services primarily featuring salads, sandwiches and frozen yogurt IC 43: Restaurant services and catering services; restaurant and take-out restaurant services primarily featuring salads, sandwiches and frozen yogurt; catering services primarily featuring salads, sandwiches and frozen yogurt	August 1, 2007	October 12, 2010
3,951,701	SWEETGREEN	IC 18: Canvas shopping bags; all-purpose reusable carrying bags	August 17, 2007	April 26, 2011
3,951,702	SWEETGREEN	IC 21: salad bowls, bowls, water bottles sold empty	August 17, 2007	April 26, 2011
77/829,450	SWEETGREEN	IC 25: Clothing, namely, shirts and t-shirts sold as promotional items	August, 2007	Notice of Allowance issued August 10, 2010; Statement of Use filed July 19, 2011
77/829,451	SWEETGREEN	IC 29: Edible oils; olive oil	May, 2011	Notice of Allowance issued August 10, 2010; Notice of

				Acceptance of Statement of Use issued July 13, 2011
85/043,748	SWEETGREEN	IC 30: Granola-based snack bars; grain-based food bars also containing soy, dried fruits, chocolate, nuts	N/A	Notice of Allowance issued December 28, 2010
85/082,284	SWEETGREEN	IC 36: Charitable fundraising services, namely, organizing and conducting fundraising events to raise money and awareness for socially progressive causes related to the environment, nutrition, diet, youth activities and health, and general healthy living	N/A	Notice of Allowance issued December 28, 2010

The above-referenced trademark registrations and applications are valid and subsisting, and provide conclusive evidence of Sweetgreen's right to use the trademarks in commerce. Attached hereto as Exhibit A and made part of the record are true and correct copies of the United States Certificates of Registration and TARR and TESS print-outs for the above-referenced trademark registrations and applications.

(3) Sweetgreen offers food and restaurant services, and related goods and services (the "Sweetgreen Goods & Services") under its marks SWEETGREEN (Reg. No. 3,454,783), SWEETGREEN & Design (Reg. No. 3,859,178), SWEETGREEN (Reg. No. 3,951,701), SWEETGREEN (Reg. No. 3,951,702), SWEETGREEN (App. No. 77/829,450),

SWEETGREEN (App. No. 77/829,451), SWEETGREEN (App. No. 85/043,748), and SWEETGREEN (App. No. 85/082,284) (collectively, the “SWEETGREEN Marks”).

(4) The SWEETGREEN Marks clearly establish that Sweetgreen has senior trademark rights in its family of SWEETGREEN Marks and consequently there is no question of priority of rights, as such priority clearly belongs to Sweetgreen.

(5) Sweetgreen owns four trademark registrations for the SWEETGREEN Marks, with a date of first use at least as early as 2007.

(6) Sweetgreen has extensively used the SWEETGREEN Marks and has advertised, promoted, and offered the Sweetgreen Goods & Services under the SWEETGREEN Marks in interstate commerce through various channels of trade. As a result, the customers and potential customers of Sweetgreen, and the public in general have come to know and recognize the SWEETGREEN Marks as identifying the Sweetgreen Goods & Services as goods and services of the highest quality offered by Sweetgreen, and associate the SWEETGREEN Marks with the Sweetgreen Goods & Services. Sweetgreen has thus built up extensive and invaluable goodwill in connection with the sale of its goods and services offered under its SWEETGREEN Marks.

(7) Notwithstanding Sweetgreen’s exclusive and prior rights in and to the SWEETGREEN Marks, and after 2008, the earliest federal trademark registration date for the SWEETGREEN Marks, Applicant, a Virginia corporation having an address at 1359 Chain Bridge Road, McLean, Virginia 22101, filed a use-based application under Section 1(a) of the Lanham Act, 15 U.S.C. § 1051(a), with the USPTO for registration of the service mark SWEETLEAF, with a claimed date of first use of April, 2009 (hereinafter “Application”). The Application was assigned Serial No. 85/254,636. Sweetgreen’s federal registrations for the

SWEETGREEN Marks issued as early as June 24, 2008, with a date of first use at least as early as 2007.

(8) Upon information and belief, Applicant made no use of its alleged service mark in commerce prior to the claimed date of first use in the Application.

(9) Applicant knew of Sweetgreen's SWEETGREEN Marks when Applicant filed the Application.

(10) Upon information and belief, Applicant intentionally adopted the SWEETLEAF Mark so as to create consumer confusion and traffic off Sweetgreen's reputation and goodwill under the SWEETGREEN Marks.

(11) Sweetgreen is aware of multiple instances of actual consumer confusion.

(12) Sweetgreen has used its SWEETGREEN Marks continuously on or in connection with the Sweetgreen Goods & Services in interstate commerce prior to the filing date of Applicant's Application and alleged date of first use.

(13) On May 6, 2011, Sweetgreen filed a Complaint against Applicant for actions arising out of Applicant's alleged SWEETLEAF Mark in the United States District Court for the District of Columbia for federal trademark infringement and unfair competition, federal trade dress infringement, District of Columbia statutory unfair competition, and trademark infringement and unfair competition under District of Columbia common law. Attached hereto as Exhibit B is a true and correct copy of the Complaint.

LIKELIHOOD OF CONFUSION
Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d)

(14) Sweetgreen re-alleges the allegations contained in Paragraphs 1 through 13 of this Notice of Opposition.

(15) Applicant's alleged SWEETLEAF mark so resembles Sweetgreen's SWEETGREEN Marks in appearance, sound, meaning, and commercial impression that the use and registration thereof is likely to cause confusion, mistake, and deception as to the source or origin of Applicant's services in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), and will injure and damage Sweetgreen and the goodwill and reputation symbolized by Sweetgreen's SWEETGREEN Marks.

(16) Applicant's services offered under the Application are so related to the goods and services offered under Sweetgreen's SWEETGREEN Marks that the public is likely to be confused, deceived, and to assume erroneously that Applicant's services are those of Sweetgreen or that Applicant is in some way connected with, licensed, or sponsored by or affiliated with Sweetgreen, all to Sweetgreen's irreparable damage.

(17) Likelihood of confusion is enhanced by the fact that the SWEETGREEN Marks are strong, well-known, and entitled to a broad scope of protection.

(18) Likelihood of confusion is enhanced by the fact that Applicant's alleged mark SWEETLEAF and Sweetgreen's SWEETGREEN Marks both incorporate the key component "SWEET" and because the services offered under Applicant's alleged SWEETLEAF mark are closely related to the Sweetgreen Goods & Services.

(19) Likelihood of confusion is further enhanced by the fact that the Parties market and will likely market their goods and services in the same or similar channels of trade.

(20) Applicant is not affiliated or connected with Sweetgreen and has not been endorsed or sponsored by Sweetgreen, nor has Sweetgreen approved any of the services offered or sold or intended to be sold by Applicant under its alleged SWEETLEAF mark.

(21) Applicant has never sought or obtained Sweetgreen's permission to use the alleged mark SWEETLEAF nor has Sweetgreen approved any of the services offered by Applicant under the alleged mark SWEETLEAF.

(22) Sweetgreen's United States Trademark Registrations identified above provide, at the very least, constructive notice to Applicant of Sweetgreen's rights in and to the SWEETGREEN Marks.

If Applicant obtains such rights as conferred under the Principal Register of the Lanham Act, it will obtain at least a *prima facie* exclusive right to use its alleged service mark, and Sweetgreen will be subjected to great and irreparable damage, and Applicant will enjoy unlawful gain and advantage to which it is not entitled under the Lanham Act.

WHEREFORE, Sweetgreen believes and avers that it is being, and will continue to be, damaged by the registration of the Application, and respectfully requests that the Application be rejected, that no registration be issued thereon to Applicant, and that the Opposition be sustained in favor of Sweetgreen.

Sweetgreen hereby appoints Ann K. Ford, a member of the Bar of the District of Columbia, Thomas E. Zutic, a member of the Bar of the District of Columbia, Ryan C. Compton, a member of the Bar of the District of Columbia, John M. Nading, a member of the Bar of the District of Columbia, David M. Kramer, a member of the Bar of the District of Columbia, and Radiance A. Walters, a member of the Bar of the District of Columbia, and all of the law firm of DLA Piper LLP (US), 500 8th Street, N.W., Washington, D.C. 20004, telephone number (202) 799-4000, to transact all business in the USPTO in connection with this Opposition Proceeding and hereby revokes all previous powers of attorney herein.

Please address all correspondence to:

Ann K. Ford, Esq.
DLA Piper LLP (US)
500 8th Street, N.W.
Washington, D.C. 20004
dctrademarks@dlapiper.com

The filing fee for this opposition, in the amount of \$300.00, is hereby electronically transferred with the submission of the Notice of Opposition.

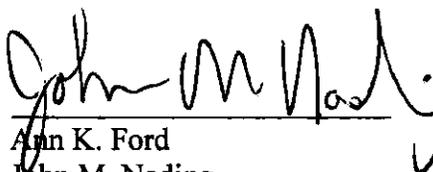
The undersigned, registered agent for Sweetgreen herein, states that he is authorized to prosecute this Opposition, that he has read and signed the foregoing NOTICE OF OPPOSITION and knows the contents thereof, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of this Opposition and any decision resulting therefrom.

Dated: August 2, 2011

Respectfully submitted,

DLA PIPER LLP (US)

By:



Ann K. Ford
John M. Nading
David M. Kramer
500 8th Street, N.W.
Washington, D.C. 20004
Tel. 202-799-4000
Fax 202-799-5000

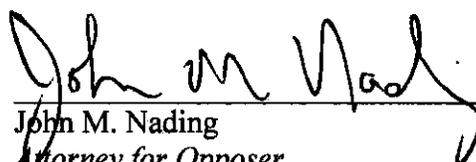
Attorneys for Opposer Sweetgreen, Inc.

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **NOTICE OF OPPOSITION** was served via U.S. First Class mail, postage prepaid, and properly addressed to Applicant's counsel of record:

John S. Hale
Gipple & Hale
6665A Old Dominion Dr.
McLean, Virginia 22101-4508

this 2nd day of August, 2011.



John M. Nading
Attorney for Opposer

EXHIBIT A

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,454,783

Registered June 24, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

SWEET GREEN

**GREENS MANAGEMENT, LLC (DELAWARE
LTD LIAB CO)
3333 M STREET, NW
WASHINGTON, DC 20007**

**THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.**

**FOR: RESTAURANT SERVICES AND CATERING
SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).**

SN 77-124,231, FILED 3-7-2007.

FIRST USE 8-1-2007; IN COMMERCE 8-1-2007.

SANDRA MANIOS, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

Reg. No. 3,454,783

United States Patent and Trademark Office

Registered June 24, 2008

Amended

OG Date Aug. 31, 2010

SERVICE MARK
PRINCIPAL REGISTER

SWEETGREEN

SWEETGREEN, INC. (DELAWARE CORPORATION)
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036

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

FOR: RESTAURANT SERVICES AND CATERING SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-1-2007; IN COMMERCE 8-1-2007.

SER. NO. 77-124,231, FILED 3-7-2007.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on Aug. 31, 2010.

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

This page was generated by the TARR system on 2011-08-02 11:20:17 ET

Serial Number: 77124231 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3454783

Mark

(words only): SWEETGREEN

Standard Character claim: Yes

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

Date of Status: 2008-06-24

Filing Date: 2007-03-07

Transformed into a National Application: No

Registration Date: 2008-06-24

Register: Principal

Law Office Assigned: LAW OFFICE 104

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: (NOT AVAILABLE)

Date In Location: 2010-09-30

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 043
Class Status: Active
Restaurant Services and Catering Services
Basis: 1(a)
First Use Date: 2007-08-01
First Use in Commerce Date: 2007-08-01

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.

2011-07-14 - Notice Of Suit
2010-07-26 - Section 7 amendment issued
2010-05-20 - Section 7 amendment filed
2010-07-07 - Case Assigned To Post Registration Paralegal
2010-05-20 - PAPER RECEIVED
2010-05-06 - Assignment Of Ownership Not Updated Automatically
2010-03-29 - Attorney Revoked And/Or Appointed
2010-03-29 - TEAS Revoke/Appoint Attorney Received
2008-06-24 - Registered - Principal Register
2008-05-16 - Law Office Registration Review Completed
2008-05-16 - Allowed for Registration - Principal Register (SOU accepted)
2008-04-29 - Statement Of Use Processing Complete

2008-04-08 - Use Amendment Filed
2008-04-09 - Automatic Update Of Assignment Of Ownership
2008-04-08 - TEAS Statement of Use Received
2007-12-04 - NOA Mailed - SOU Required From Applicant
2007-09-11 - Published for opposition
2007-08-22 - Notice of publication
2007-08-06 - Law Office Publication Review Completed
2007-08-06 - Assigned To LIE
2007-06-21 - Approved For Pub - Principal Register
2007-06-20 - Assigned To Examiner
2007-03-12 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford
DLA Piper LLP (US)
500 Eighth Street, NW
Washington DC 20004
Phone Number: 2027994000
Fax Number: 2027995000



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Record 1 out of 1

TAB Status ASSIGN Status TDR TTAB Status

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SWEETGREEN

Word Mark

SWEETGREEN

Goods and Services

IC 043. US 100 101. G & S: Restaurant Services and Catering Services. FIRST USE: 20070801. FIRST USE IN COMMERCE: 20070801

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77124231

Filing Date March 7, 2007

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition September 11, 2007

Change in Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3454783

Registration Date June 24, 2008

Owner (REGISTRANT) GREENS MANAGEMENT, LLC LIMITED LIABILITY COMPANY DELAWARE 3333 M STREET, NW WASHINGTON D.C. 20007

(LAST LISTED OWNER) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Ann K. Ford

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

TESS HOME NEW USER STRUCTURED FILE FORM [Business Director](#) SEARCH OG TOP HELP

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

United States of America
United States Patent and Trademark Office



Reg. No. 3,859,178

Registered Oct. 12, 2010

Int. Cls.: 35 and 43

SERVICE MARK

PRINCIPAL REGISTER

GREENS MANAGEMENT, L.L.C. (DELAWARE LIMITED LIABILITY COMPANY)
3333 M STREET, N.W.
WASHINGTON, DC 20007

FOR: RETAIL STORE SERVICES PRIMARILY FEATURING SALADS, SANDWICHES AND FROZEN YOGURT, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-1-2007; IN COMMERCE 8-1-2007.

FOR: RESTAURANT SERVICES AND CATERING SERVICES; RESTAURANT AND TAKE-OUT RESTAURANT SERVICES PRIMARILY FEATURING SALADS, SANDWICHES AND FROZEN YOGURT; CATERING SERVICES PRIMARILY FEATURING SALADS, SANDWICHES AND FROZEN YOGURT, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-1-2007; IN COMMERCE 8-1-2007.

THE MARK CONSISTS OF THE WORD "SWEETGREEN" IN LOWER CASE FORM, "SWEET" BEING IN DARK GREEN AND "GREEN" BEING IN LIGHT GREEN, TO THE LEFT OF A DESIGN OF TWO OVERLAPPING LEAVES EACH IN TWO SHADES OF GREEN, THE LEFTMOST LEAF BEING DARK GREEN WITH LIGHT GREEN LINING AND THE RIGHTMOST LEAF BEING LIGHT GREEN WITH DARK GREEN LINING.

THE COLOR(S) DARK GREEN AND LIGHT GREEN IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 77-823,137, FILED 9-9-2009.

BRENDAN REGAN, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

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

This page was generated by the TARR system on 2011-08-02 11:08:30 ET

Serial Number: 77823137 Assignment Information Trademark Document Retrieval

Registration Number: 3859178

Mark



(words only): SWEETGREEN

Standard Character claim: No

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

Date of Status: 2010-10-12

Filing Date: 2009-09-09

Transformed into a National Application: No

Registration Date: 2010-10-12

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2010-10-12

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

1. Greens Management, LLC.

Address:
Greens Management, LLC.

3333 M Street, N.W.
Washington, DC 20007
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 035

Class Status: Active

Retail store services primarily featuring salads, sandwiches and frozen yogurt

Basis: 1(a)

First Use Date: 2007-08-01

First Use in Commerce Date: 2007-08-01

International Class: 043

Class Status: Active

Restaurant services and catering services; restaurant and take-out restaurant services primarily featuring salads, sandwiches and frozen yogurt; catering services primarily featuring salads, sandwiches and frozen yogurt

Basis: 1(a)

First Use Date: 2007-08-01

First Use in Commerce Date: 2007-08-01

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) dark green and light green is/are claimed as a feature of the mark.

Description of Mark: The mark consists of the word "sweetgreen" in lower case form, "sweet" being in dark green and "green" being in light green, to the left of a design of two overlapping leaves each in two shades of green, the leftmost leaf being dark green with light green lining and the rightmost leaf being light green with dark green lining.

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

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.

2011-07-14 - Notice Of Suit

2010-10-12 - Registered - Principal Register
2010-07-27 - Notice Of Publication E-Mailed
2010-07-27 - Published for opposition
2010-06-18 - Law Office Publication Review Completed
2010-06-18 - Assigned To LIE
2010-06-03 - Approved for Pub - Principal Register (Initial exam)
2010-06-02 - Teas/Email Correspondence Entered
2010-06-01 - Communication received from applicant
2010-06-01 - TEAS Response to Office Action Received
2010-05-06 - Assignment Of Ownership Not Updated Automatically
2010-03-29 - Attorney Revoked And/Or Appointed
2010-03-29 - TEAS Revoke/Appoint Attorney Received
2009-12-31 - Notification Of Non-Final Action E-Mailed
2009-12-31 - NON-FINAL ACTION E-MAILED
2009-12-31 - Non-Final Action Written
2009-12-12 - Examiner's Amendment Entered
2009-12-12 - Notification Of Examiners Amendment E-Mailed
2009-12-12 - Examiners amendment e-mailed
2009-12-12 - Examiners Amendment -Written
2009-12-10 - Assigned To Examiner
2009-09-15 - Notice Of Design Search Code And Pseudo Mark Mailed
2009-09-14 - New Application Office Supplied Data Entered In Tram
2009-09-12 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Ann K. Ford

Correspondent

Ann K. Ford

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500 Eighth Street, NW

Washington DC 20004

Phone Number: 2027994000

Fax Number: 2027995000



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Word Mark SWEETGREEN
Goods and Services IC 035. US 100 101 102. G & S: Retail store services primarily featuring salads, sandwiches and frozen yogurt. FIRST USE: 20070801. FIRST USE IN COMMERCE: 20070801
 IC 043. US 100 101. G & S: Restaurant services and catering services; restaurant and take-out restaurant services primarily featuring salads, sandwiches and frozen yogurt; catering services primarily featuring salads, sandwiches and frozen yogurt. FIRST USE: 20070801. FIRST USE IN COMMERCE: 20070801
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
 05.03.25 - Leaf, single; Other leaves
Trademark Search Facility Classification Code SHAPES-COLORS-2 Design listing or lined for two colors
 SHAPES-MISC Miscellaneous shaped designs
 VEG Plant life such as trees, flowers, fruits, grains, nuts, wreaths, and leaves
Serial Number 77823137
Filing Date September 9, 2009
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition July 27, 2010
Registration Number 3859178

Registration Date October 12, 2010

Owner (REGISTRANT) Greens Management, LLC. LIMITED LIABILITY COMPANY DELAWARE 3333 M Street, N.W. Washington D.C. 20007

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Ann K. Ford

Description of Mark The color(s) dark green and light green is/are claimed as a feature of the mark. The mark consists of the word "sweetgreen" in lower case form, "sweet" being in dark green and "green" being in light green, to the left of a design of two overlapping leaves each in two shades of green, the leftmost leaf being dark green with light green lining and the rightmost leaf being light green with dark green lining.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

SWEETGREEN

Reg. No. 3,951,701

Registered Apr. 26, 2011

Int. Cl.: 18

TRADEMARK

PRINCIPAL REGISTER

SWEETGREEN, INC. (DELAWARE CORPORATION)
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036

FOR: CANVAS SHOPPING BAGS; ALL-PURPOSE REUSABLE CARRYING BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 8-17-2007; IN COMMERCE 8-17-2007.

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

OWNER OF U.S. REG. NO. 3,454,783.

SN 77-829,444, FILED 9-18-2009.

BRENDAN REGAN, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

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This page was generated by the TARR system on 2011-08-02 10:26:16 ET

Serial Number: 77829444 Assignment Information Trademark Document Retrieval

Registration Number: 3951701

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

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

Date of Status: 2011-04-26

Filing Date: 2009-09-18

Transformed into a National Application: No

Registration Date: 2011-04-26

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2011-03-18

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

1. SWEETGREEN, INC.

Address:
SWEETGREEN, INC.

1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 018
Class Status: Active
Canvas shopping bags; all-purpose reusable carrying bags
Basis: 1(a)
First Use Date: 2007-08-17
First Use in Commerce Date: 2007-08-17

ADDITIONAL INFORMATION

Prior Registration Number(s):
3454783

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.

2011-04-26 - Registered - Principal Register
2011-03-19 - Notice Of Acceptance Of Statement Of Use E-Mailed
2011-03-18 - Law Office Registration Review Completed
2011-03-14 - Allowed for Registration - Principal Register (SOU accepted)
2011-03-04 - Notice Of Approval Of Extension Request E-Mailed
2011-03-03 - Statement Of Use Processing Complete
2011-02-11 - Use Amendment Filed
2011-03-03 - Extension 1 granted
2011-02-10 - Extension 1 filed
2011-03-03 - Case Assigned To Intent To Use Paralegal

2011-02-11 - TEAS Statement of Use Received
2011-02-11 - Extension Received With TEAS Petition
2011-02-11 - Petition To Revive-Granted
2011-02-11 - TEAS Petition To Revive Received
2010-08-10 - NOA E-Mailed - SOU Required From Applicant
2010-06-15 - Notice Of Publication E-Mailed
2010-06-15 - Published for opposition
2010-05-12 - Law Office Publication Review Completed
2010-05-11 - Assigned To LIE
2010-05-06 - Assignment Of Ownership Not Updated Automatically
2010-05-01 - Approved For Pub - Principal Register
2010-04-30 - Teas/Email Correspondence Entered
2010-04-30 - Communication received from applicant
2010-04-30 - TEAS Response to Office Action Received
2010-03-29 - Attorney Revoked And/Or Appointed
2010-03-29 - TEAS Revoke/Appoint Attorney Received
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2009-12-12 - Non-final action e-mailed
2009-12-12 - Non-Final Action Written
2009-12-12 - Assigned To Examiner
2009-09-23 - Notice Of Pseudo Mark Mailed
2009-09-22 - New Application Office Supplied Data Entered In Tram
2009-09-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford

DLA Piper LLP (US)

500 Eighth Street, NW

Washington DC 20004

Phone Number: 2027994000

Fax Number: 2027995000



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SWEETGREEN

Word Mark SWEETGREEN
Goods and Services IC 018. US 001 002 003 022 041. G & S: Canvas shopping bags; all-purpose reusable carrying bags. FIRST USE: 20070817. FIRST USE IN COMMERCE: 20070817
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77829444
Filing Date September 18, 2009
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition June 15, 2010
Registration Number 3951701
Registration Date April 26, 2011
Owner (REGISTRANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Ann K. Ford
Prior Registrations 3454783
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

SWEETGREEN

Reg. No. 3,951,702

Registered Apr. 26, 2011

Int. Cl.: 21

TRADEMARK

PRINCIPAL REGISTER

SWEETGREEN, INC. (DELAWARE CORPORATION)
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036

FOR: SALAD BOWLS, BOWLS, WATER BOTTLES SOLD EMPTY, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 8-17-2007; IN COMMERCE 8-17-2007.

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

OWNER OF U.S. REG. NO. 3,454,783.

SN 77-829,447, FILED 9-18-2009.

BRENDAN REGAN, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

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Serial Number: 77829447 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3951702

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

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

Date of Status: 2011-04-26

Filing Date: 2009-09-18

Transformed into a National Application: No

Registration Date: 2011-04-26

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2011-03-19

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

1. SWEETGREEN, INC.

Address:
SWEETGREEN, INC.

1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 021
Class Status: Active
Salad bowls, bowls, water bottles sold empty
Basis: 1(a)
First Use Date: 2007-08-17
First Use in Commerce Date: 2007-08-17

ADDITIONAL INFORMATION

Prior Registration Number(s):
3454783

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.

2011-04-26 - Registered - Principal Register
2011-03-22 - Notice Of Acceptance Of Statement Of Use E-Mailed
2011-03-19 - Law Office Registration Review Completed
2011-03-14 - Allowed for Registration - Principal Register (SOU accepted)
2011-03-04 - Notice Of Approval Of Extension Request E-Mailed
2011-03-03 - Statement Of Use Processing Complete
2011-02-11 - Use Amendment Filed
2011-03-03 - Extension 1 granted
2011-02-10 - Extension 1 filed
2011-03-03 - Case Assigned To Intent To Use Paralegal

2011-02-11 - TEAS Statement of Use Received
2011-02-11 - Extension Received With TEAS Petition
2011-02-11 - Petition To Revive-Granted
2011-02-11 - TEAS Petition To Revive Received
2010-08-10 - NOA E-Mailed - SOU Required From Applicant
2010-06-15 - Notice Of Publication E-Mailed
2010-06-15 - Published for opposition
2010-05-12 - Law Office Publication Review Completed
2010-05-11 - Assigned To LIE
2010-05-06 - Assignment Of Ownership Not Updated Automatically
2010-05-01 - Approved For Pub - Principal Register
2010-04-30 - Teas/Email Correspondence Entered
2010-04-30 - Communication received from applicant
2010-04-30 - TEAS Response to Office Action Received
2010-03-29 - Attorney Revoked And/Or Appointed
2010-03-29 - TEAS Revoke/Appoint Attorney Received
2009-12-12 - Notification Of Non-Final Action E-Mailed
2009-12-12 - Non-final action e-mailed
2009-12-12 - Non-Final Action Written
2009-12-12 - Assigned To Examiner
2009-09-23 - Notice Of Pseudo Mark Mailed
2009-09-22 - New Application Office Supplied Data Entered In Tram
2009-09-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford

DLA Piper LLP (US)

500 Eighth Street, NW

Washington DC 20004

Phone Number: 2027994000

Fax Number: 2027995000



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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 021. US 002 013 023 029 030 033 040 050. G & S: Salad bowls, bowls, water bottles sold empty. FIRST USE: 20070817. FIRST USE IN COMMERCE: 20070817
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77829447
Filing Date	September 18, 2009
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	June 15, 2010
Registration Number	3951702
Registration Date	April 26, 2011
Owner	(REGISTRANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 77829450 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

Current Status: A Statement of Use has been forwarded to the examining attorney for examination.

Date of Status: 2011-07-26

Filing Date: 2009-09-18

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

Attorney Assigned:
REGAN JOHN B

Current Location: M40 -TMO Law Office 113

Date In Location: 2011-07-26

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

1. SWEETGREEN, INC.

Address:
SWEETGREEN, INC.

1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 025
Class Status: Active
Clothing, namely, shirts and t-shirts sold as promotional items
Basis: 1(b)
First Use Date: 2007-08-00
First Use in Commerce Date: 2007-08-00

ADDITIONAL INFORMATION

Prior Registration Number(s):
3454783

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.

2011-07-26 - Statement Of Use Processing Complete
2011-07-19 - Use Amendment Filed
2011-07-19 - TEAS Statement of Use Received
2011-03-12 - Notice Of Approval Of Extension Request E-Mailed
2011-03-11 - Extension 1 granted
2011-02-10 - Extension 1 filed
2011-03-04 - Case Assigned To Intent To Use Paralegal
2011-02-11 - Extension Received With TEAS Petition
2011-02-11 - Petition To Revive-Granted

2011-02-11 - TEAS Petition To Revive Received
2010-08-10 - NOA E-Mailed - SOU Required From Applicant
2010-06-15 - Notice Of Publication E-Mailed
2010-06-15 - Published for opposition
2010-05-12 - Law Office Publication Review Completed
2010-05-11 - Assigned To LIE
2010-05-06 - Assignment Of Ownership Not Updated Automatically
2010-05-01 - Approved For Pub - Principal Register
2010-04-30 - Teas/Email Correspondence Entered
2010-04-30 - Communication received from applicant
2010-04-30 - TEAS Response to Office Action Received
2010-03-29 - Attorney Revoked And/Or Appointed
2010-03-29 - TEAS Revoke/Appoint Attorney Received
2009-12-12 - Notification Of Non-Final Action E-Mailed
2009-12-12 - Non-final action e-mailed
2009-12-12 - Non-Final Action Written
2009-12-12 - Assigned To Examiner
2009-09-23 - Notice Of Pseudo Mark Mailed
2009-09-22 - New Application Office Supplied Data Entered In Tram
2009-09-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford
DLA Piper LLP (US)
500 Eighth Street, NW
Washington DC 20004

Phone Number: 2027994000

Fax Number: 2027995000



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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 025. US 022 039. G & S: Clothing, namely, shirts and t-shirts sold as promotional items. FIRST USE: 20070800. FIRST USE IN COMMERCE: 20070800
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77829450
Filing Date	September 18, 2009
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	June 15, 2010
Owner	(APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	Browse Data	SEARCH O/G	TOP	HELP
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Serial Number: 77829451 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

Current Status: Review prior to registration completed.

Date of Status: 2011-07-12

Filing Date: 2009-09-18

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

Attorney Assigned:
REGAN JOHN B

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-07-12

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

1. SWEETGREEN, INC.

Address:
SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW

WASHINGTON, DC 20036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 029
Class Status: Active
Edible oils; olive oil
Basis: 1(a)
First Use Date: 2011-05-00
First Use in Commerce Date: 2011-05-00

ADDITIONAL INFORMATION

Prior Registration Number(s):
3454783

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.

2011-07-13 - Notice Of Acceptance Of Statement Of Use E-Mailed
2011-07-12 - Law Office Registration Review Completed
2011-07-08 - Allowed for Registration - Principal Register (SOU accepted)
2011-06-30 - Statement Of Use Processing Complete
2011-06-28 - Use Amendment Filed
2011-06-28 - TEAS Statement of Use Received
2011-02-08 - Notice Of Approval Of Extension Request E-Mailed
2011-02-07 - Extension 1 granted
2011-01-13 - Extension 1 filed
2011-02-07 - Case Assigned To Intent To Use Paralegal

2011-01-13 - TEAS Extension Received
2010-08-10 - NOA E-Mailed - SOU Required From Applicant
2010-06-15 - Notice Of Publication E-Mailed
2010-06-15 - Published for opposition
2010-05-12 - Law Office Publication Review Completed
2010-05-11 - Assigned To LIE
2010-05-06 - Assignment Of Ownership Not Updated Automatically
2010-05-01 - Approved For Pub - Principal Register
2010-04-30 - Teas/Email Correspondence Entered
2010-04-30 - Communication received from applicant
2010-04-30 - TEAS Response to Office Action Received
2010-03-29 - Attorney Revoked And/Or Appointed
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2009-12-12 - Non-Final Action Written
2009-12-12 - Assigned To Examiner
2009-09-23 - Notice Of Pseudo Mark Mailed
2009-09-22 - New Application Office Supplied Data Entered In Tram
2009-09-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

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DLA Piper LLP (US)
500 Eighth Street, NW
Washington DC 20004

Phone Number: 2027994000
Fax Number: 2027995000



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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 029. US 046. G & S: Edible oils; olive oil. FIRST USE: 20110500. FIRST USE IN COMMERCE: 20110500
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77829451
Filing Date	September 18, 2009
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	June 15, 2010
Owner	(APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 85043748 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

Current Status: A first request for extension of time to file a Statement of Use has been granted.

Date of Status: 2011-06-28

Filing Date: 2010-05-20

The Notice of Allowance Date is: 2010-12-28

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

**Attorney Assigned:
HSU FONG**

Current Location: 700 -Intent To Use Section

Date In Location: 2010-12-28

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 030
Class Status: Active
granola-based snack bars; grain-based food bars also containing soy, dried fruits, chocolate, nuts
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):
3454783

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.

2011-06-30 - Notice Of Approval Of Extension Request E-Mailed
2011-06-28 - Extension 1 granted
2011-06-28 - Extension 1 filed
2011-06-28 - TEAS Extension Received
2010-12-28 - NOA E-Mailed - SOU Required From Applicant
2010-11-02 - Notice Of Publication E-Mailed
2010-11-02 - Published for opposition
2010-09-24 - Law Office Publication Review Completed
2010-09-24 - Assigned To LIE

2010-09-15 - Approved For Pub - Principal Register

2010-09-02 - Assigned To Examiner

2010-05-26 - Notice Of Pseudo Mark Mailed

2010-05-25 - New Application Office Supplied Data Entered In Tram

2010-05-24 - New Application Entered In Tram

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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 030. US 046. G & S: granola-based snack bars; grain-based food bars also containing soy, dried fruits, chocolate, nuts
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85043748
Filing Date	May 20, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	November 2, 2010
Owner	(APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 85082284 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

Current Status: A first request for extension of time to file a Statement of Use has been granted.

Date of Status: 2011-06-28

Filing Date: 2010-07-12

The Notice of Allowance Date is: 2010-12-28

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
HSU FONG

Current Location: 700 -Intent To Use Section

Date In Location: 2010-12-28

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States

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

GOODS AND/OR SERVICES

International Class: 036**Class Status:** Active

Charitable fundraising services, namely, organizing and conducting fundraising events to raise money and awareness for socially progressive causes related to the environment, nutrition, diet, youth activities and health, and general healthy living

Basis: 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

3454783

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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2011-06-30 - Notice Of Approval Of Extension Request E-Mailed

2011-06-28 - Extension 1 granted

2011-06-28 - Extension 1 filed

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2010-12-28 - NOA E-Mailed - SOU Required From Applicant

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2010-07-16 - Notice Of Pseudo Mark Mailed

2010-07-15 - New Application Office Supplied Data Entered In Tram

2010-07-15 - New Application Entered In Tram

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TARR Status ASSIGN Status TDR TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 036. US 100 101 102. G & S: Charitable fundraising services, namely, organizing and conducting fundraising events to raise money and awareness for socially progressive causes related to the environment, nutrition, diet, youth activities and health, and general healthy living
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85082284
Filing Date	July 12, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	November 2, 2010
Owner	(APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark Register	SERVICE MARK PRINCIPAL

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EXHIBIT B

2. Upon information and belief, Defendant Sweet Leaf is a Virginia corporation with a principal place of business at 1359 Chain Bridge Road, McLean, Virginia 22101, and also provides food and restaurant services in the Washington, D.C. metropolitan area featuring salads, sandwiches, and yogurt under the SWEETLEAF Mark.

3. Upon information and belief, Defendant Shiftch Matini is an individual with an address at 8416 Sparger Street, McLean, Virginia 22102, and is an owner, officer, and the President of, and registered agent for, Defendant Sweet Leaf.

4. Upon information and belief, Defendant Arash Matini is an individual with an address at 8416 Sparger Street, McLean, Virginia 22102, and is an owner and operating manager of Defendant Sweet Leaf.

5. Upon information and belief, Defendant Arita Matini is an individual with an address at 8416 Sparger Street, McLean, Virginia 22102, and is an owner and operating manager of Defendant Sweet Leaf.

6. This is an action for trademark infringement and unfair competition under the Federal Trademark Act of 1946, known as the Lanham Act, 15 U.S.C. § 1051, *et seq.*, unfair competition and unfair and deceptive trade practices under District of Columbia Consumer Protection Procedures Act, 28 D.C. Code § 3904(a), (b), and (s), and the common law of the District of Columbia.

7. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331, 1337(a), 1338(a) and (b).

8. This Court has supplemental jurisdiction over the claims of Sweetgreen arising under the laws of the District of Columbia pursuant to 28 U.S.C. § 1367(a) because these claims

are so related to the claims of Sweetgreen under federal law that they form part of the same case or controversy and derive from a common nucleus of operative fact.

9. This Court has specific jurisdiction over the Defendants consistent with the principles underlying the United States Constitution and the District of Columbia because, among other things, Plaintiff's claims for trademark infringement and unfair competition arise from harm sustained in the District of Columbia. Furthermore, Defendants have engaged in purposeful affirmative activity within the District of Columbia by maintaining an interactive website that is targeted towards the District of Columbia's persons and entities, and regularly offering for sale their goods and services to District of Columbia's persons and entities. Therefore, Defendants are causing "tortious injury in the District of Columbia by an act or omission outside the District of Columbia" and transacting business in the District of Columbia pursuant to the District of Columbia long-arm statute, D.C. Code §§ 13-423(a)(1) and (4), 13-423(b).

10. This Court also has general jurisdiction over the Defendants consistent with the principles underlying the United States Constitution and the District of Columbia because, among other things, Defendants have engaged in continuous and systematic activity within the District of Columbia by maintaining an interactive website that is targeted towards the District of Columbia's persons and entities, and regularly offering for sale their goods and services to District of Columbia's persons and entities. Therefore, Defendants are doing business in the District of Columbia pursuant to D.C. Code §§ 13-334(a).

11. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) and (c) because a substantial part of the events or omissions giving rise to the claim occurred in this District.

FACTUAL ALLEGATIONS COMMON TO ALL CLAIMS

12. Sweetgreen is a well-known provider of food and restaurant services in the Washington, D.C. metropolitan area featuring fresh, casual cuisine including high-quality salads, wraps, and frozen yogurt. In connection therewith, Sweetgreen uses in interstate commerce and owns the well-known and distinctive trademark "SWEETGREEN," including several United States trademark registrations and applications, a federally registered two-toned leaf design, and distinctive trade dress. Since August 2007, Sweetgreen has continuously used the SWEETGREEN Marks in interstate commerce.

13. Sweetgreen has duly and properly registered the SWEETGREEN Marks and leaf design in the United States Patent and Trademark Office ("USPTO") on the Principal Register.

14. Sweetgreen owns two federal trademark registrations for the SWEETGREEN Marks, with a date of first use at least as early as August 2007.

15. Sweetgreen filed its federal trademark application for the SWEETGREEN Mark for "restaurant services and catering services" in International Class 43, on March 7, 2007, with a claimed date of first use of August 1, 2007. This application issued on June 24, 2008 as Registration No. 3,454,783. A true and correct copy of United States Trademark Registration No. 3,454,783 is attached hereto as Exhibit A.

16. Sweetgreen filed its federal trademark application for the SWEETGREEN & Design Mark (the "Two-Toned Leaf Design") for "retail store services primarily featuring salads, sandwiches and frozen yogurt" in International Class 35 and "restaurant services and catering services; restaurant and take-out restaurant services primarily featuring salads, sandwiches and frozen yogurt; catering services primarily featuring salads, sandwiches and frozen yogurt" in International Class 43, on September 9, 2009, with a claimed date of first use

of August 1, 2007. This application issued on October 12, 2010 as Registration No. 3,859,178. A true and correct copy of United States Trademark Registration No. 3,859,178 is attached hereto as Exhibit B.

17. The federal trademark registrations referenced above and attached hereto as Exhibits A and B are valid and subsisting, and provide conclusive evidence of the right of Sweetgreen to use the SWEETGREEN Marks in commerce.

18. Sweetgreen filed its federal trademark application for the SWEETGREEN Mark for "canvas shopping bags; all-purpose reusable carrying bags" in International Class 18, on September 18, 2009. This application was assigned Serial No. 77/829,444, and a Notice of Allowance issued on August 10, 2010. A true and correct copy of TARR and TESS printouts from the official website of the USPTO for United States Trademark Application Serial No. 77/829,444 is attached hereto as Exhibit C.

19. Sweetgreen filed its federal trademark application for the SWEETGREEN Mark for "salad bowls, bowls, water bottles sold empty" in International Class 21, on September 18, 2009. This application was assigned Serial No. 77/829,447, and a Notice of Allowance issued on August 10, 2010. A true and correct copy of TARR and TESS printouts from the official website of the USPTO for United States Trademark Application Serial No. 77/829,447 is attached hereto as Exhibit D.

20. Sweetgreen filed its federal trademark application for the SWEETGREEN Mark for "clothing, namely shirts and t-shirts sold as promotional items" in International Class 25, on September 18, 2009. This application was assigned Serial No. 77/829,450, and a Notice of Allowance issued on August 10, 2010. A true and correct copy of TARR and TESS printouts

from the official website of the USPTO for United States Trademark Application Serial No. 77/829,450 is attached hereto as Exhibit E.

21. Sweetgreen filed its federal trademark application for the SWEETGREEN Mark for “edible oils; olive oil” in International Class 29 on September 18, 2009. This application was assigned Serial No. 77/829,451, and a Notice of Allowance issued on August 10, 2010. A true and correct copy of TARR and TESS printouts from the official website of the USPTO for United States Trademark Application Serial No. 77/829,451 is attached hereto as Exhibit F.

22. Sweetgreen filed its federal trademark application for the SWEETGREEN Mark for “granola-based snack bars; grain-based food bars also containing soy, dried fruits, chocolate, nuts” in International Class 30 on May 20, 2010. This application was assigned Serial No. 85/043,748, and a Notice of Allowance issued on December 28, 2010. A true and correct copy of TARR and TESS printouts from the official website of the USPTO for United States Trademark Application Serial No. 85/043,748 is attached hereto as Exhibit G.

23. Sweetgreen filed its federal trademark application for the SWEETGREEN Mark for “charitable fundraising services, namely, organizing and conducting fundraising events to raise money and awareness for socially progressive causes related to the environment, nutrition, diet, youth activities and health, and general healthy living” in International Class 36 on July 12, 2010. This application was assigned Serial No. 85/082,284, and a Notice of Allowance issued on December 28, 2010. A true and correct copy of TARR and TESS printouts from the official website of the USPTO for United States Trademark Application Serial No. 85/082,284 is attached hereto as Exhibit H.

24. Sweetgreen filed its federal trademark application for the stylized SWEETGREEN Mark for “edible oils; olive oil” in International Class 29 on June 1, 2010. This

application was assigned Serial No. 85/052,034, and a Notice of Allowance issued on December 28, 2010. A true and correct copy of TARR and TESS printouts from the official website of the USPTO for United States Trademark Application Serial No. 85/052,034 is attached hereto as Exhibit I.

25. Sweetgreen offers food and restaurant services, and related goods and services (the "Sweetgreen Goods & Services") under its marks SWEETGREEN (Reg. No. 3,454,783), SWEETGREEN & Design (Reg. No. 3,859,178), SWEETGREEN (App. No. 77/829,444), SWEETGREEN (App. No. 77/829,447), SWEETGREEN (App. No. 77/829,450), SWEETGREEN (App. No. 77/829,451), SWEETGREEN (App. No. 85/043,748), SWEETGREEN (App. No. 85/082,284), and SWEETGREEN Stylized (App. No. 85/052,034) (the "SWEETGREEN Marks").

26. The SWEETGREEN Marks clearly establish that Sweetgreen has senior trademark rights in its family of SWEETGREEN Marks and consequently there is no question of priority of rights, as such priority clearly belongs to Sweetgreen.

27. Sweetgreen has extensively used the SWEETGREEN Marks and has advertised, promoted, and offered the Sweetgreen Goods & Services under the SWEETGREEN Marks in interstate commerce through various channels of trade. As a result, the customers and potential customers of Sweetgreen, and the public in general have come to know and recognize the SWEETGREEN Marks as identifying the Sweetgreen Goods & Services as goods and services of the highest quality offered by Sweetgreen, and associate the SWEETGREEN Marks with the Sweetgreen Goods & Services. Sweetgreen has thus built up extensive and invaluable goodwill in connection with the sale of its goods and services offered under its SWEETGREEN Marks.

28. Sweetgreen has offered and sold its Sweetgreen Goods & Services at its eight retail locations in the Washington, D.C. metropolitan area and Philadelphia under the SWEETGREEN Marks utilizing the Sweetgreen trade dress. Sweetgreen's restaurants have award winning décor and an operational simplicity which create a chic atmosphere and unique dining experience. Each of the Sweetgreen retail locations uses the distinctive two-toned lime green and hunter-green colors and the distinctive pine wood grain ("Sweetgreen Trade Dress").

29. Sweetgreen is the owner of the domain name <sweetgreen.com>.

30. Notwithstanding Sweetgreen's exclusive and prior rights in and to the SWEETGREEN Marks, and after 2008, the earliest federal trademark registration date for the SWEETGREEN Marks, Defendants adopted and began using the trademark SWEETLEAF and two-toned leaf design in connection with food and restaurant services (the "Defendants Goods & Services").

31. The Defendants Goods & Services are in direct competition with the Sweetgreen Goods & Services.

32. Defendants' use of the alleged SWEETLEAF Mark is nearly identical to and confusingly similar to Sweetgreen's SWEETGREEN Marks in appearance, sound, meaning, and commercial impression.

33. Defendants' use of the alleged two-toned leaf design is nearly identical to and confusingly similar to Sweetgreen's Two-Toned Leaf Design in appearance and commercial impression.

34. Defendants' use of the alleged trade dress is nearly identical to and confusingly similar to the Sweetgreen Trade Dress in appearance and commercial impression.

35. Defendants' use of the alleged SWEETLEAF Mark, two-toned leaf design, and trade dress (collectively, the "SWEETLEAF Marks") trades off the goodwill of Sweetgreen's SWEETGREEN Marks, Two-Toned Leaf Design, and trade dress (collectively, the "SWEETGREEN Marks"), and is without permission or license from Sweetgreen.

36. Defendants advertise their goods and services in commerce using the alleged SWEETLEAF Marks, which are nearly identical to and confusingly similar to the SWEETGREEN Marks of Sweetgreen. Both Parties utilize the same or similar channels of trade.

37. Upon information and belief, Defendants registered the domain name <eatsweetleaf.com> on March 19, 2009, long after Sweetgreen commenced use of the SWEETGREEN Marks in the United States and after Sweetgreen acquired the above-referenced federal trademark registrations. Defendants use the domain name <eatsweetleaf.com> to advertise their goods and services in commerce under the alleged SWEETLEAF Mark. A true and correct copy of screen-shots from the website at the domain name <eatsweetleaf.com> is attached hereto as Exhibit J.

38. Defendants' website at the domain name <eatsweetleaf.com> was at one time virtually identical to Sweetgreen's website at the domain name <sweetgreen.com>. *See* printouts of the website <eatsweetleaf.com>, dated June 17, 2009, and compare to printouts of the website <sweetgreen.com>, also dated June 17, 2009, attached hereto as Exhibits K and L, respectively. Upon information and belief, Exhibits K and L were prepared by Sweetgreen's prior counsel.

39. Prior to Sweetgreen's filing of the Complaint in this action, Sweetgreen made a good faith effort to resolve this matter amicably. Defendants led Sweetgreen to believe that the Parties might be able to reach an agreement. Nevertheless, as has become recently apparent,

Defendants have no intention of resolving this matter amicably, but instead, have been moving forward with opening a second location in Vienna, Virginia and, upon information and belief, are surveying for a location for a possible future store in the District of Columbia. Moreover, Defendant Sweet Leaf very recently filed a trademark application at the United States Patent and Trademark Office seeking to register the mark SWEETLEAF. As a result, Sweetgreen has had no choice but to commence this action.

40. On March 1, 2011, Defendant Sweet Leaf filed a use-based trademark application under Section 1(a) of the Lanham Act, 15 U.S.C. § 1051(a), with the United States Patent and Trademark Office for registration of the service mark SWEETLEAF (the "SWEETLEAF Application"). The SWEETLEAF Application was assigned Serial No. 85/254,636. Sweetgreen's federal registrations for the SWEETGREEN Marks issued as early as June 24, 2008, with a date of first use at least as early as August 2007; therefore, there is no issue as to priority as Sweetgreen has prior rights. A true and correct copy of TARR and TESS printouts from the official website of the USPTO for United States Trademark Application Serial No. 85/254,636 is attached hereto as Exhibit M.

41. Upon information and belief, Defendants use and intend to use the alleged SWEETLEAF Marks without the authorization of Sweetgreen, thereby confusing consumers as to the source of the goods and services and resulting in damage and detriment to Sweetgreen and its reputation and goodwill.

42. Upon information and belief, Defendants knew or had reason to know of the SWEETGREEN Marks of Sweetgreen at the time Defendants commenced use of their alleged SWEETLEAF Marks.

43. Upon information and belief, Defendants intentionally adopted and use the SWEETLEAF Marks so as to create consumer confusion and traffic off Sweetgreen's reputation and goodwill under the SWEETGREEN Marks.

44. Sweetgreen is aware of multiple instances of actual consumer confusion.

45. Sweetgreen has used its SWEETGREEN Marks continuously on or in connection with the Sweetgreen Goods & Services in interstate commerce prior to the date Defendants commenced use of their alleged SWEETLEAF Marks.

FIRST CLAIM FOR RELIEF
(Federal Trademark Infringement – 15 U.S.C. § 1114)

46. Sweetgreen repeats and realleges each and every allegation contained in Paragraphs 1 through 45 above, as if set forth herein in full.

47. Defendants' alleged SWEETLEAF Marks so resembles the SWEETGREEN Marks of Sweetgreen in appearance, sound, meaning, and commercial impression that the use and registration thereof is likely to cause confusion, mistake, and deception as to the source or origin of the Defendants Goods & Services, and will injure and damage Sweetgreen and the goodwill and reputation symbolized by the SWEETGREEN Marks of Sweetgreen.

48. The Defendants Goods & Services offered under Defendants' alleged SWEETLEAF Marks are so related to the goods and services offered under the SWEETGREEN Marks by Sweetgreen that the public is likely to be confused, deceived, and to assume erroneously that the Defendants Goods & Services are those of Sweetgreen or that Defendants are in some way connected with, licensed, or sponsored by or affiliated with Sweetgreen, all to Sweetgreen's irreparable damage.

49. Likelihood of confusion is enhanced by the fact that the SWEETGREEN Marks are strong, well-known, and entitled to a broad scope of protection.

50. Likelihood of confusion is also enhanced by the fact that Defendants' alleged SWEETLEAF Marks and the SWEETGREEN Marks of Sweetgreen both prominently incorporate the key component "SWEET" and because the Defendants Goods & Services are closely related to the Sweetgreen Goods & Services.

51. Likelihood of confusion is further enhanced by the fact that the Parties market and will likely market their goods and services in the same or similar channels of trade.

52. Defendants are not affiliated or connected with Sweetgreen and have not been endorsed or sponsored by Sweetgreen, nor has Sweetgreen approved any of the Defendants Goods & Services offered or sold or intended to be sold by Defendants under their alleged SWEETLEAF Marks.

53. Defendants have never sought or obtained the permission of Sweetgreen to use the alleged SWEETLEAF Marks, nor has Sweetgreen approved any of the Defendants Goods & Services offered under Defendants' alleged SWEETLEAF Marks.

54. Sweetgreen's United States Trademark Registrations identified above provide, at the very least, constructive notice to Defendants of the rights of Sweetgreen in and to the SWEETGREEN Marks.

55. The use by Defendants of the alleged SWEETLEAF Marks in connection with the Defendants Goods & Services is likely to cause confusion, mistake, or deception of consumers as to the source of origin or sponsorship of the services, in violation of the Lanham Act, including but not limited to 15 U.S.C. § 1114.

56. Consumers are likely to purchase or engage the Defendants Goods & Services being offered under the alleged SWEETLEAF Marks believing them to be those of Sweetgreen, thereby resulting in a loss of goodwill and economic harm to Sweetgreen.

57. Sweetgreen is informed and believes and on that basis alleges that Defendants have derived unlawful gains and profits from its infringing use of the alleged SWEETLEAF Marks.

58. Sweetgreen is aware of multiple instances of actual consumer confusion.

59. Upon information and belief, Defendants intentionally adopted and use the SWEETLEAF Marks so as to create consumer confusion and traffic off Sweetgreen's reputation and goodwill under the SWEETGREEN Marks.

60. The goodwill of Sweetgreen's business under the SWEETGREEN Marks is of great value, and Sweetgreen will suffer irreparable harm should Defendants' infringement be allowed to continue to the detriment of the trade reputation and goodwill of Sweetgreen for which damage Sweetgreen cannot be adequately compensated at law.

61. Sweetgreen has no control over the quality of the goods and services offered by Defendants. Thus, the value of the SWEETGREEN Marks of Sweetgreen is subject to damage and dilution by an entity and individuals it cannot control.

62. Unless enjoined by this Court from so doing, Defendants will continue to engage in its acts of infringement, to the irreparable damage and injury of Sweetgreen.

63. Upon information and belief, Defendants have engaged in acts of infringement, with knowledge of Sweetgreen's exclusive rights to the SWEETGREEN Marks in connection with the Sweetgreen Goods & Services, and Defendants continue in such acts of intentional infringement, thus entitling Sweetgreen to an award of treble its actual damages, Defendants'

profits, plus attorneys' fees and costs in bringing and maintaining this action, pursuant to Section 35(b) of the Lanham Act, 15 U.S.C. § 1117(b).

SECOND CLAIM FOR RELIEF
(Federal Unfair Competition and False Designation of Origin and
False and Misleading Representations – 15 U.S.C. § 1125(a))

64. Sweetgreen repeats and realleges each and every allegation contained in Paragraphs 1 through 63 above, as if set forth herein in full.

65. Defendants' use of the alleged SWEETLEAF Marks constitutes unfair competition and a false designation of origin or false or misleading description or representation of fact, which is likely to deceive customers and prospective customers into believing that the Defendants Goods & Services offered for sale under Defendants' alleged SWEETLEAF Marks are those of Sweetgreen in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

66. Defendants' actions cause or are likely to cause confusion or mistake among the public as to the true origin and sponsorship of the Defendants Goods & Services offered for sale under Defendants' alleged SWEETLEAF Marks, and to confuse the public into believing that the Defendants Goods & Services have the approval of Sweetgreen, or are otherwise affiliated, connected, associated with, or sponsored by Sweetgreen, in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

67. Sweetgreen has no control over the nature and quality of the Defendants Goods & Services offered for sale under Defendants' alleged SWEETLEAF Marks. Any failure, neglect, or default of Defendants in providing goods and services will reflect adversely on Sweetgreen.

68. Sweetgreen is informed and believes and on that basis alleges that Defendants have derived unlawful gains and profits from its infringement of the SWEETGREEN Marks.

69. The goodwill of Sweetgreen's business under the SWEETGREEN Marks is of great value, and Sweetgreen will suffer irreparable harm should Defendants' acts of unfair competition, and false representation and designations, be allowed to continue, to the detriment of the trade reputation and goodwill of Sweetgreen for which damage Sweetgreen cannot be adequately compensated at law.

70. Sweetgreen has no control over the quality of the goods and services offered by Defendants. Thus, the value of the SWEETGREEN Marks of Sweetgreen is subject to damage and dilution by an entity and individuals it cannot control. Unless enjoined by this Court from so doing, Defendants will continue to engage in acts of unfair competition, false representation and designation, to the irreparable damage and injury of Sweetgreen.

71. Upon information and belief, from the outset, Defendants have engaged in acts of unfair competition, false representation and designation, with knowledge of the exclusive rights of Sweetgreen to the SWEETGREEN Marks in connection with the closely related goods and services, and Defendants continue in such acts of unfair competition, intentional false representation and designation, thus entitling Sweetgreen to an award of its actual damages, Defendants' profits, plus attorneys' fees and costs in bringing and maintaining this action, pursuant to Section 35(a) of the Lanham Act, 15 U.S.C. § 1117(a).

THIRD CLAIM FOR RELIEF
(Federal Trade Dress Infringement – 15 U.S.C. § 1125(a))

72. Sweetgreen repeats and realleges each and every allegation contained in Paragraphs 1 through 71 above, as if set forth herein in full.

73. Since August 2007, Sweetgreen has utilized and marketed its Sweetgreen Trade Dress. Upon information and belief, the unique, arbitrary and non-functional features of the

Sweetgreen Trade Dress have taken on secondary meaning in the minds of consumers and resulted in a belief that the Sweetgreen Trade Dress has a single source of origin.

74. Defendants' alleged trade dress so resembles the Sweetgreen Trade Dress in appearance and commercial impression and, thus, is likely to cause confusion, mistake, and deception as to the source of origin of Defendants Goods & Services, and will injure and damage Sweetgreen and the goodwill and reputation symbolized by the Sweetgreen Trade Dress in the marketplace.

75. Upon information and belief, Defendants were aware of the Sweetgreen Trade Dress.

76. Upon information and belief, from the outset, Defendants have engaged in acts of trade dress infringement, with knowledge of the exclusive rights of Sweetgreen to the Sweetgreen Trade Dress in connection with the closely related goods and services, and Defendants continue in such acts of trade dress infringement, thus entitling Sweetgreen to an award of its actual damages, Defendants' profits, plus attorneys' fees and costs in bringing and maintaining this action, pursuant to Section 35(a) of the Lanham Act, 15 U.S.C. § 1117(a).

FOURTH CLAIM FOR RELIEF

(District of Columbia Statutory Unfair Competition – 28 D.C. Code § 3904(a), (b), and (s))

77. Sweetgreen repeats and realleges each and every allegation contained in Paragraphs 1 through 76 above, as if set forth herein in full.

78. Defendants' use of the alleged SWEETLEAF Marks constitutes unfair competition in violation of the District of Columbia Consumer Protection Procedures Act, 28 D.C. Code §3904(a), (b), and (s), as such acts are likely to mislead and deceive customers and prospective customers into believing that the Defendants Goods & Services are those of

Sweetgreen.

79. Defendants' actions are likely to cause confusion or mistake among the public and create material misrepresentations as to the true origin and sponsorship of the Defendants Goods & Services and to confuse and mislead the public into believing that the Defendants Goods & Services have the approval of Sweetgreen and/or that those goods and services have been passed off as those of Sweetgreen in violation of the District of Columbia Consumer Protection Procedures Act, 28 D.C. Code §3904(a), (b) and (s).

80. Sweetgreen has no control over the nature and quality of the Defendants Goods & Services. Customers, believing Sweetgreen to be the source of such goods and services, are likely to blame Sweetgreen for any failure, neglect or default of Defendants in providing quality goods and services, hampering efforts by Sweetgreen to continue to protect its outstanding reputation for the Sweetgreen Goods & Services. Defendants' wrongful conduct is likely to deceive the consuming public and to result in a loss of sales for Sweetgreen, all to the irreparable harm of Sweetgreen and the public.

81. Unless enjoined by this Court from so doing, Defendants will continue their conduct of passing off and engaging in acts of unfair competition, to the irreparable damage and injury of Sweetgreen.

82. Sweetgreen is informed and believes and on that basis alleges that Defendants have derived unlawful gains and profits from its acts of unfair competition, as alleged above, and has caused loss, injury and damage to Sweetgreen, its goodwill and the SWEETGREEN Marks, in an amount as yet unknown but to be proven at trial.

FIFTH CLAIM FOR RELIEF
(Trademark Infringement and Unfair Competition
Under District of Columbia Common Law)

83. Sweetgreen repeats and realleges each and every allegation contained in Paragraphs 1 through 82 above, as if set forth herein in full.

84. Sweetgreen owns and enjoys common law rights in the District of Columbia and elsewhere in the United States in and to the SWEETGREEN Marks for the Sweetgreen Goods & Services.

85. Defendants have traded off and misappropriated the reputation and valuable goodwill of the SWEETGREEN Marks of Sweetgreen in the District of Columbia and acted in a manner that has created and will continue to create a likelihood of confusion and mistake as to the source of the Defendants Goods & Services. Defendants' acts are likely to lead the public to believe mistakenly that the Defendants Goods & Services are in some way associated with, or sponsored by Sweetgreen, to the detriment of Sweetgreen. Defendants' activities constitute unfair competition, misappropriation of the goodwill of Sweetgreen, and palming off.

86. Unless enjoined by this Court from so doing, Defendants will continue their conduct of passing off and engaging in acts of unfair competition, to the irreparable damage and injury of Sweetgreen.

87. Sweetgreen is informed and believes and on that basis alleges that Defendants have derived unlawful gains and profits from its unlawful acts, as alleged above, and has caused loss, injury, and damage to Sweetgreen, its goodwill, and the SWEETGREEN Marks, in an amount as yet unknown but to be proven at trial.

SIXTH CLAIM FOR RELIEF
(Accounting)

88. Sweetgreen repeats and realleges each and every allegation contained in Paragraphs 1 through 87 above, as if set forth herein in full.

89. Sweetgreen is entitled, pursuant to 15 U.S.C. § 1117, to recover any and all profits of Defendants that are attributable to the acts of infringement and unfair competition.

90. Sweetgreen is entitled, pursuant to 15 U.S.C. § 1117, to actual damages or statutory damages sustained by virtue of Defendants' acts of infringement and unfair competition.

91. The amount of money due from Defendants to Sweetgreen is unknown to Sweetgreen and cannot be ascertained without a detailed accounting by Defendants of the precise revenues received under Defendants' alleged SWEETLEAF Marks.

ALLEGATION OF DAMAGE COMMON TO ALL CLAIMS FOR RELIEF

92. Sweetgreen repeats and realleges each and every allegation contained in Paragraphs 1 through 91 above, as if set forth herein in full.

93. Sweetgreen has suffered, is suffering, and will continue to suffer irreparable harm and damage as a result of Defendants' wrongful conduct. Defendants will, unless restrained and enjoined, continue to act in the unlawful manner complained of herein, all to the irreparable damage of the business and reputation of Sweetgreen. Sweetgreen's remedy at law is not adequate to compensate it for the injuries suffered and threatened.

PRAYER FOR RELIEF

WHEREFORE, Sweetgreen respectfully prays the Court:

A. Order Defendants to abandon expressly United States Trademark Application Serial No. 85/254,636 for the SWEETLEAF Mark, and never to re-file for any trademark incorporating the "SWEETLEAF" or the SWEETGREEN Marks;

B. Enter a judgment against Defendants that Defendants have willfully infringed the registered trademark rights of Sweetgreen in the SWEETGREEN Marks under 15 U.S.C. § 1114;

C. Enter a judgment against Defendants that Defendants have committed and are committing acts of trademark infringement in violation of the rights of Sweetgreen under 15 U.S.C. § 1114;

D. Enter a judgment against Defendants that Defendants have committed and are committing acts of false designation of origin, false or misleading description of fact, or false or misleading representation in violation of the rights of Sweetgreen under 15 U.S.C. § 1125(a);

E. Enter a judgment against Defendants that Defendants have infringed Sweetgreen's trade dress rights in violation of 15 U.S.C. § 1125(a);

F. Enter a judgment against Defendants that Defendants have engaged in unfair competition in violation of the District of Columbia statutory and common law;

G. Issue preliminary and permanent injunctive relief against Defendants, and that Defendants, their officers, agents, representatives, servants, employees, attorneys, successors and assigns, and all others in active concert or participation with Defendants, be enjoined and restrained from:

(i) imitating, copying, or making any other infringing use of the SWEETGREEN Marks and Defendants' alleged SWEETLEAF Marks, and any other mark now or hereafter confusingly similar to the SWEETGREEN Marks;

(ii) manufacturing, assembling, producing, distributing, offering for distribution, circulating, selling, offering for sale, advertising, importing, promoting, or displaying any simulation, reproduction, counterfeit, copy, or colorable imitation of the SWEETGREEN Marks, Defendants' alleged SWEETLEAF Marks, or any mark confusingly similar thereto;

(iii) using any false designation of origin or false description or statement which can or is likely to lead the trade or public or individuals erroneously to believe that any good or service has been provided, produced, distributed, offered for distribution, circulation, sold, offered for sale, imported, advertised, promoted, displayed, licensed, sponsored, approved, or authorized by or for Sweetgreen, when such is not true in fact;

(iv) using the names, logos, or other variations thereof of the SWEETGREEN Marks or Defendants' alleged SWEETLEAF Marks in any of Defendants' trade or corporate names;

(v) engaging in any other activity constituting an infringement of the SWEETGREEN Marks, or of the rights of Sweetgreen in, or right to use or to exploit the SWEETGREEN Marks; and

(vi) assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (i) through (v) above;

H. Order Defendants to publish notice to all customers or members of the trade who may have seen or heard of Defendants' use of Defendants' alleged SWEETLEAF Marks, which notice shall disclaim any connection with Sweetgreen and shall advise them of the Court's injunction order and of Defendants' discontinuance from all use of Defendants' alleged SWEETLEAF Marks;

I. Order Defendants to pay the costs of corrective advertising;

J. Order Defendants to hold in trust, as constructive trustees for the benefit of Sweetgreen, its profits obtained from its provision of the Defendants Goods & Services offered for sale under Defendants' alleged SWEETLEAF Marks;

K. Order Defendants to provide Sweetgreen a full and complete accounting of all amounts due and owing to Sweetgreen as a result of Defendants' illegal activities;

L. Order Defendants to pay the general, special, actual, and statutory damages of Sweetgreen as follows:

(i) Sweetgreen's damages and Defendants' profits pursuant to 15 U.S.C. § 1117(a), trebled pursuant to 15 U.S.C. § 1117(b) for Defendants' willful violation of the federally registered trademarks of Sweetgreen; and

(ii) Sweetgreen's damages and Defendants' profits pursuant to the District of Columbia statutory and common law;

M. Order Defendants to pay to Sweetgreen both the costs of this action and the reasonable attorneys' fees incurred by Sweetgreen in prosecuting this action pursuant to 15 U.S.C. § 1117(a);

N. Order Defendants to transfer the registration of any and all domain names incorporating Defendants' alleged SWEETLEAF Marks or the SWEETGREEN Marks,

including but not limited to the domain name <catsweetleaf.com>;

O. Declare that Defendants' claims for declaratory and other relief asserted in the Complaint are invalid or without merit and dismiss Defendants' Complaint in its entirety with prejudice; and

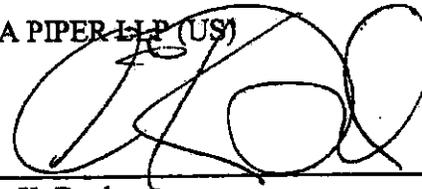
P. Award such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Sweetgreen demands a trial by jury as to all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Respectfully submitted this 6th day of May, 2011.

DLA PIPER LLP (US)



Ann K. Ford
DC Bar No. 341479
Edward S. Scheideman
DC Bar No. 475128
500 Eighth Street, NW
Washington, DC 20004
Tel.: 202-799-4000
Fax: 202-799-5000

Attorneys for Plaintiff Sweetgreen, Inc.

EXHIBIT A

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,454,783

Registered June 24, 2008

SERVICE MARK
PRINCIPAL REGISTER

SWEET GREEN

GREENS MANAGEMENT, LLC (DELAWARE
LTD LIAB CO)
3333 M STREET, NW
WASHINGTON, DC 20007

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

FOR: RESTAURANT SERVICES AND CATERING
SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

SN 77-124,231, FILED 3-7-2007.

FIRST USE 8-1-2007; IN COMMERCE 8-1-2007.

SANDRA MANIOS, EXAMINING ATTORNEY

EXHIBIT B

United States of America

United States Patent and Trademark Office

sweet



Reg. No. 3,859,178

Registered Oct. 12, 2010

Int. Cls.: 35 and 43

SERVICE MARK

PRINCIPAL REGISTER

GREENS MANAGEMENT, I.L.C. (DELAWARE LIMITED LIABILITY COMPANY)
3333 M STREET, N.W.
WASHINGTON, DC 20007

FOR: RETAIL STORE SERVICES PRIMARILY FEATURING SALADS, SANDWICHES AND FROZEN YOGURT, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-1-2007; IN COMMERCE 8-1-2007.

FOR: RESTAURANT SERVICES AND CATERING SERVICES; RESTAURANT AND TAKE-OUT RESTAURANT SERVICES PRIMARILY FEATURING SALADS, SANDWICHES AND FROZEN YOGURT; CATERING SERVICES PRIMARILY FEATURING SALADS, SANDWICHES AND FROZEN YOGURT, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-1-2007; IN COMMERCE 8-1-2007.

THE MARK CONSISTS OF THE WORD "SWEETGREEN" IN LOWER CASE FORM, "SWEET" BEING IN DARK GREEN AND "GREEN" BEING IN LIGHT GREEN, TO THE LEFT OF A DESIGN OF TWO OVERLAPPING LEAVES EACH IN TWO SHADES OF GREEN, THE LEFTMOST LEAF BEING DARK GREEN WITH LIGHT GREEN LINING AND THE RIGHTMOST LEAF BEING LIGHT GREEN WITH DARK GREEN LINING.

THE COLOR(S) DARK GREEN AND LIGHT GREEN IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 77-823,137, FILED 9-9-2009.

BRENDAN REGAN, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

EXHIBIT C

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

This page was generated by the TARR system on 2011-05-05 12:23:03 ET

Serial Number: 77829444 Assignment Information Trademark Document Retrieval

Registration Number: 3951701

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

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

Date of Status: 2011-04-26

Filing Date: 2009-09-18

Transformed into a National Application: No

Registration Date: 2011-04-26

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2011-03-18

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 018
Class Status: Active
Canvas shopping bags; all-purpose reusable carrying bags
Basis: 1(a)
First Use Date: 2007-08-17
First Use in Commerce Date: 2007-08-17

ADDITIONAL INFORMATION

Prior Registration Number(s):
3454783

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.

2011-04-26 - Registered - Principal Register
2011-03-19 - Notice Of Acceptance Of Statement Of Use E-Mailed
2011-03-18 - Law Office Registration Review Completed
2011-03-14 - Allowed for Registration - Principal Register (SOU accepted)
2011-03-04 - Notice Of Approval Of Extension Request E-Mailed
2011-03-03 - Statement Of Use Processing Complete
2011-02-11 - Use Amendment Filed
2011-03-03 - Extension 1 granted

2011-02-10 - Extension 1 filed

2011-03-03 - Case Assigned To Intent To Use Paralegal

2011-02-11 - TEAS Statement of Use Received

2011-02-11 - Extension Received With TEAS Petition

2011-02-11 - Petition To Revive-Granted

2011-02-11 - TEAS Petition To Revive Received

2010-08-10 - NOA E-Mailed - SOU Required From Applicant

2010-06-15 - Notice Of Publication E-Mailed

2010-06-15 - Published for opposition

2010-05-12 - Law Office Publication Review Completed

2010-05-11 - Assigned To LIE

2010-05-06 - Assignment Of Ownership Not Updated Automatically

2010-05-01 - Approved For Pub - Principal Register

2010-04-30 - Teas/Email Correspondence Entered

2010-04-30 - Communication received from applicant

2010-04-30 - TEAS Response to Office Action Received

2010-03-29 - Attorney Revoked And/Or Appointed

2010-03-29 - TEAS Revoke/Appoint Attorney Received

2009-12-12 - Notification Of Non-Final Action E-Mailed

2009-12-12 - Non-final action e-mailed

2009-12-12 - Non-Final Action Written

2009-12-12 - Assigned To Examiner

2009-09-23 - Notice Of Pseudo Mark Mailed

2009-09-22 - New Application Office Supplied Data Entered In Tram

2009-09-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford

DLA Piper LLP (US)

500 Eighth Street, NW

Washington DC 20004

Phone Number: 2027994000

Fax Number: 2027995000



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TARR Status **ASSIGN Status** **TDR** **TTAB Status** (Use the "Back" button of the Internet Browser to return to TESS)

SWEETGREEN

Word Mark SWEETGREEN
Goods and Services IC 018. US 001 002 003 022 041. G & S: Canvas shopping bags; all-purpose reusable carrying bags. FIRST USE: 20070817. FIRST USE IN COMMERCE: 20070817
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77829444
Filing Date September 18, 2009
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition June 15, 2010
Registration Number 3951701
Registration Date April 26, 2011
Owner (REGISTRANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Ann K. Ford
Prior Registrations 3454783
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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EXHIBIT D

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

This page was generated by the TARR system on 2011-05-06 10:25:27 ET

Serial Number: 77829447 Assignment Information Trademark Document Retrieval

Registration Number: 3951702

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

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

Date of Status: 2011-04-26

Filing Date: 2009-09-18

Transformed into a National Application: No

Registration Date: 2011-04-26

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2011-03-19

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 021
Class Status: Active
Salad bowls, bowls, water bottles sold empty
Basis: 1(a)
First Use Date: 2007-08-17
First Use in Commerce Date: 2007-08-17

ADDITIONAL INFORMATION

Prior Registration Number(s):
3454783

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.

- 2011-04-26 - Registered - Principal Register
- 2011-03-22 - Notice Of Acceptance Of Statement Of Use E-Mailed
- 2011-03-19 - Law Office Registration Review Completed
- 2011-03-14 - Allowed for Registration - Principal Register (SOU accepted)
- 2011-03-04 - Notice Of Approval Of Extension Request E-Mailed
- 2011-03-03 - Statement Of Use Processing Complete
- 2011-02-11 - Use Amendment Filed
- 2011-03-03 - Extension 1 granted

2011-02-10 - Extension 1 filed
2011-03-03 - Case Assigned To Intent To Use Paralegal
2011-02-11 - TEAS Statement of Use Received
2011-02-11 - Extension Received With TEAS Petition
2011-02-11 - Petition To Revive-Granted
2011-02-11 - TEAS Petition To Revive Received
2010-08-10 - NOA E-Mailed - SOU Required From Applicant
2010-06-15 - Notice Of Publication E-Mailed
2010-06-15 - Published for opposition
2010-05-12 - Law Office Publication Review Completed
2010-05-11 - Assigned To LIE
2010-05-06 - Assignment Of Ownership Not Updated Automatically
2010-05-01 - Approved For Pub - Principal Register
2010-04-30 - Teas/Email Correspondence Entered
2010-04-30 - Communication received from applicant
2010-04-30 - TEAS Response to Office Action Received
2010-03-29 - Attorney Revoked And/Or Appointed
2010-03-29 - TEAS Revoke/Appoint Attorney Received
2009-12-12 - Notification Of Non-Final Action E-Mailed
2009-12-12 - Non-final action e-mailed
2009-12-12 - Non-Final Action Written
2009-12-12 - Assigned To Examiner
2009-09-23 - Notice Of Pseudo Mark Mailed
2009-09-22 - New Application Office Supplied Data Entered In Tram
2009-09-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford

DLA Piper LLP (US)

500 Eighth Street, NW

Washington DC 20004

Phone Number: 2027994000

Fax Number: 2027995000



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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 021. US 002 013 023 029 030 033 040 050. G & S: Salad bowls, bowls, water bottles sold empty. FIRST USE: 20070817. FIRST USE IN COMMERCE: 20070817
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77829447
Filing Date	September 18, 2009
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	June 15, 2010
Registration Number	3951702
Registration Date	April 26, 2011
Owner	(REGISTRANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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EXHIBIT E

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Serial Number: 77829450 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

Current Status: A first request for extension of time to file a Statement of Use has been granted.

Date of Status: 2011-03-11

Filing Date: 2009-09-18

The Notice of Allowance Date is: 2010-08-10

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

**Attorney Assigned:
REGAN JOHN B**

Current Location: 700 -Intent To Use Section

Date In Location: 2011-03-04

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 025
Class Status: Active
Clothing, namely, shirts and t-shirts sold as promotional items
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):
3454783

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.

- 2011-03-12 - Notice Of Approval Of Extension Request E-Mailed
- 2011-03-11 - Extension 1 granted
- 2011-02-10 - Extension 1 filed
- 2011-03-04 - Case Assigned To Intent To Use Paralegal
- 2011-02-11 - Extension Received With TEAS Petition
- 2011-02-11 - Petition To Revive-Granted
- 2011-02-11 - TEAS Petition To Revive Received
- 2010-08-10 - NOA E-Mailed - SOU Required From Applicant

- 2010-06-15 - Notice Of Publication E-Mailed
- 2010-06-15 - Published for opposition
- 2010-05-12 - Law Office Publication Review Completed
- 2010-05-11 - Assigned To LIE
- 2010-05-06 - Assignment Of Ownership Not Updated Automatically
- 2010-05-01 - Approved For Pub - Principal Register
- 2010-04-30 - Teas/Email Correspondence Entered
- 2010-04-30 - Communication received from applicant
- 2010-04-30 - TEAS Response to Office Action Received
- 2010-03-29 - Attorney Revoked And/Or Appointed
- 2010-03-29 - TEAS Revoke/Appoint Attorney Received
- 2009-12-12 - Notification Of Non-Final Action E-Mailed
- 2009-12-12 - Non-final action e-mailed
- 2009-12-12 - Non-Final Action Written
- 2009-12-12 - Assigned To Examiner
- 2009-09-23 - Notice Of Pseudo Mark Mailed
- 2009-09-22 - New Application Office Supplied Data Entered In Tram
- 2009-09-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford

DLA Piper LLP (US)

500 Eighth Street, NW

Washington DC 20004

Phone Number: 2027994000

Fax Number: 2027995000



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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 025. US 022 039. G & S: Clothing, namely, shirts and t-shirts sold as promotional items
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77829450
Filing Date	September 18, 2009
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	June 15, 2010
Owner	(APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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EXHIBIT F

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

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Serial Number: 77829451 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

Current Status: A first request for extension of time to file a Statement of Use has been granted.

Date of Status: 2011-02-07

Filing Date: 2009-09-18

The Notice of Allowance Date is: 2010-08-10

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

**Attorney Assigned:
REGAN JOHN B**

Current Location: 700 -Intent To Use Section

Date In Location: 2011-02-07

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Edible oils; olive oil

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

3454783

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.

2011-02-08 - Notice Of Approval Of Extension Request E-Mailed

2011-02-07 - Extension 1 granted

2011-01-13 - Extension 1 filed

2011-02-07 - Case Assigned To Intent To Use Paralegal

2011-01-13 - TEAS Extension Received

2010-08-10 - NOA E-Mailed - SOU Required From Applicant

2010-06-15 - Notice Of Publication E-Mailed

2010-06-15 - Published for opposition

2010-05-12 - Law Office Publication Review Completed
2010-05-11 - Assigned To LIE
2010-05-06 - Assignment Of Ownership Not Updated Automatically
2010-05-01 - Approved For Pub - Principal Register
2010-04-30 - Teas/Email Correspondence Entered
2010-04-30 - Communication received from applicant
2010-04-30 - TEAS Response to Office Action Received
2010-03-29 - Attorney Revoked And/Or Appointed
2010-03-29 - TEAS Revoke/Appoint Attorney Received
2009-12-12 - Notification Of Non-Final Action E-Mailed
2009-12-12 - Non-final action e-mailed
2009-12-12 - Non-Final Action Written
2009-12-12 - Assigned To Examiner
2009-09-23 - Notice Of Pseudo Mark Mailed
2009-09-22 - New Application Office Supplied Data Entered In Tram
2009-09-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford
DLA Piper LLP (US)
500 Eighth Street, NW
Washington DC 20004
Phone Number: 2027994000
Fax Number: 2027995000



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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 029, US 046, G & S: Edible oils; olive oil
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77829451
Filing Date	September 18, 2009
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	June 15, 2010
Owner	(APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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EXHIBIT G

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

This page was generated by the TARR system on 2011-05-05 12:25:15 ET

Serial Number: 85043748 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

Current Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Date of Status: 2010-12-28

Filing Date: 2010-05-20

The Notice of Allowance Date is: 2010-12-28

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

**Attorney Assigned:
HSU FONG**

Current Location: 700 -Intent To Use Section

Date In Location: 2010-12-28

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

granola-based snack bars; grain-based food bars also containing soy, dried fruits, chocolate, nuts

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

3454783

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.

2010-12-28 - NOA E-Mailed - SOU Required From Applicant

2010-11-02 - Notice Of Publication E-Mailed

2010-11-02 - Published for opposition

2010-09-24 - Law Office Publication Review Completed

2010-09-24 - Assigned To LIE

2010-09-15 - Approved For Pub - Principal Register

2010-09-02 - Assigned To Examiner

2010-05-26 - Notice Of Pseudo Mark Mailed

2010-05-25 - New Application Office Supplied Data Entered In Tram

2010-05-24 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

ANN K. FORD

DLA PIPER LLP (US)

500 8TH ST NW

WASHINGTON, DC 20004-2131

Phone Number: 2027994000

Fax Number: 2027995000



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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 030, US 046. G & S: granola-based snack bars; grain-based food bars also containing soy, dried fruits, chocolate, nuts
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85043748
Filing Date	May 20, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	November 2, 2010
Owner	(APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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EXHIBIT H

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

This page was generated by the TARR system on 2011-05-05 12:25:42 ET

Serial Number: 85082284 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SWEETGREEN

(words only): SWEETGREEN

Standard Character claim: Yes

Current Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Date of Status: 2010-12-28

Filing Date: 2010-07-12

The Notice of Allowance Date is: 2010-12-28

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

**Attorney Assigned:
HSU FONG**

Current Location: 700 -Intent To Use Section

Date In Location: 2010-12-28

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Charitable fundraising services, namely, organizing and conducting fundraising events to raise money and awareness for socially progressive causes related to the environment, nutrition, diet, youth activities and health, and general healthy living

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

3454783

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.

2010-12-28 - NOA E-Mailed - SOU Required From Applicant

2010-11-02 - Notice Of Publication E-Mailed

2010-11-02 - Published for opposition

2010-09-24 - Law Office Publication Review Completed

2010-09-24 - Assigned To LIE

2010-09-15 - Approved For Pub - Principal Register

2010-09-02 - Assigned To Examiner

2010-07-16 - Notice Of Pseudo Mark Mailed

2010-07-15 - New Application Office Supplied Data Entered In Tram

2010-07-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

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WASHINGTON, DC 20004-2131

Phone Number: 2027994000

Fax Number: 2027995000



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SWEETGREEN

Word Mark	SWEETGREEN
Goods and Services	IC 036. US 100 101 102. G & S: Charitable fundraising services, namely, organizing and conducting fundraising events to raise money and awareness for socially progressive causes related to the environment, nutrition, diet, youth activities and health, and general healthy living
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85082284
Filing Date	July 12, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	November 2, 2010
Owner	(APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036
Attorney of Record	Ann K. Ford
Prior Registrations	3454783
Type of Mark Register	SERVICE MARK PRINCIPAL

**Live/Dead
Indicator**

LIVE

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EXHIBIT I

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

This page was generated by the TARR system on 2011-05-05 12:26:31 ET

Serial Number: 85052034 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

swæetgree

(words only): SWEETGREEN

Standard Character claim: No

Current Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Date of Status: 2010-12-28

Filing Date: 2010-06-01

The Notice of Allowance Date is: 2010-12-28

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

**Attorney Assigned:
HSU FONG**

Current Location: 700 -Intent To Use Section

Date In Location: 2010-12-28

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

1. SWEETGREEN, INC.

Address:

SWEETGREEN, INC.
1512 CONNECTICUT AVE, NW
WASHINGTON, DC 20036
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Edible oils; olive oil

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

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

Description of Mark: The mark consists of the word "SWEETGREEN" in which the first letter "e" is lower case and backward.

Prior Registration Number(s):

3454783

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.

2010-12-28 - NOA E-Mailed - SOU Required From Applicant

2010-11-02 - Notice Of Publication E-Mailed

2010-11-02 - Published for opposition

2010-09-24 - Law Office Publication Review Completed

2010-09-24 - Assigned To LIE

2010-09-15 - Approved For Pub - Principal Register
2010-09-02 - Assigned To Examiner
2010-06-05 - Notice Of Pseudo Mark Mailed
2010-06-04 - New Application Office Supplied Data Entered In Tram
2010-06-04 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

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DLA PIPER LLP (US)
500 8TH ST NW
WASHINGTON, DC 20004-2131
Phone Number: 2027994000
Fax Number: 2027995000



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sweetgree

Word Mark SWEETGREEN

Goods and Services IC 029. US 046. G & S: Edible oils; olive oil

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

Serial Number 85052034

Filing Date June 1, 2010

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition November 2, 2010

Owner (APPLICANT) SWEETGREEN, INC. CORPORATION DELAWARE 1512 CONNECTICUT AVE, NW WASHINGTON D.C. 20036

Attorney of Record Ann K. Ford

Prior Registrations 3454783

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "SWEETGREEN" in which the first letter "e" is lower case and backward.

Type of Mark TRADEMARK

Register PRINCIPAL

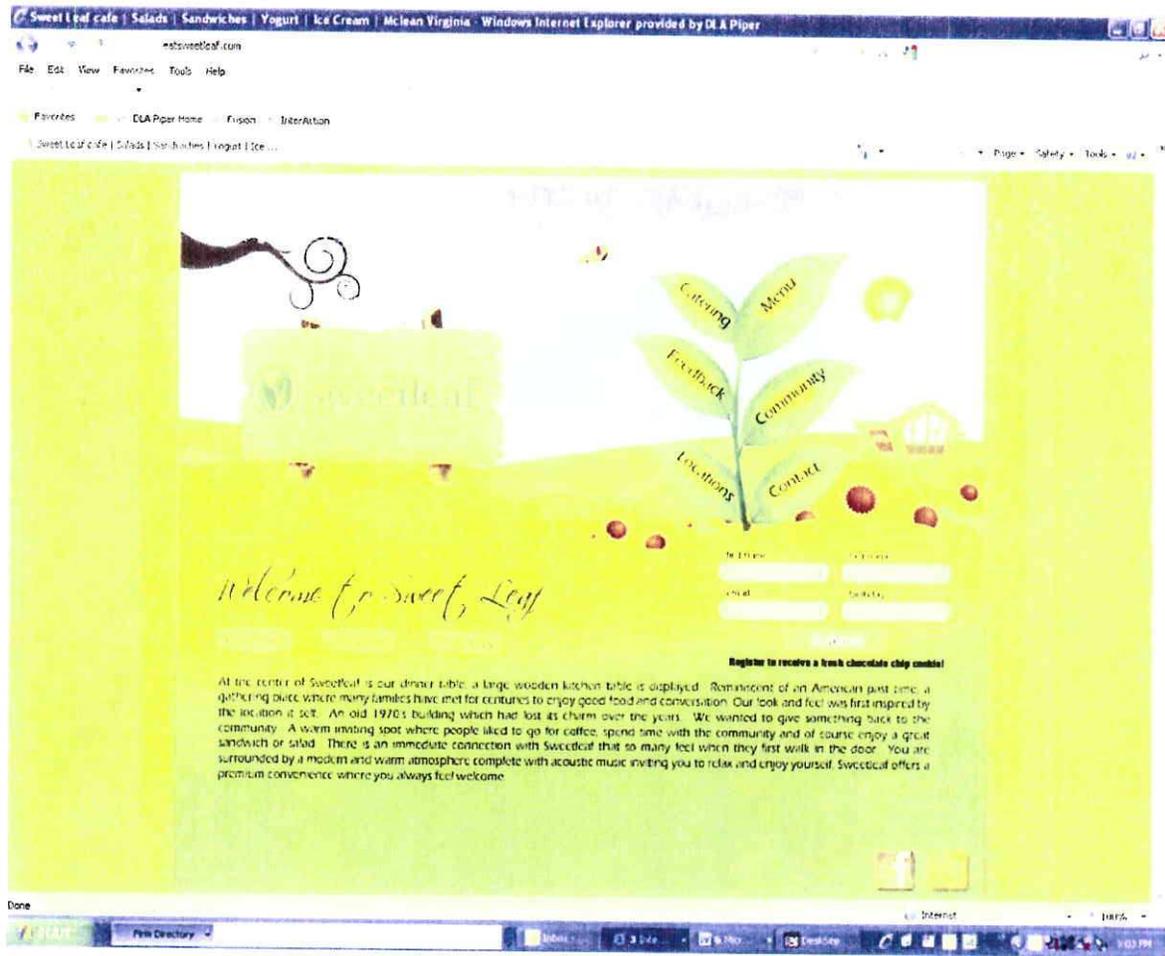
Live/Dead Indicator LIVE

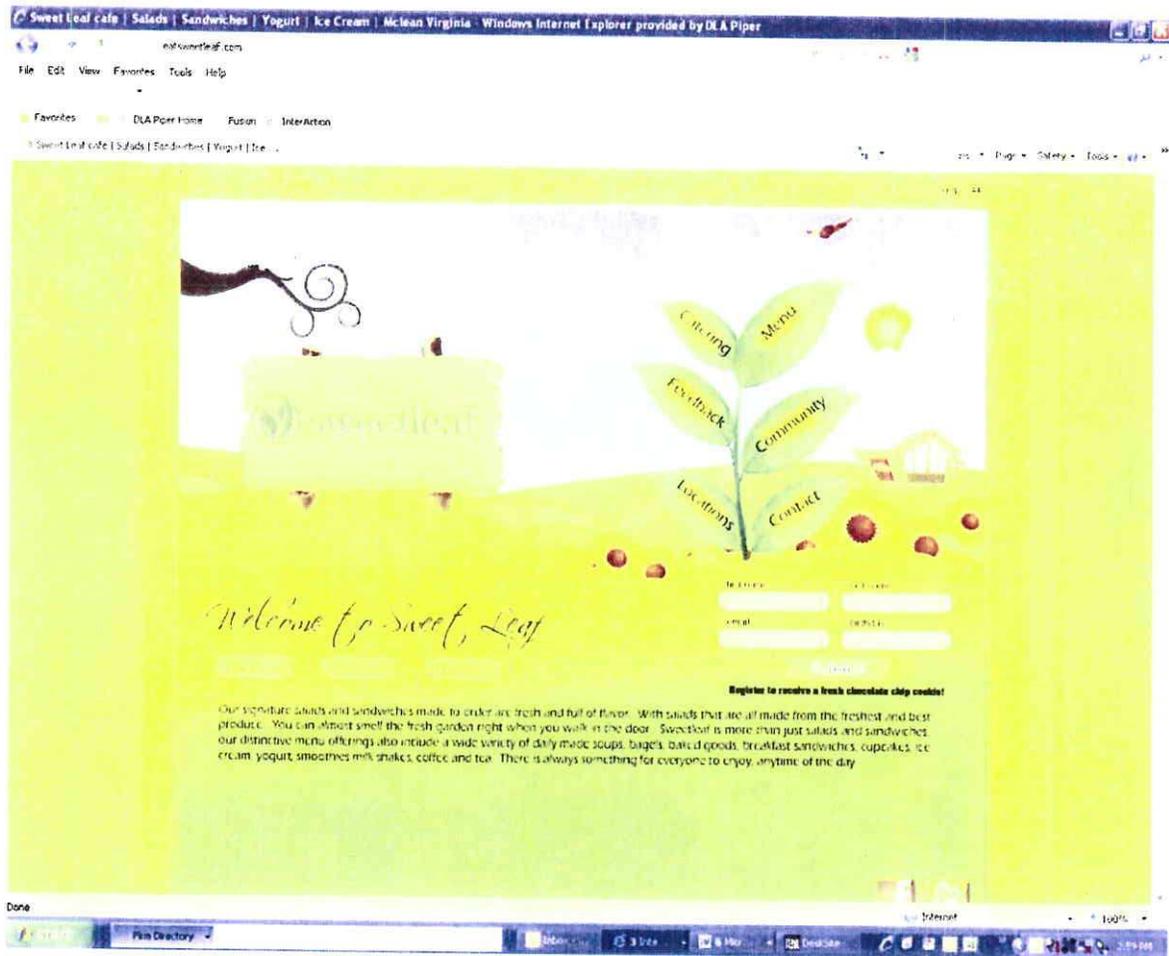
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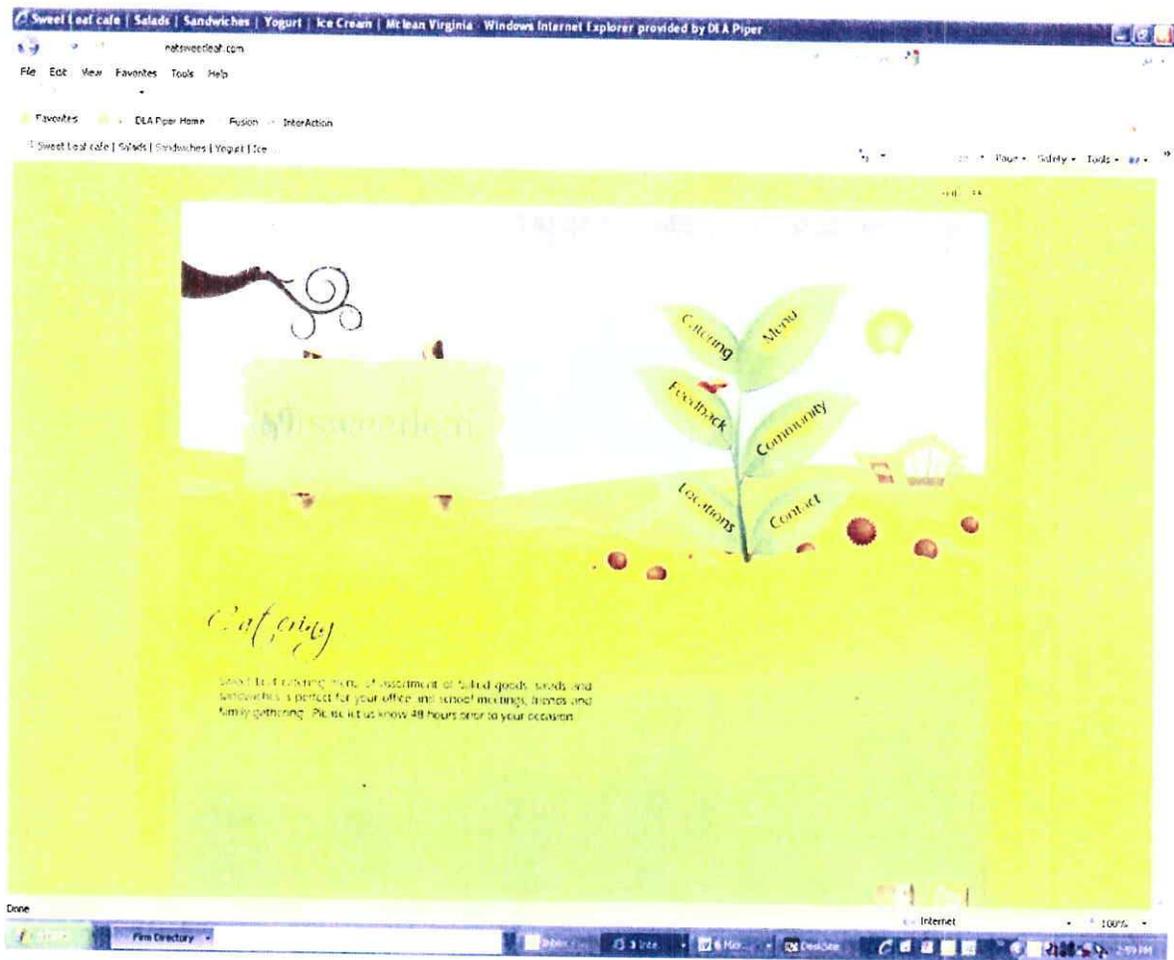
EXHIBIT J

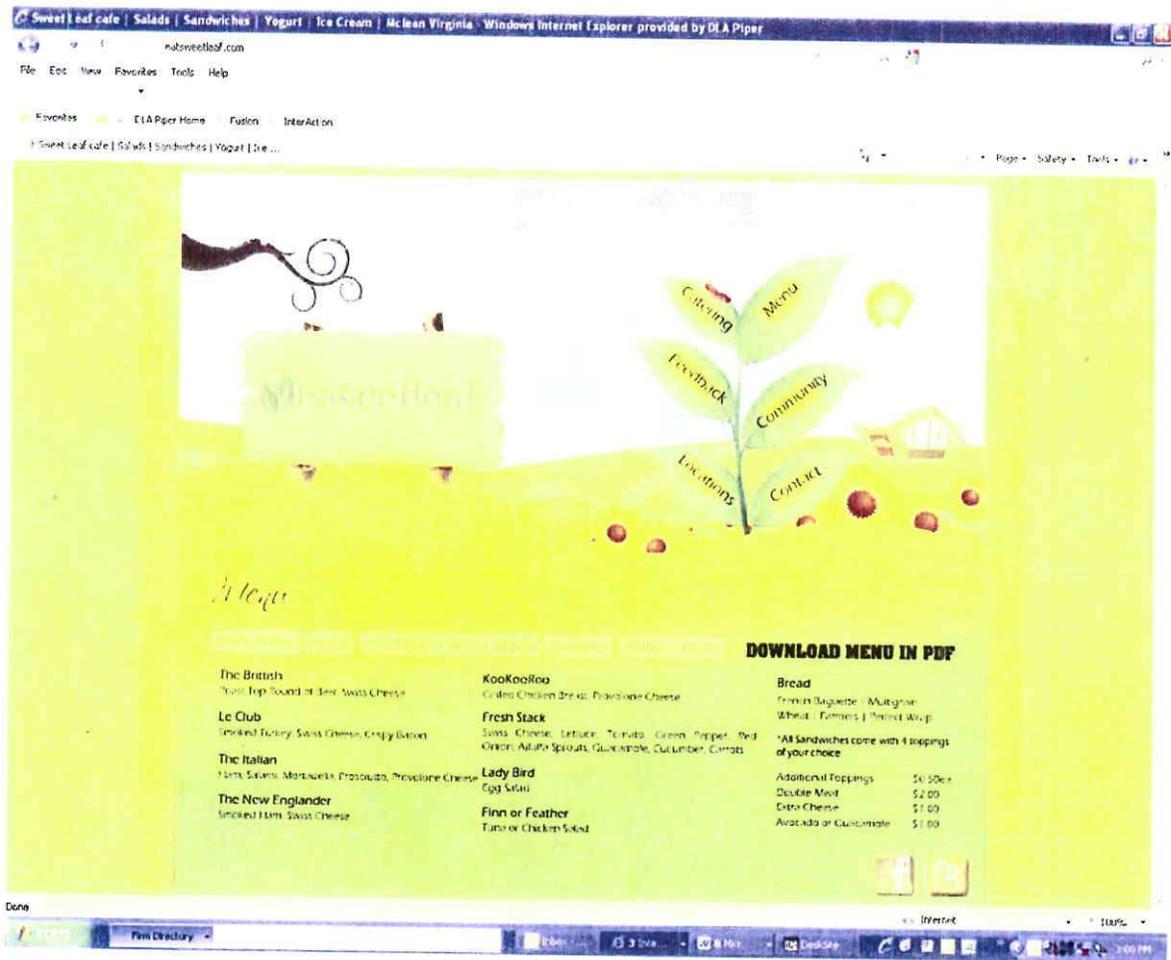
Screenshots taken from Website at Domain Name <eatsweetleaf.com> on May 5, 2011

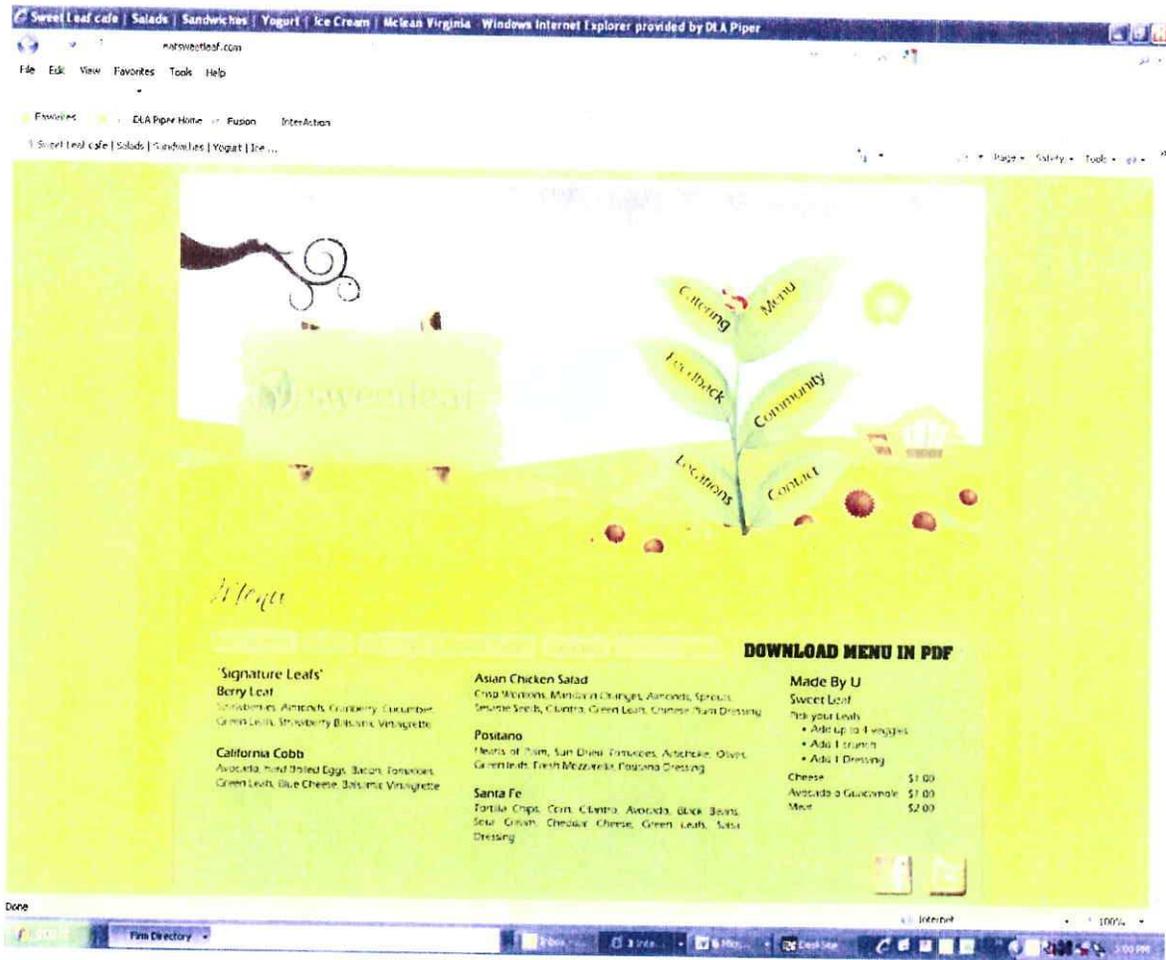


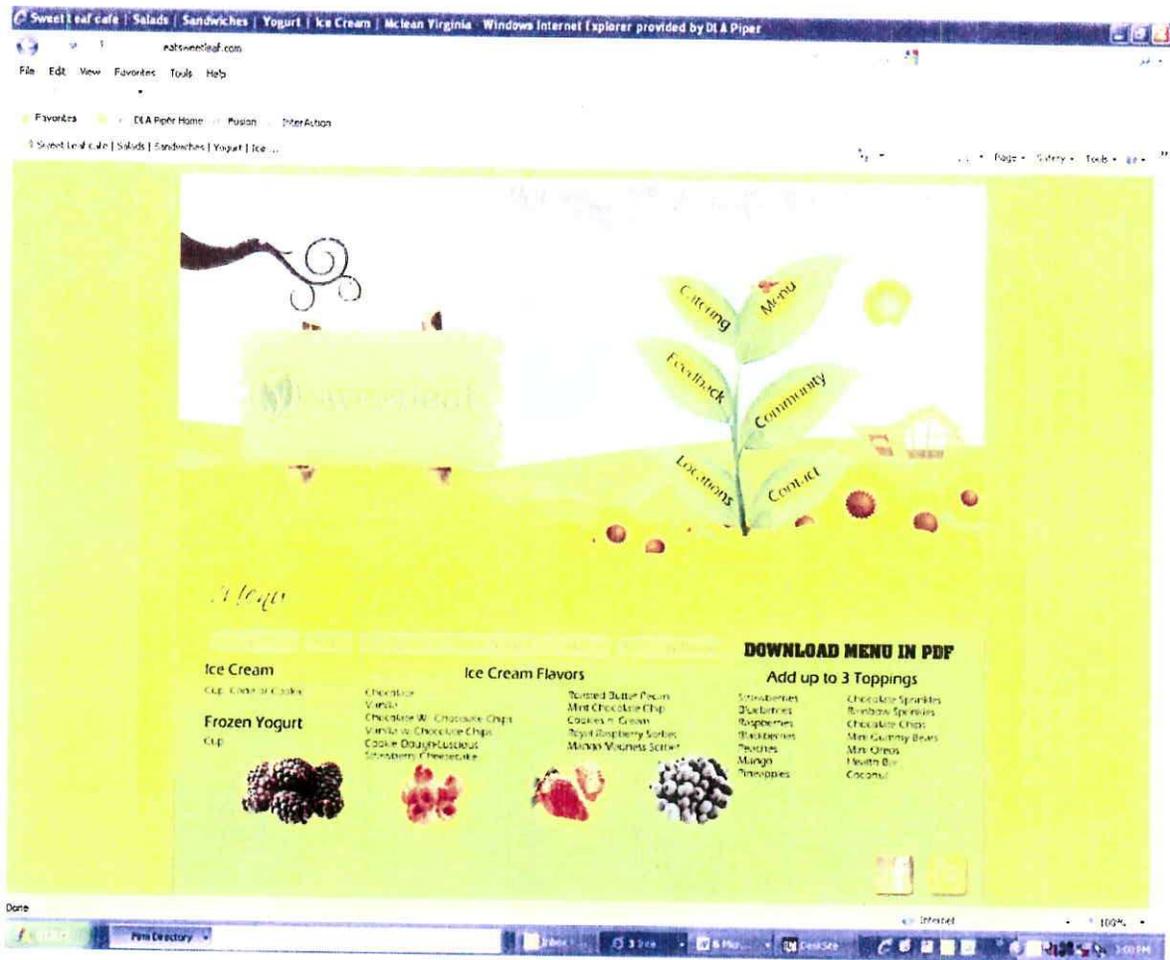


Screenshots taken from Website at Domain Name <eatsweetleaf.com> on May 5, 2011









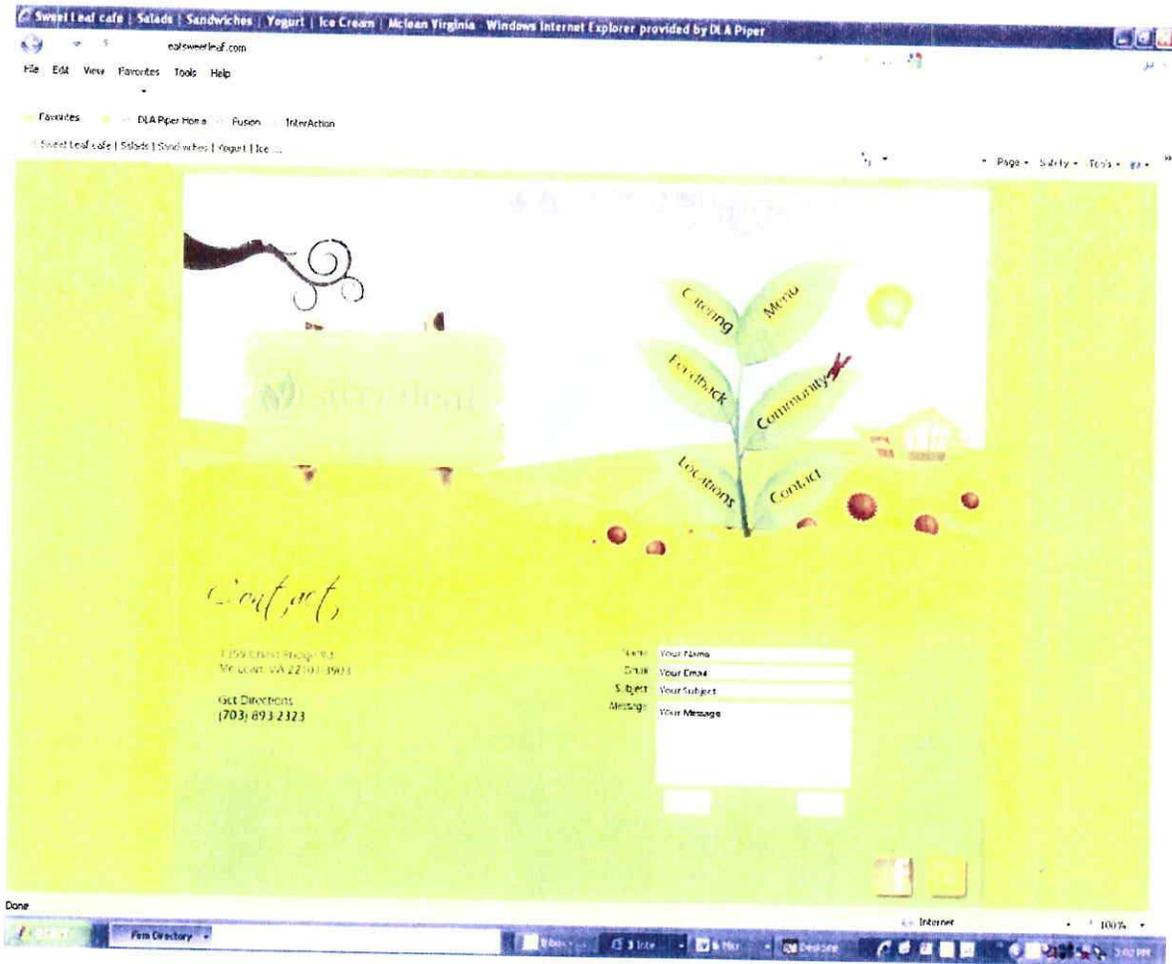
Screenshots taken from Website at Domain Name <eatsweetleaf.com> on May 5, 2011



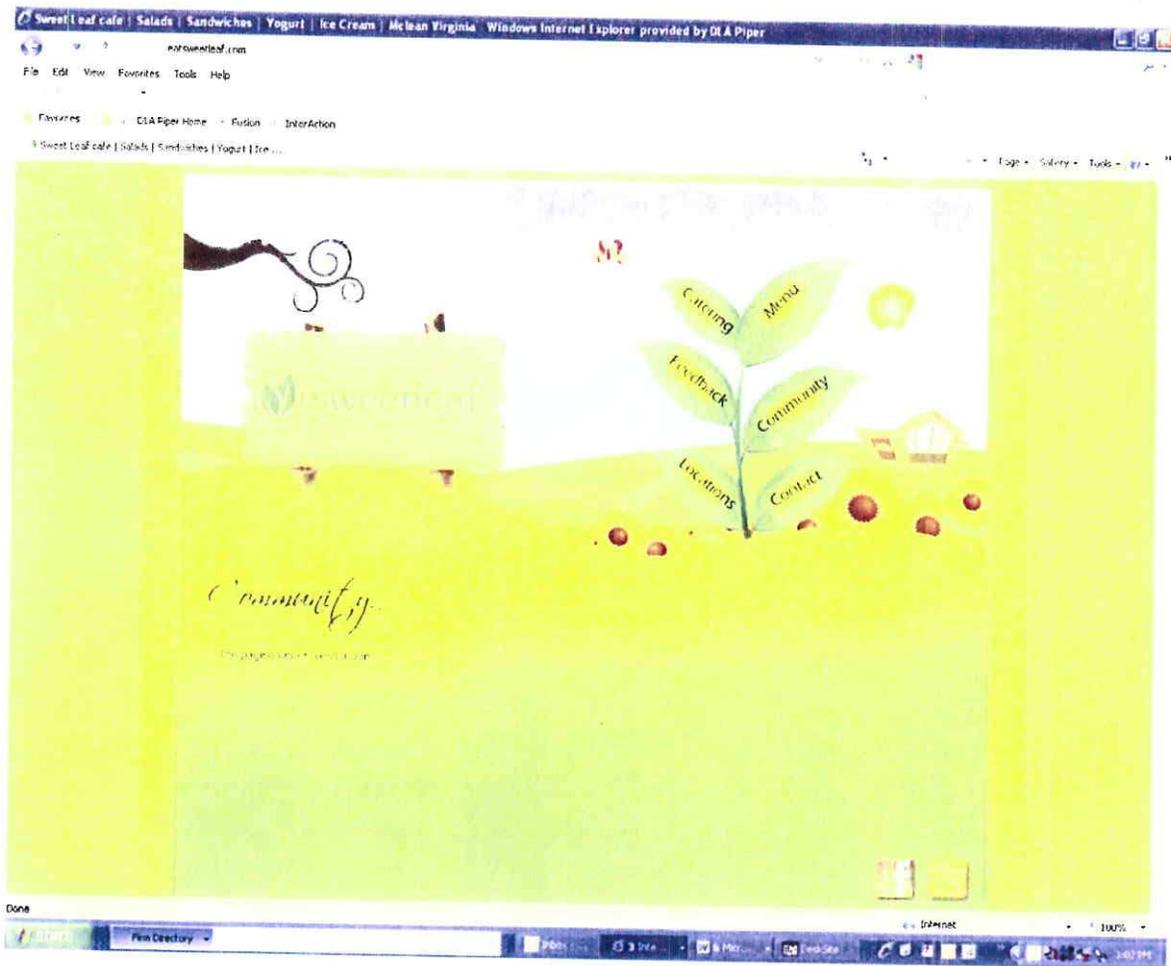
Screenshots taken from Website at Domain Name <eatsweetleaf.com> on May 5, 2011



Screenshots taken from Website at Domain Name <eatsweetleaf.com> on May 5, 2011



Screenshots taken from Website at Domain Name <eatsweetleaf.com> on May 5, 2011



Screenshots taken from Website at Domain Name <catsweetleaf.com> on May 5, 2011

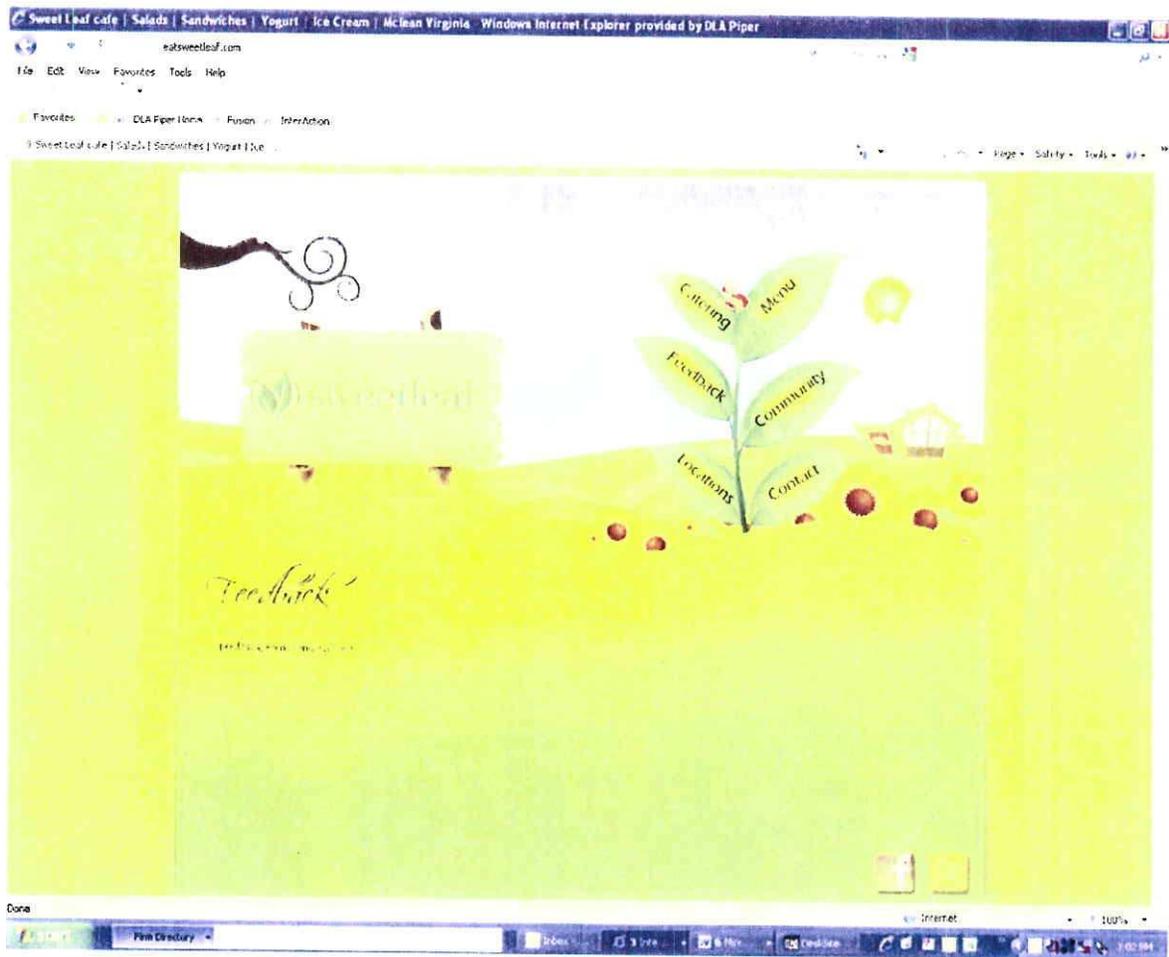


EXHIBIT K

- home
- menu
- location
- contact

sweet leaf



guys like it hot

girls like it fresh

Sweetleaf a community café opened June 1, 2009 and was brought to Mclean by the Matini family. But long before Sweetleaf the Matini family had already been serving the McLean Community through their first location Sweetstuff. The Matini family first opened Sweetstuff in 1994, on the corner of Spring Hill Road and Old Dominion Drive in McLean Va. Sweetstuff was known for its gourmet sandwiches, fresh salads, homemade soups, baked goods, coffee and French pastries.

about

menu

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contact

sweet leaf



guys like it hot

girls like it fresh

At the time Andre was in high school and Arita was in elementary, they both helped out on the weekends as much as they could. When Andre and Arita Matini graduated college they insisted on opening up their own location. They felt that so many deli's and cafes hadn't changed with the times and were becoming outdated. Andre came up with a business concept and Arita came up with the interior design.

Sweetleaf uses the same menu that Sweetstuff used, except for some subtle changes. Instead of cold sandwiches Andre insisted on hot sandwiches and instead of premade salads Arita insisted on making the salads as they are ordered. So came the slogan "Guys like it hot, Girls like it fresh" Both siblings agreed to cut out the French pastries and to add cupcakes and baked sweets; instead of soft serve vanilla yogurt they agreed on original tart flavored yogurt, topped with fresh fruit instead of your typical hot fudge and caramel toppings.

The final result was just as anticipated, a modern café where both guys and girls could get a healthy meal, at an affordable price.



[Download the Menu >](#)

Sandwiches

The British - Roast Top Round of Beef, Swiss Chees \$6.00

Le Club - Smoked Turkey, Swiss Chees, Crispy Bacon \$6.00

The Italian - Ham, Salami, Mortadella, Prochoto, Provolone Cheese, Prosslutto \$6.00

The New Englander- Smoked Ham, Swiss Cheese \$6.00

Koo Koo Roo - Grilled Chicken Breast, Provolone Cheese \$6.00

Fresh Stack - Swiss Cheese, Lettuce, Tomato, Green Pepper, Red Onion, Alfalfa Sprouts, Guacamole \$6.00

Lady Bird - Egg Salad \$6.00

Signature Leaves
("Made By You")

Berry Leaf - Strawberries, Almonds, Cranberry, Cucumber, Green Leafs, Strawberry Balsamic Vinaigrette \$6.00

California Cobb- Avocado, Hard Boiled Eggs, Bacon, Tomatoes, Green Leafs, Blue Cheese \$6.00

Asian Chicken Salad - Crisp Wontons, Mandarin Oranges, Almonds, Sprouts, Sesame Seeds, Cilantro, Green Leafs, Chinese Plum Dressing \$6.00

Positano- Hearts of Palm, Sun Dried Tomatoes, Artichoke, Olives, Green Leafs, Fresh Mozzarella, Positano Dressing \$6.00

Santa Fe - Tortilla Chips, Corn, Cilantro, Avocado, Black Beans, Sour Cream, Cheddar Cheese, Tomatoes, Green Leafs, Salsa Dressing \$6.00

("Made By You") Sweet Leaf \$6.00

Pick Your Leafs
Add up to 3 veggies
Add 1 crunch

EXHIBIT L

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sweetgreen



sweetgreen locations

Georgetown - M Street

2200 M Street NW, Washington DC

20255-3832

Monday - Friday

11:00am - 8:00pm

Dupont Circle - Connecticut Avenue

730 Connecticut Avenue NW, Washington DC

20007-2121

20255-3832

Bethesda - Bethesda Avenue

4000 Bethesda Avenue, Bethesda MD

20814-2000

20255-3832



send a comment!



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the sweetgreen story



sweetgreen's story was a long time in the making. The idea of an educational food store and a new retail space was a long time in the making. It was a long time in the making. It was a long time in the making. It was a long time in the making.

It was a long time in the making. It was a long time in the making. It was a long time in the making. It was a long time in the making. It was a long time in the making.

sweetgreen is a long time in the making. It was a long time in the making. It was a long time in the making. It was a long time in the making.

It was a long time in the making. It was a long time in the making. It was a long time in the making. It was a long time in the making. It was a long time in the making.

home menu sustainability story locations blog

menu

sweetgreen



chef-crafted salads

\$9/ea

the bondi

roasted chicken, quinoa, chickpeas, cucumber, avocado, tomato, red onion, lemon dressing

le parisien

grilled chicken, goat cheese, arugula, radicchio, tomato, balsamic vinaigrette

city gold

grilled chicken, quinoa, chickpeas, cucumber, tomato, avocado, lemon dressing

chic & chic

roasted chicken, quinoa, chickpeas, cucumber, tomato, avocado, lemon dressing

quadruple greens

grilled chicken, quinoa, chickpeas, cucumber, tomato, avocado, lemon dressing

la scala

grilled chicken, quinoa, chickpeas, cucumber, tomato, avocado, lemon dressing

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sweetgreen sustainability

One of **sweetgreen's** core values is green. As a responsible company, we are committed to creating a sustainable business. We're focused on reducing our carbon footprint, conserving water, and using renewable energy. We're also committed to using local, seasonal ingredients. **sweetgreen** is committed to being a sustainable company.



sweetgreen local Better vegetable bowl

At **sweetgreen**, we're committed to being a sustainable company. We're focused on reducing our carbon footprint, conserving water, and using renewable energy. We're also committed to using local, seasonal ingredients. **sweetgreen** is committed to being a sustainable company.



sweetgreen
Green Restaurant
Certified
2009

Clean  Currents
Green Energy Solutions

sweetgreen
Green Energy
Solutions
2009



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sweetgreen sustainability

Direct sweetgreen sourcing is a commitment to providing the highest quality produce and other ingredients. As a result, we've been able to source locally grown produce from over 100 farms across the United States. This commitment to local sourcing is a key part of our sustainability strategy. We're proud to be a leader in the industry, and we're committed to making a positive impact on the world.



sweetgreen local "Bistro" reusable bowl

The sweetgreen local "Bistro" reusable bowl is made from 100% recycled plastic. It's a great way to reduce waste and support local businesses. We're proud to be a leader in the industry, and we're committed to making a positive impact on the world.



sweetgreen
Green Restaurant
Certified
www.greenrestaurant.com



sweetgreen
Clean Currents
Green Energy Solutions
www.cleancurrents.com



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salad



yogurt



sweetgreen

Did you know that nearly all of our packaging is made from recycled materials?

Our silverware and cups are made from paper.

And if you plant our menus in the ground,

they'll grow into wildflowers!



home menu sustainability story locations blog



salad



yogurt



sweetgreen

Did you know? 90% of our packaging is made from recycled materials.

Our silverware and cups are made from glass.

And 100% of our compost goes into the ground.

That's just one of the ways we're committed to being green.

home

menu

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locations

blog



salad



yogurt



sweetgreen

Did you know that nearly all of our packaging is biodegradable?

Our silverware and cups are made from corn, and if you plant our menus in the ground, they'll sprout into wildflowers!



home menu sustainability story locations blog



salad



yogurt



sweetgreen

Did you know that nearly all of our packaging is biodegradable?
Our silverware and cups are made from corn,
and if you plant our menus in the ground,
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EXHIBIT M

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

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Serial Number: 85254636 **Assignment Information** Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SWEETLEAF

(words only): SWEETLEAF

Standard Character claim: Yes

Current Status: New application will be assigned to an examining attorney approximately 3 months after filing date.

Date of Status: 2011-03-04

Filing Date: 2011-03-01

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

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: 042 -New Application Processing

Date In Location: 2011-03-04

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

1. SWEET LEAF, INC.

Address:

SWEET LEAF, INC.
1359 Chain Bridge Road
McLean, VA 22101
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Virginia

GOODS AND/OR SERVICES

International Class: 043
Class Status: Active
Restaurant Services
Basis: 1(a)
First Use Date: 2009-04-00
First Use in Commerce Date: 2009-04-00

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.

2011-03-04 - New Application Office Supplied Data Entered In Tram

2011-03-04 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

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John S. Hale

Correspondent
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Fax Number: 7034487780



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TESS was last updated on Thu May 5 04:05:45 EDT 2011

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SWEETLEAF

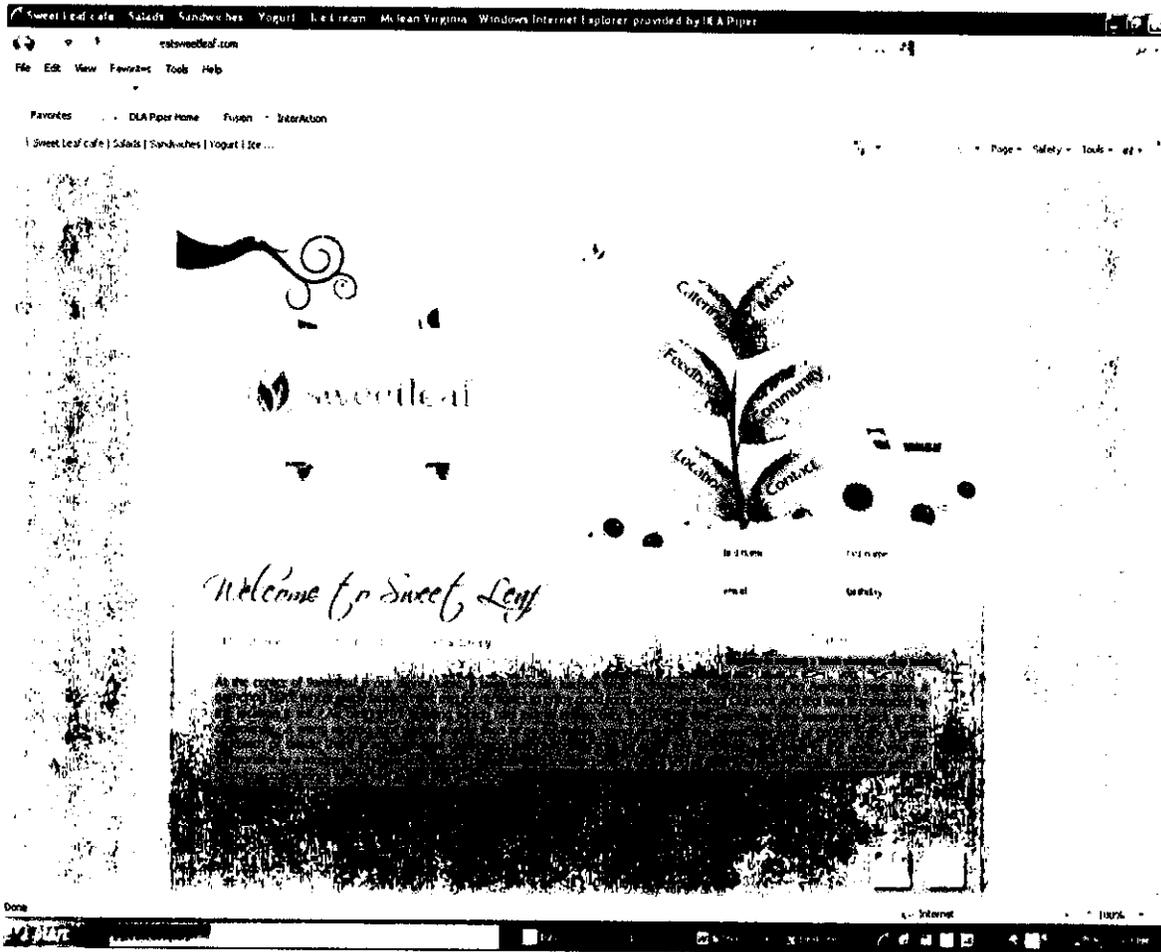
Word Mark	SWEETLEAF
Goods and Services	IC 043. US 100 101. G & S: Restaurant Services. FIRST USE: 20090400. FIRST USE IN COMMERCE: 20090400
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85254636
Filing Date	March 1, 2011
Current Filing Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) SWEET LEAF, INC. CORPORATION VIRGINIA 1359 Chain Bridge Road McLean VIRGINIA 22101
Attorney of Record	John S. Hale
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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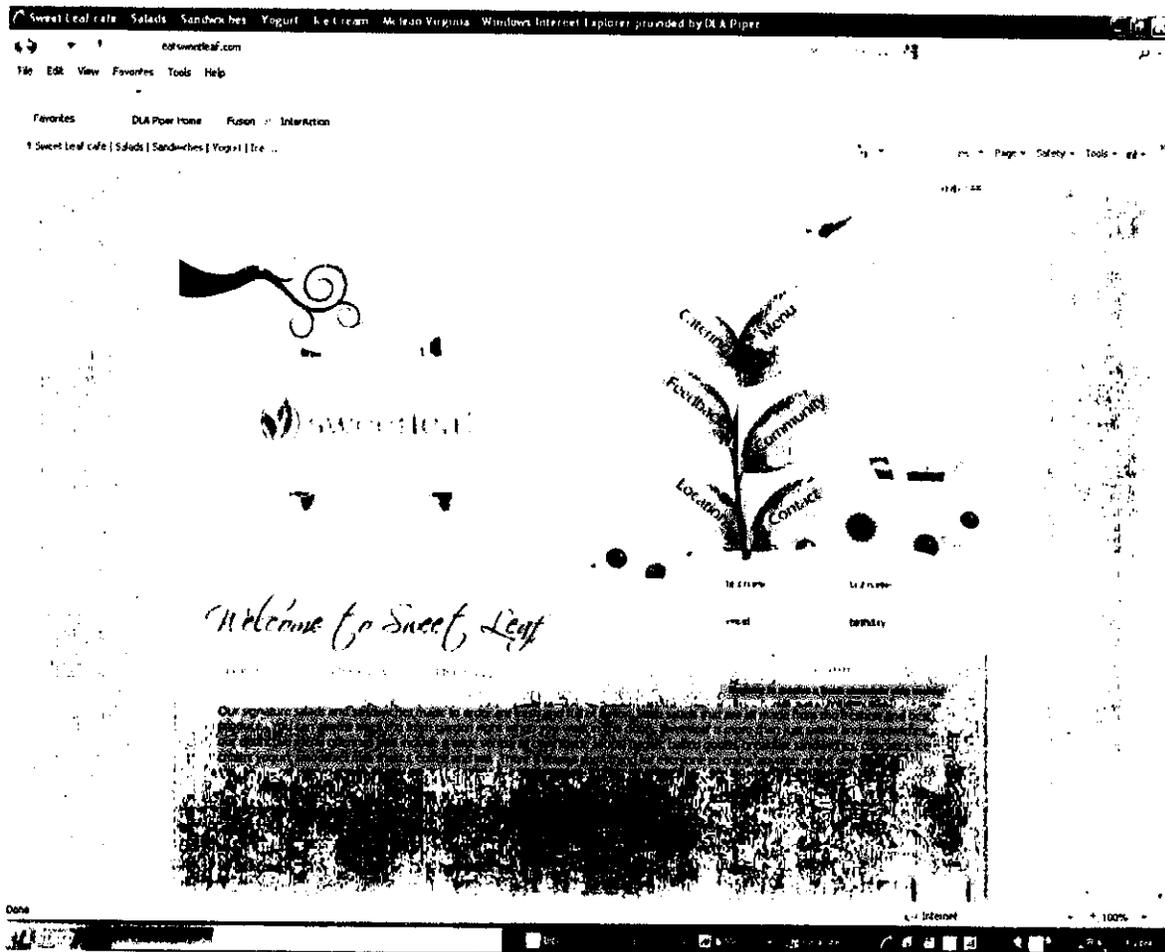
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EXHIBIT J

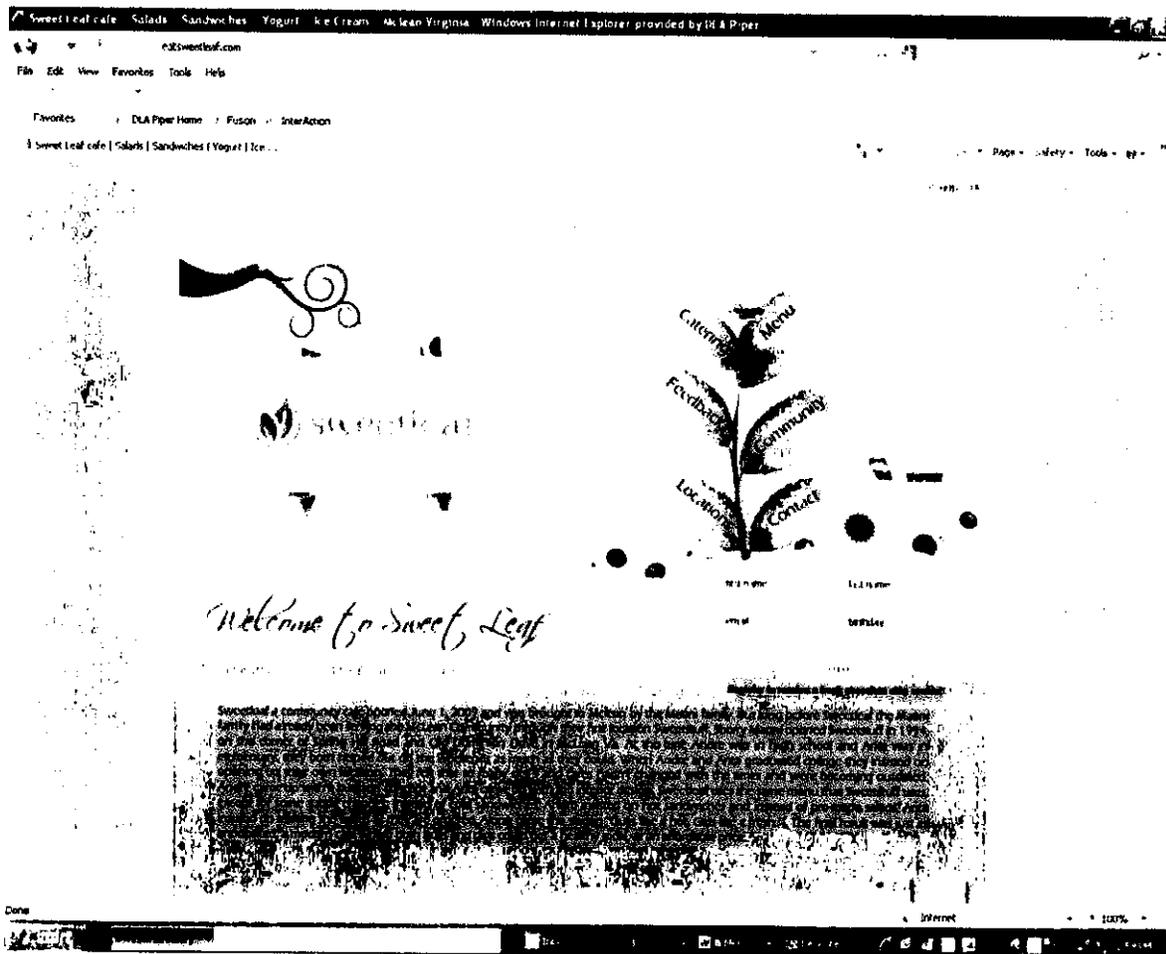
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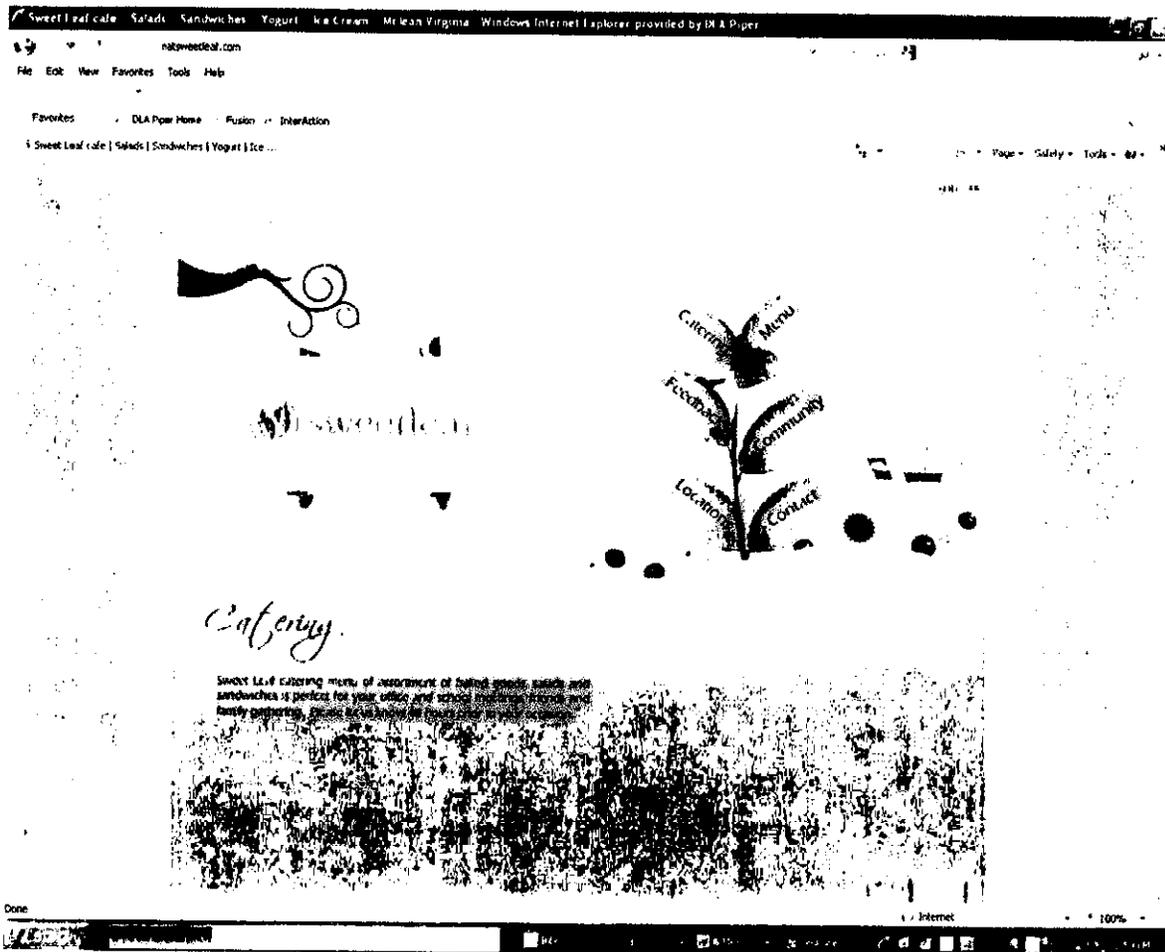
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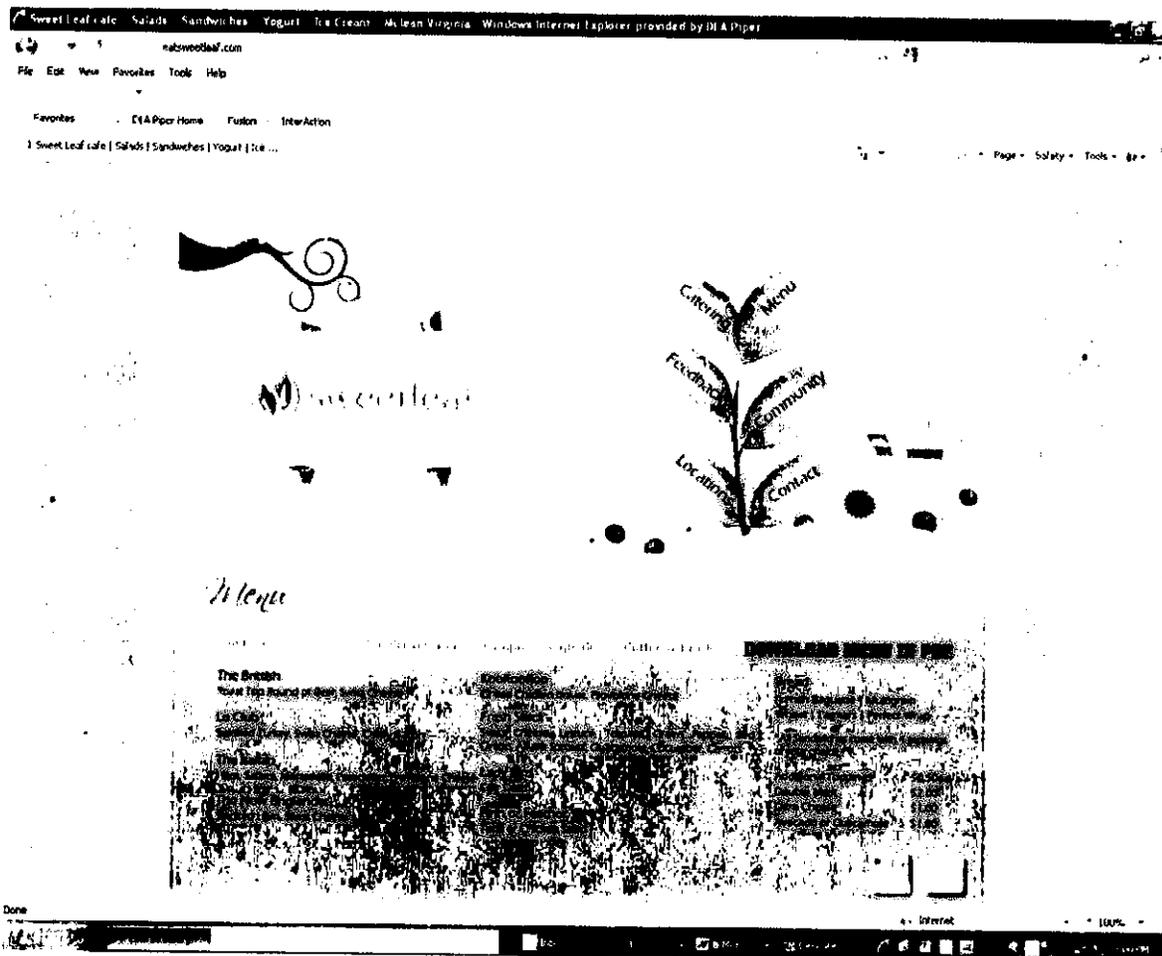
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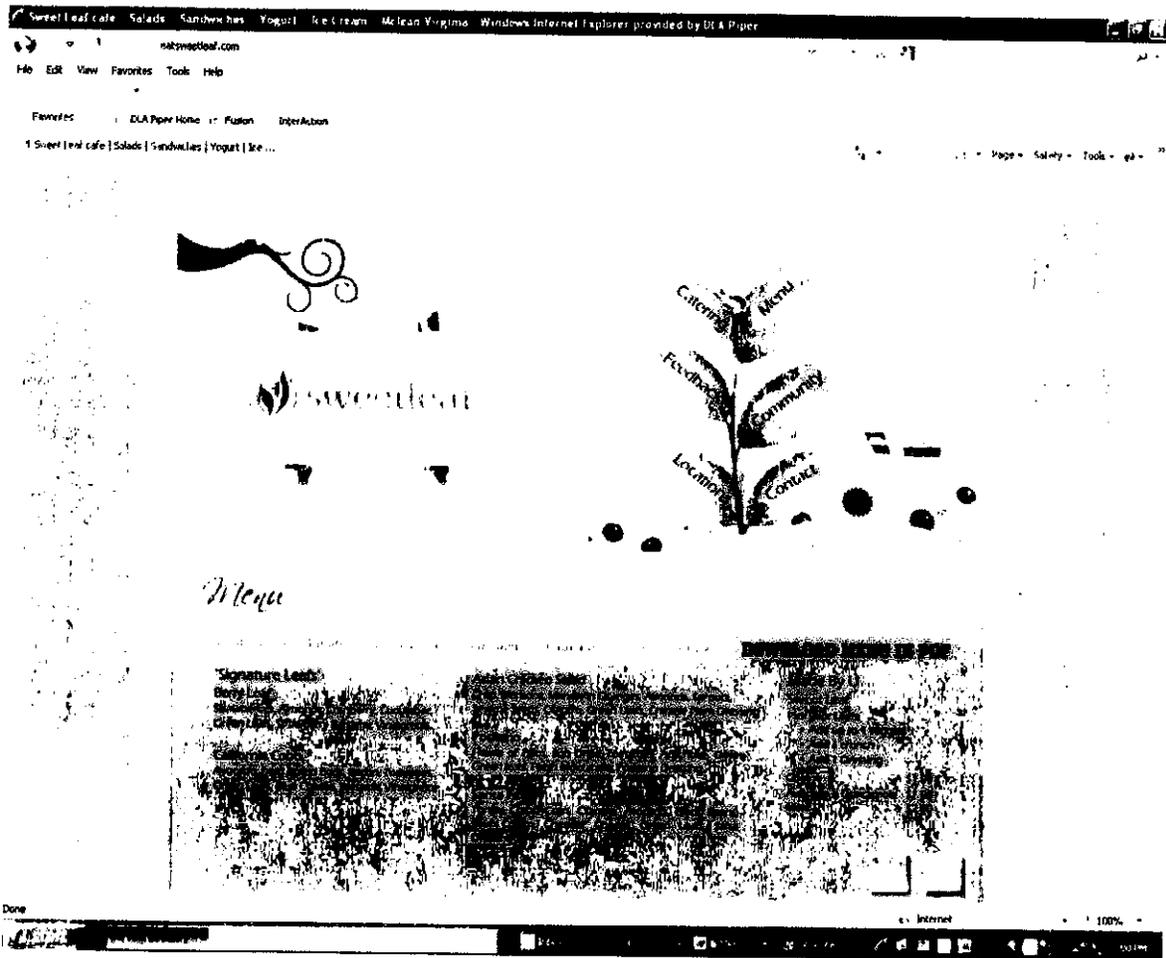


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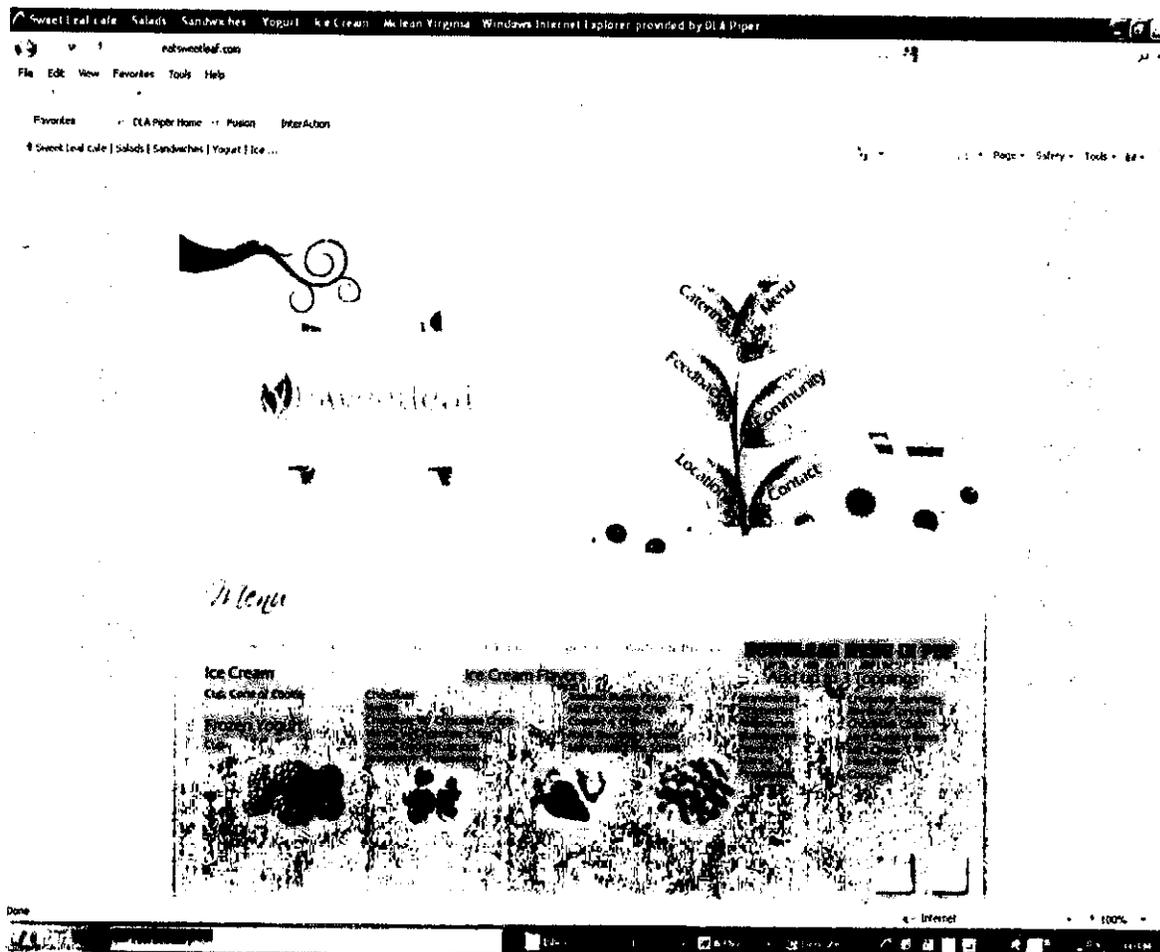


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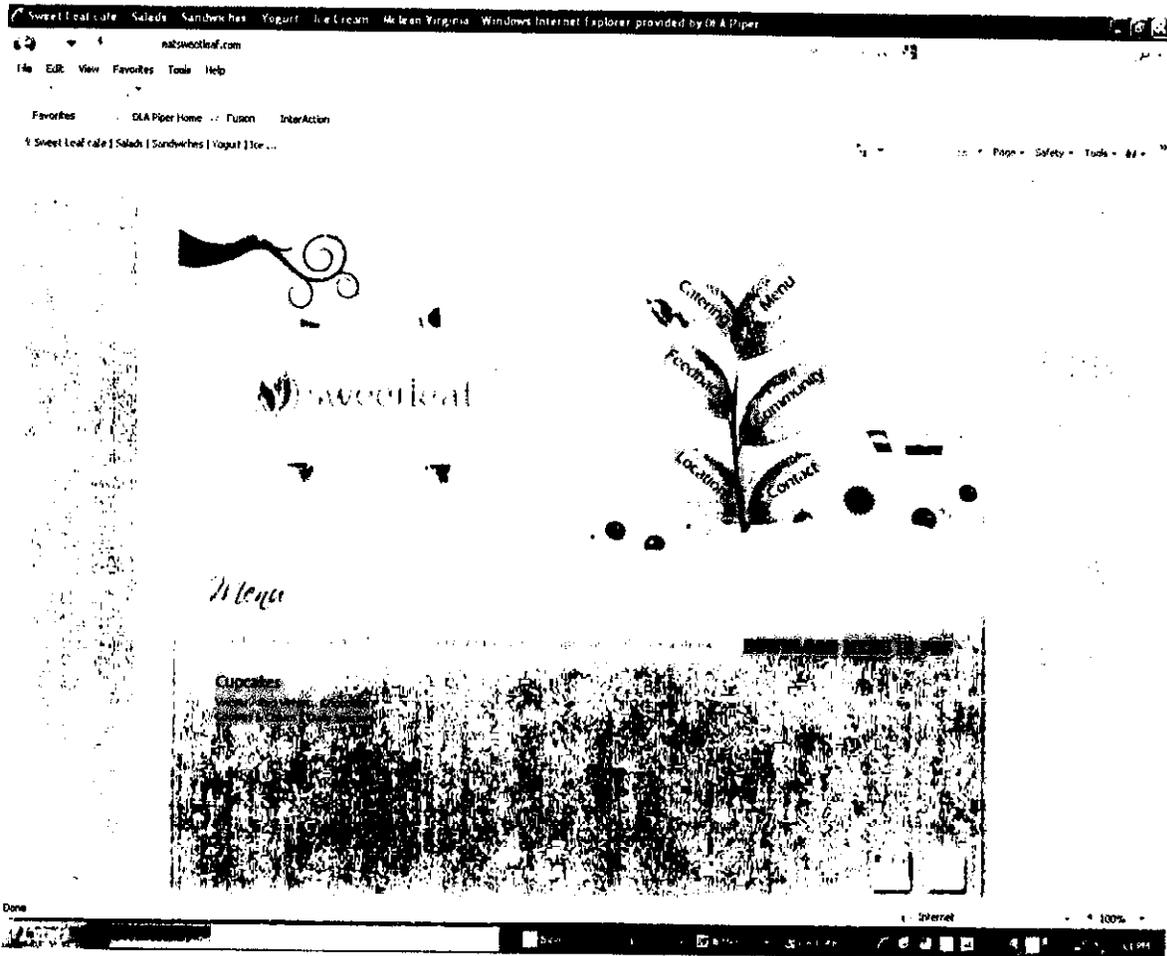




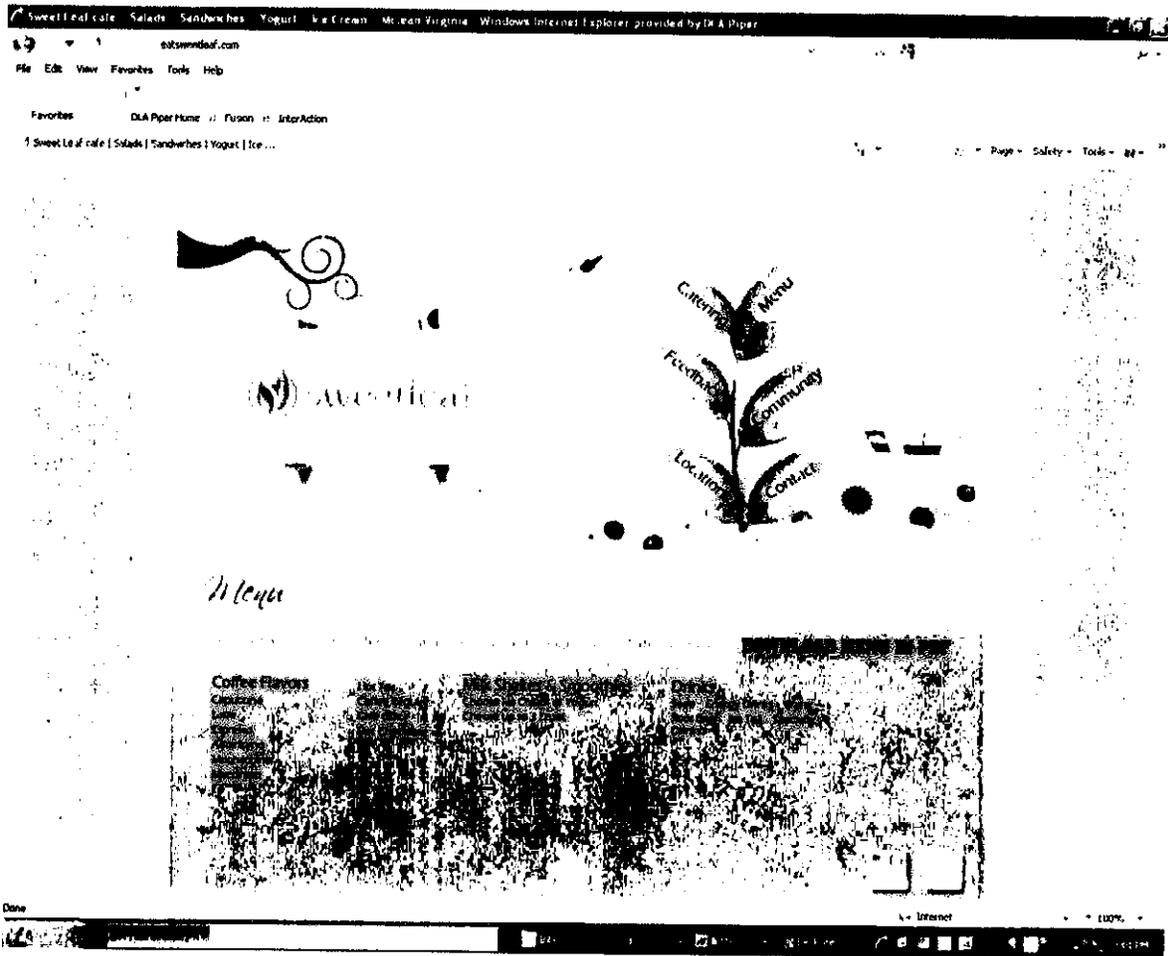
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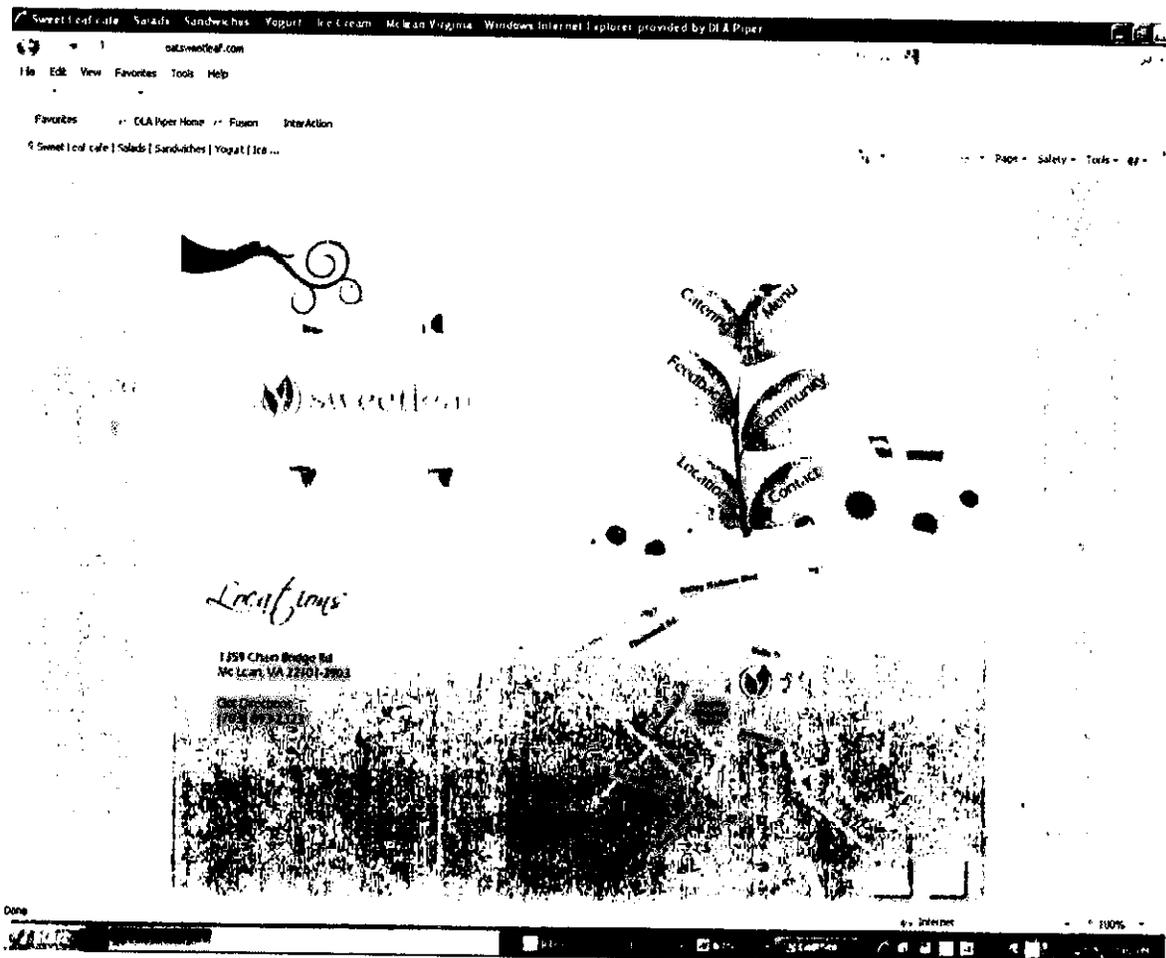
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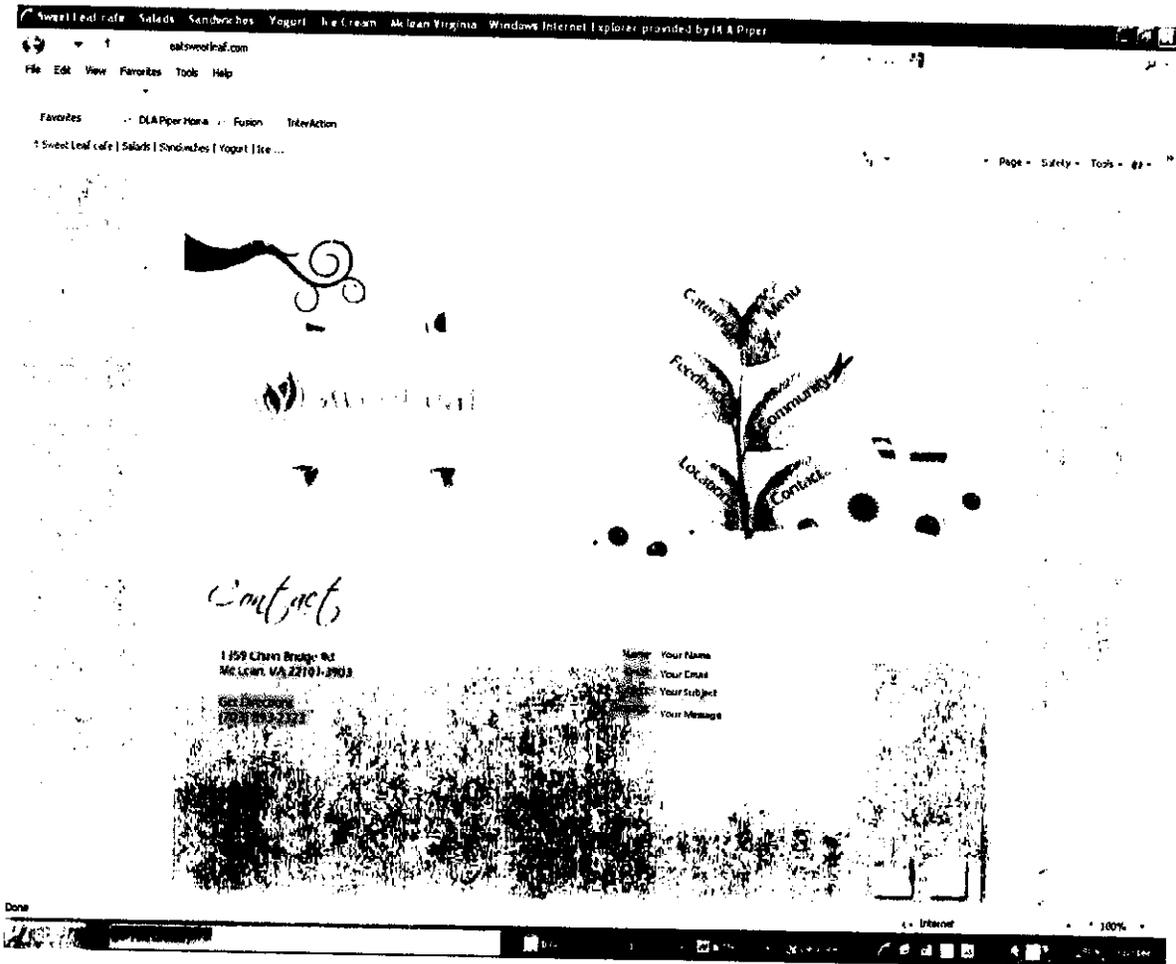


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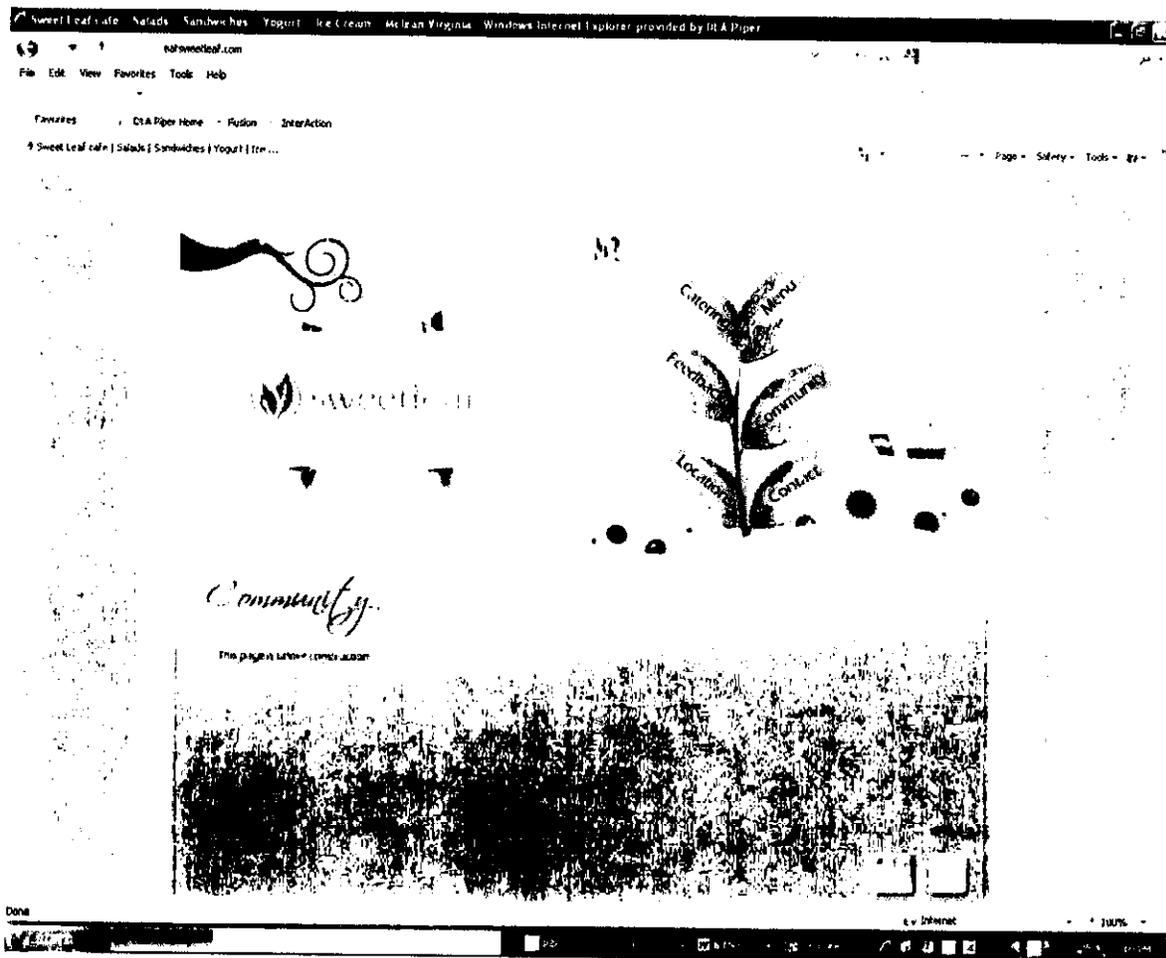


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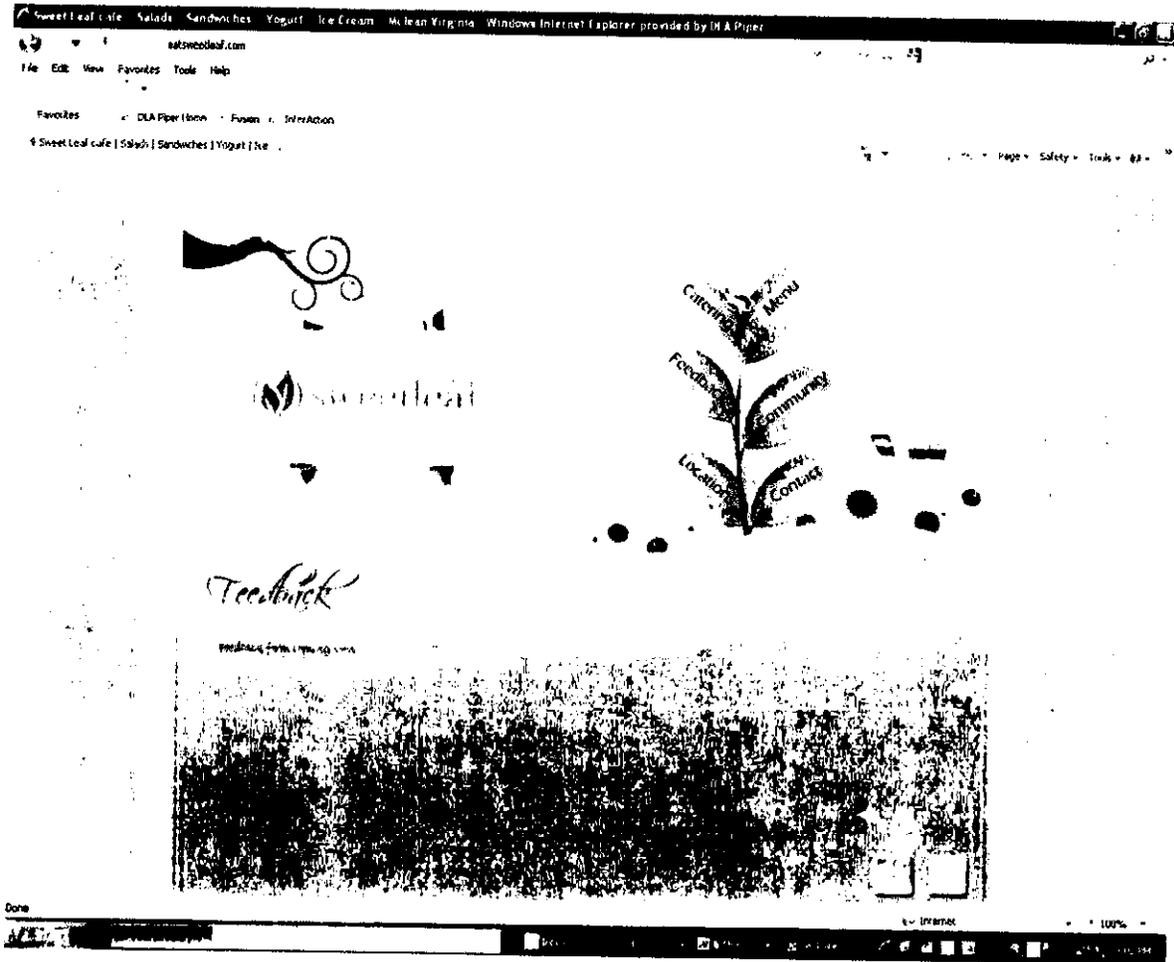


EXHIBIT K

menu

location

contact

sweet leaf



hot

fresh

Sweetleaf a community café opened June 1, 2009 and was brought to Mclean by the Matini family. But long before Sweetleaf the Matini family had already been serving the McLean Community through their first location Sweetstuff. The Matini family first opened Sweetstuff in 1994, on the corner of Spring Hill Road and Old Dominion Drive in McLean Va. Sweetstuff was known for its gourmet sandwiches, fresh salads, homemade soups, baked goods, coffee and French pastries.

about

location

contact

sweet leaf



hot

fresh

At the time Andre was in high school and Arita was in elementary, they both helped out on the weekends as much as they could. When Andre and Arita Matini graduated college they insisted on opening up their own location. They felt that so many deli's and cafes hadn't changed with the times and were becoming outdated. Andre came up with a business concept and Arita came up with the interior design.

Sweetleaf uses the same menu that Sweetstuff used, except for some subtle changes. Instead of cold sandwiches Andre insisted on hot sandwiches and instead of premade salads Arita insisted on making the salads as they are ordered. So came the slogan "Guys like it hot, Girls like it fresh" Both siblings agreed to cut out the French pastries and to add cupcakes and baked sweets; instead of soft serve vanilla yogurt they agreed on original tart flavored yogurt, topped with fresh fruit instead of your typical hot fudge and caramel toppings.

The final result was just as anticipated, a modern café where both guys and girls could get a healthy meal, at an affordable price.

Download the Menu >



Sandwiches

Signature Leaves

("Made By Us")

- The British - Roast Top Round of Beef, Swiss Chees \$6.00
- Le Club - Smoked Turkey, Swiss Chees, Crispy Bacon \$6.00
- The Italian - Ham, Salami, Mortadella, Prochoto, Provolone Cheese, Prosslutto \$6.00
- The New Englander - Smoked Ham, Swiss Cheese \$6.00
- Koo Koo Roo - Grilled Chicken Breast, Provolone Cheese \$6.00
- Fresh Stack - Swiss Cheese, Lettuce, Tomato, Green Pepper, Red Onion, Alfalfa Sprouts, Guacamole \$6.00
- Lady Bird - Egg Salad \$6.00
- Berry Leaf - Strawberries, Almonds, Cranberry, Cucumber, Green Leafs, Strawberry Balsamic Vinaigrette \$6.00
- California Cobb - Avocado, Hard Boiled Eggs, Bacon, Tomatoes, Green Leafs, Blue Cheese \$6.00
- Asian Chicken Salad - Crisp Wontons, Mandarin Oranges, Almonds, Sprouts, Sesame Seeds, Cilantro, Green Leafs, Chinese Plum Dressing \$6.00
- Positano - Hearts of Palm, Sun Dried Tomatoes, Artichoke, Olives, Green Leafs, Fresh Mozzarella, Positano Dressing \$6.00
- Santa Fe - Tortilla Chips, Corn, Cilantro, Avocado, Black Beans, Sour Cream, Cheddar Cheese, Tomatoes, Green Leafs, Salsa Dressing \$6.00
- ("Made By You") Sweet Leaf \$6.00
- Pick Your Leafs
Add up to 3 veggies
Add 1 crunch

EXHIBIT L

home menu sustainability story location contact

location

green



green

Georgetown - M Street

1600 M Street NW Washington, DC

202.331.9332

Monday - Friday

11:00am - 10:00pm

Dupont Circle - Connecticut Avenue

1511 Connecticut Avenue NW Washington, DC

202.331.9332 NOW OPEN

11:00am - 10:00pm

Bethesda - Bethesda Avenue

4400 Bethesda Avenue Bethesda, MD

301.462.9332 NOW OPEN

11:00am - 10:00pm



contact



story

green



the green



At Sweetgreen, we work hard to ensure that every aspect of our business is as sustainable as possible. From the way we source our ingredients to the way we manage our energy and water usage, we are committed to being a responsible and ethical business. We believe that being a green business is not just a nice-to-have, but a necessary part of doing business in the 21st century.

At Sweetgreen, we work hard to ensure that every aspect of our business is as sustainable as possible. From the way we source our ingredients to the way we manage our energy and water usage, we are committed to being a responsible and ethical business. We believe that being a green business is not just a nice-to-have, but a necessary part of doing business in the 21st century.

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menu

green



chef- salads

the bondi

freshly sliced organic arugula, shaved prosciutto, sweet cream ricotta, shaved asparagus, shaved wild rice, organic baby carrots, shaved with walnuts

le parisien

freshly sliced organic baby spinach, shaved prosciutto, shaved asparagus, shaved wild rice, organic baby carrots, shaved with walnuts

curry gold

freshly sliced organic baby spinach, shaved prosciutto, shaved asparagus, shaved wild rice, organic baby carrots, shaved with walnuts

chico

freshly sliced organic baby spinach, shaved prosciutto, shaved asparagus, shaved wild rice, organic baby carrots, shaved with walnuts

guacamole greens

freshly sliced organic baby spinach, shaved prosciutto, shaved asparagus, shaved wild rice, organic baby carrots, shaved with walnuts

la scuola

freshly sliced organic baby spinach, shaved prosciutto, shaved asparagus, shaved wild rice, organic baby carrots, shaved with walnuts

acts



home menu sustainability story locations blog

sustainability

green



green ability

At **green**, we're committed to the environment by focusing on clean energy, green building, and local sourcing. We're the only fast-casual dining concept that's 100% vegetarian and 100% locally sourced. **green** is a leader in sustainable dining and a model for the industry.

green Salad: Better reusable bowl

From **green**, we've developed a new reusable bowl for our salads. The bowl is made from a durable, food-grade material and is designed to be used for multiple meals. **green** is committed to reducing waste and promoting sustainability.



green
Green Restaurant
Certified
Green Building
Certified

Clean Currents

Green Energy Solutions

green
Green Energy
Solutions
Green Building
Certified



sustainability



green ability

Directly, green's core is sustainability. An industry heavy focused on
economic growth and profit jobs. As a result, employees work long hours
every day, often without compensation. In addition, we believe that
sustainable business practices are a win-win. green leads the industry
in sustainable business practices.



green food: Master reusable bowl

green's green food is made with locally sourced ingredients. We
believe in the power of local food. Our food is made with locally
sourced ingredients. We believe in the power of local food. Our food
is made with locally sourced ingredients.



green
sustainability
green building
certification
LEED

Clean Currents

Green Energy Solutions

green
energy solutions
clean energy
green energy
solutions

home

menu

sustainability

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location

blog



salad



yogurt



sweetgreen

Did you know that nearly all of our packaging is 100% recyclable?

Our silverware and cups are made from corn

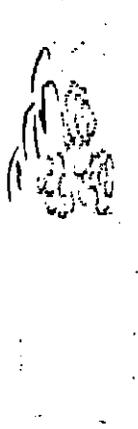
and if you plant our menus in the ground

they'll sprout into wildflowers!

meal sustainability story location



salad



yogurt



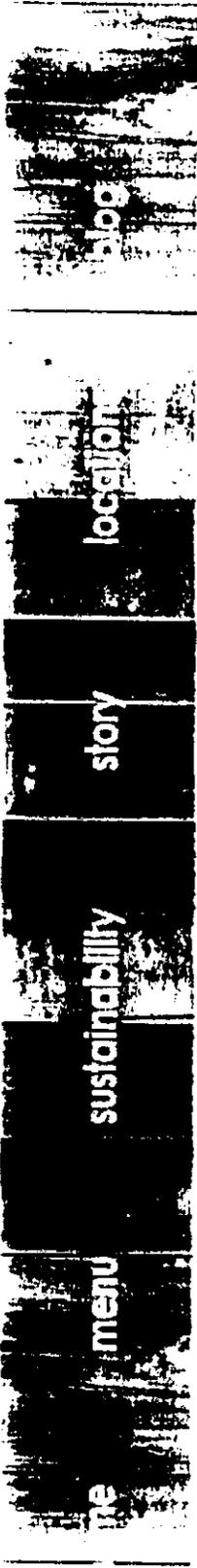
sweetgreen

Did you know? our new eco-friendly packaging is made from 100% recycled paper.

Our glassware and cups are made from glass.

And if you plant our menus in the ground,

they'll grow into wildflowers!



home

menu

sweetgreen



Did you know that nearly all of our packaging is biodegradable?
 Our silverware and cups are made from corn,
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home

menu

sustainability

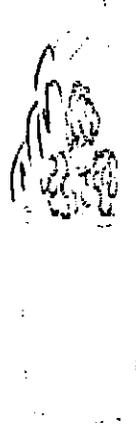
story

location

blog



salad



yogurt



sweetgreen

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EXHIBIT M

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

This page was generated by the TARR system on 2011-05-05 12:27:40 ET

Serial Number: 85254636 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

SWEETLEAF

(words only): SWEETLEAF

Standard Character claim: Yes

Current Status: New application will be assigned to an examining attorney approximately 3 months after filing date.

Date of Status: 2011-03-04

Filing Date: 2011-03-01

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

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: 042 -New Application Processing

Date In Location: 2011-03-04

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

1. SWEET LEAF, INC.

Address:

SWEET LEAF, INC.
1359 Chain Bridge Road
McLean, VA 22101
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Virginia

GOODS AND/OR SERVICES

International Class: 043
Class Status: Active
Restaurant Services
Basis: 1(a)
First Use Date: 2009-04-00
First Use in Commerce Date: 2009-04-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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2011-03-04 - New Application Office Supplied Data Entered In Tram

2011-03-04 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
John S. Hale

Correspondent
JOHN S. HALE
GIPPLE & HALE
6665A OLD DOMINION DR
MC LEAN, VA 22101-4508
Phone Number: 7034481770
Fax Number: 7034487780



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SWEETLEAF

Word Mark	SWEETLEAF
Goods and Services	IC 043. US 100 101. G & S: Restaurant Services. FIRST USE: 20090400. FIRST USE IN COMMERCE: 20090400
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85254636
Filing Date	March 1, 2011
Current Filing Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) SWEET LEAF, INC. CORPORATION VIRGINIA 1359 Chain Bridge Road. McLean VIRGINIA 22101
Attorney of Record	John S. Hale
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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