

ESTTA Tracking number: **ESTTA441173**

Filing date: **11/15/2011**

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	The Good Earth Corporation		
Entity	Corporation	Citizenship	California
Address	155 Chestnut Ridge Road Montvale, NJ 07645 UNITED STATES		

Attorney information	Gary H. Fechter McCarter & English, LLP 245 Park Avenue 27th Floor New York, NY 10167 UNITED STATES gfechter@mccarter.com, lshyavitz@mccarter.com, dlynch@mccarter.com Phone:(212) 609-6800		
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Applicant Information

Application No	85337652	Publication date	10/25/2011
Opposition Filing Date	11/15/2011	Opposition Period Ends	11/24/2011
Applicant	PIONEER PET PRODUCTS, LLC N144 W5660 Pioneer Road Cedarburg, WI 53012 UNITED STATES		

Goods/Services Affected by Opposition

Class 031. All goods and services in the class are opposed, namely: Cat litter and litter for small animals
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Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	943714	Application Date	05/27/1971
Registration Date	09/26/1972	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		
Design Mark			

Description of Mark	NONE
Goods/Services	Class U046 (International Class 029, 030, 031, 032, 033). First use: First Use: 1964/05/15 First Use In Commerce: 1964/08/10 NATURAL FOODS-NAMELY, ORGANIC EGGS, FRUIT JUICES, NAMELY, TOMATO JUICE, APPLE JUICE, BOISENBERRY JUICE, GRAPE JUICE, CIDER, VINEGAR, MAPLE SYRUP, POULTRY, FISH, BEEF, LAMB, PORK, VEAL, CANNED, DRIED, FROZEN AND FRESH VEGETABLES AND FRUITS, BAKERY PRODUCTS INCLUDING BREAD, BAGELS, COOKIES AND CAKES, CHEESE, MILK, BUTTER, DATES, HONEY, GRAINS, FLOURS, CEREALS, EDIBLE SEEDS, NUTS, BEANS, SAUCES, CONDIMENTS, HERBS, SPICES, TEAS, AND NOODLES

U.S. Registration No.	2563918	Application Date	03/06/1995
Registration Date	04/23/2002	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1980/00/00 First Use In Commerce: 1994/00/00 T-shirts, shorts, pants, jackets, jogging suits and sandals		

U.S. Application No.	85381571	Application Date	07/26/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: Spring water and sweet cider		

U.S. Registration No.	1913376	Application Date	08/24/1994
Registration Date	08/22/1995	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 021. First use: First Use: 1988/00/00 First Use In Commerce: 1988/00/00 ceramicware, namely teapots and mugs

U.S. Registration No.	2291798	Application Date	08/24/1994
Registration Date	11/16/1999	Foreign Priority Date	NONE

Word Mark	GOOD EARTH
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Design Mark	GOOD EARTH
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Description of Mark	NONE
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Goods/Services	Class 025. First use: First Use: 1988/00/00 First Use In Commerce: 1988/00/00 clothing, namely T-shirts and hats
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U.S. Registration No.	1914950	Application Date	08/31/1994
Registration Date	08/29/1995	Foreign Priority Date	NONE

Word Mark	GOOD EARTH
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 018. First use: First Use: 1994/00/00 First Use In Commerce: 1994/00/00 canvas tote bags
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U.S. Registration No.	1238249	Application Date	01/16/1981
Registration Date	05/17/1983	Foreign Priority Date	NONE

Word Mark	GOOD EARTH
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 016. First use: First Use: 1980/07/08 First Use In Commerce: 1980/07/08 Magazines Distributed to and Through Restaurants and to Restaurant Patrons, and which Present Subject-Matter Dealing with Good Health Through Nutrition, Exercise and Attitude
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U.S. Application No.	77393704	Application Date	02/11/2008
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Registration Date	NONE	Foreign Priority	NONE
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		Date	
Word Mark	GOOD EARTH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: Beverage used as a milk substitute Class 030. First use: Tea extracts Class 032. First use: Fruit juices; bottled drinking water; colas, namely, soft drinks		

U.S. Registration No.	3958837	Application Date	10/28/2009
Registration Date	05/10/2011	Foreign Priority Date	NONE

Word Mark	GOOD EARTH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2010/05/31 First Use In Commerce: 2010/05/31 Prepared meals consisting primarily of meat, fish, poultry, vegetables or potatoes Class 030. First use: First Use: 2010/05/31 First Use In Commerce: 2010/05/31 Prepared meals consisting primarily of rice or pasta; pasta salads		

U.S. Application No.	85347612	Application Date	06/16/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		

Design Mark	<h1>GOOD EARTH</h1>		
Description of Mark	NONE		
Goods/Services	<p>Class 029. First use: Milk-based beverages containing coffee</p> <p>Class 030. First use: Coffee; instant coffee, caffeine-free coffee; roasted coffee; powdered coffee; granulated coffee; whole coffee beans; ground coffee beans; roasted coffee beans; sugar-coated coffee beans; coffee-based beverage containing milk; prepared coffee; coffee-based beverages; coffee pods; coffee flavored syrup used in making food beverages; coffee substitutes made from grain; coffee substitutes made from chicory; artificial coffee; vegetable preparations for use as coffee</p> <p>Class 032. First use: Coffee-flavored soft drinks</p>		

U.S. Application No.	77894591	Application Date	12/16/2009
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	GOOD EARTH		
Design Mark	<h1>GOOD EARTH</h1>		
Description of Mark	NONE		
Goods/Services	<p>Class 029. First use: Canned tomatoes and processed tomatoes in a jar, soup, yogurt, snack bars consisting primarily of processed nuts, seeds and/or dried or dehydrated fruit; snack mixes consisting primarily of processed nuts, seeds, and/or dried or dehydrated fruit, soy-based snack foods, frozen appetizers, hors d'oeuvres and canapes consisting primarily of meat, poultry, seafood, vegetables or potatoes; potato-based snack foods</p> <p>Class 030. First use:</p>		

	Breakfast cereal, tomato based sauces, salsa, seasoning mixes, frozen yogurt, cereal based snack foods, granola based snack bars, snack mixes consisting primarily of crackers, pretzels, candied nuts, and/or popped popcorn, rice based snack foods, corn based snack foods; pizza, mixes for bakery goods; desserts, namely, bakery desserts, dessert souffles, dessert pudding; frozen grain and/or bread based appetizers, hors d-oeuvres and canapes; candy
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U.S. Application No.	85344787	Application Date	06/13/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: Mineral water, carbonated waters, drinking waters		

U.S. Registration No.	3683648	Application Date	07/18/2007
Registration Date	09/15/2009	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		
Design Mark			
Description of Mark	The mark consists of the wording "GOOD EARTH" with the first "O" in "GOOD" appearing as a rounded leaf; all of the wording is underlined by a curved line.		
Goods/Services	Class 030. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 tea; ready-to-drink tea based beverages; tea based powdered beverage mixes; tea based liquid beverage mixes; coffee; instant coffee; caffeine-free coffee; roasted coffee; powdered coffee; granulated coffee; whole coffee beans; ground coffee beans; roasted coffee beans; sugar-coated coffee beans; coffee-based beverage containing milk; prepared coffee; coffee-based beverages; coffee pods; coffee flavored syrup used in making food beverages; coffee substitutes made from grain; coffee substitutes made from chicory; artificial coffee; vegetable preparations for use as coffee		

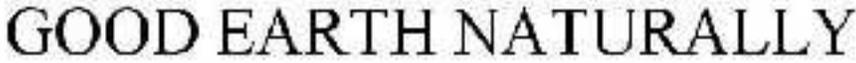
U.S. Application No.	77896061	Application Date	12/17/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		
Design Mark			
Description of Mark	The mark consists of the words "GOOD EARTH" in stylized lettering.		
Goods/Services	<p>Class 029. First use: Prepared meals consisting primarily of meat, fish, poultry, vegetables or potatoes; canned and frozen vegetables, canned tomatoes and processed tomatoes in a jar, soup, yogurt, snack bars consisting primarily of processed nuts, seeds and/or dried or dehydrated fruit, snack mixes consisting primarily of processed nuts, seeds, and/or dried or dehydrated fruit, soy-based snack food; frozen appetizers, hors d'oeuvres and canapes consisting primarily of meat, poultry, seafood, vegetables or potatoes; potato-based snack foods</p> <p>Class 030. First use: Prepared meals consisting primarily of rice or pasta; pasta salads; breakfast cereal, tomato based sauces, salsa, seasoning mixes, processed herbs, spices, condiments, namely, ketchup, mustard, relishes, Worcester sauce; bread, biscuits, rolls, bagels, cookies, cakes, frozen yogurt, cereal based snack foods, granola based snack bars, snack mixes consisting primarily of crackers, pretzels, candied nuts, and/or popped popcorn, rice based snack foods, corn based snack foods; pizza, frozen grain or and/or bread based appetizers, hors d'oeuvres and canapes; mixes for bakery goods; desserts, namely, bakery desserts, dessert souffles, dessert pudding; candy; coffee and tea</p>		

U.S. Application No.	77904486	Application Date	01/04/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GOOD EARTH		
Design Mark			

Description of Mark	The mark consists of the words "GOOD EARTH" in stylized lettering.
Goods/Services	Class 035. First use: Franchising, namely, offering business management assistance in the establishment and/or operation of restaurants Class 043. First use: Restaurant services

U.S. Registration No.	3997953	Application Date	01/04/2011
Registration Date	07/19/2011	Foreign Priority Date	NONE

Word Mark	GOOD EARTH NATURALLY
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 043. First use: First Use: 2008/09/00 First Use In Commerce: 2008/09/00 Restaurant services
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U.S. Application No.	85071692	Application Date	06/25/2010
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	GOOD EARTH PRODUCTS
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 030. First use: Teas
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U.S. Registration	3235618	Application Date	01/30/2006
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No.			
Registration Date	05/01/2007	Foreign Priority Date	NONE
Word Mark	GOOD EARTH WHITE TEA & GREEN TEA BLEND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2005/08/29 First Use In Commerce: 2005/08/29 Tea		

U.S. Registration No.	3235620	Application Date	01/30/2006
Registration Date	05/01/2007	Foreign Priority Date	NONE
Word Mark	GOOD EARTH WHITE TEA & GREEN TEA BLEND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2005/08/29 First Use In Commerce: 2005/08/29 Tea		

U.S. Registration No.	1114999	Application Date	02/28/1977
Registration Date	03/13/1979	Foreign Priority Date	NONE
Word Mark	THE GOOD EARTH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1975/03/00 First Use In Commerce: 1975/04/00 [RENDERING TECHNICAL ASSISTANCE IN CONNECTION WITH THE		

	ESTABLISHMENT AND/OR OPERATION OF HEALTH FOOD RESTAURANTS] Class 042. First use: First Use: 1975/03/00 First Use In Commerce: 1975/04/00 RESTAURANT SERVICES
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U.S. Application No.	85344766	Application Date	06/13/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	THE GOOD EARTH EXPRESS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: Restaurant services		

Attachments	85381571#TMSN.jpeg (1 page)(bytes) 74565142#TMSN.gif (1 page)(bytes) 77393704#TMSN.jpeg (1 page)(bytes) 77859290#TMSN.jpeg (1 page)(bytes) 85347612#TMSN.jpeg (1 page)(bytes) 77894591#TMSN.jpeg (1 page)(bytes) 85344787#TMSN.jpeg (1 page)(bytes) 77232498#TMSN.jpeg (1 page)(bytes) 77896061#TMSN.jpeg (1 page)(bytes) 77904486#TMSN.jpeg (1 page)(bytes) 85209758#TMSN.jpeg (1 page)(bytes) 85071692#TMSN.jpeg (1 page)(bytes) 76654262#TMSN.jpeg (1 page)(bytes) 76654433#TMSN.jpeg (1 page)(bytes) 85344766#TMSN.jpeg (1 page)(bytes) Notice of Opposition.pdf (11 pages)(405993 bytes) Exhibit A to Notice of Opposition.pdf (65 pages)(2052579 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 Overnight Courier on this date.

Signature	/ghf/
Name	Gary H. Fechter

Date	11/15/2011
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application :
Serial No. 85/337,652 :
For the mark: **THE GOOD EARTH** :
 :
THE GOOD EARTH CORPORATION, : OPPOSITION NO. _____
Opposer, :
 :
v. :
 :
PIONEER PET PRODUCTS, LLC :
Applicant. :

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

1. Opposer THE GOOD EARTH CORPORATION (“Opposer”) is a corporation organized and existing under the laws of California, having a principal place of business at 155 Chestnut Ridge Road, Montvale, NJ 07645.
2. Upon information and belief, Applicant Pioneer Pet Products, LLC (“Applicant”) is a Wisconsin limited liability company, having an address at N144 W5660 Pioneer Road, Cedarburg, WI 53102.
3. Opposer believes that it will be damaged by the registration of Applicant’s Application Serial No. 85/337,652 for the mark THE GOOD EARTH as it relates to the following goods in International Class 31: “cat litter and litter for small animals” (“Applicant’s Mark”).
4. Opposer is the owner of numerous U.S. trademark registrations and applications for marks consisting of the term “THE GOOD EARTH” and containing the term “GOOD EARTH” (collectively, “the GOOD EARTH marks”) as used in connection primarily with beverages and food products and related services. The U.S. Patent and Trademark Office’s TARR printouts of these registrations and applications are attached as Exhibit A and are as follows:

MARK	REG./APP. NO.	REG./FILING DATE	GOODS	CLASS
GOOD EARTH	943,714	September 26 1972	natural foods-namely, organic eggs, fruit juices, namely, tomato juice, apple juice, boisenberry juice, grape juice, cider, vinegar, maple syrup, poultry, fish, beef, lamb, pork, veal, canned, dried, frozen and fresh vegetables and fruits, bakery products including bread, bagels, cookies and cakes, cheese, milk, butter, dates, honey, grains, flours, cereals, edible seeds, nuts, beans, sauces, condiments, herbs, spices, teas, and noodles	29, 30, 31, 32 and 33
GOOD EARTH	2,563,918	April 23, 2002	t-shirts, shorts, pants, jackets, jogging suits and sandals	25
GOOD EARTH	85/381,571	July 26, 2011	spring water and sweet cider	32
GOOD EARTH	1,913,376	August 22, 1995	ceramicware, namely teapots and mugs	21
GOOD EARTH	2,291,798	November 16, 1999	clothing, namely t-shirts and hats	25
GOOD EARTH	1,914,950	August 29, 1995	canvas tote bags	18
GOOD EARTH	1,238,249	May 17, 1983	magazines distributed to and through restaurants and to restaurant patrons, and which present subject-matter dealing with good	16

MARK	REG./APP. NO.	REG./FILING DATE	GOODS	CLASS
			health through nutrition, exercise and attitude	
GOOD EARTH	77/393,704	February 11, 2008	fruit juices; bottled drinking water; colas, namely, soft drinks	29, 30, and 32
GOOD EARTH	3,958,837	May 10, 2011	Prepared meals consisting primarily of meat, fish, poultry, vegetables or potatoes	29 and 30
GOOD EARTH	85/347,612	June 16, 2011	Milk-based beverages containing coffee and coffee; instant coffee, caffeine-free coffee; roasted coffee; powdered coffee; granulated coffee; whole coffee beans; ground coffee beans; roasted coffee beans; sugar-coated coffee beans; coffee-based beverage containing milk; prepared coffee; coffee-based beverages; coffee pods; coffee flavored syrup used in making food beverages; coffee substitutes made from grain; coffee substitutes made from chicory; artificial coffee; vegetable preparations for use as coffee	29, 30, and 32
GOOD EARTH	77/894,591	December 16, 2009	Canned tomatoes and processed tomatoes in a jar, soup, yogurt, snack bars consisting	29 and 30

MARK	REG./APP. NO.	REG./FILING DATE	GOODS	CLASS
			<p>primarily of processed nuts, seeds and/or dried or dehydrated fruit; snack mixes consisting primarily of processed nuts, seeds, and/or dried or dehydrated fruit, soy-based snack foods, frozen appetizers, hors d'oeuvres and canapes consisting primarily of meat, poultry, seafood, vegetables or potatoes; potato-based snack foods, and Breakfast cereal, tomato based sauces, salsa, seasoning mixes, frozen yogurt, cereal based snack foods, granola based snack bars, snack mixes consisting primarily of crackers, pretzels, candied nuts, and/or popped popcorn, rice based snack foods, corn based snack foods; pizza, mixes for bakery goods; desserts, namely, bakery desserts, dessert souffles, dessert pudding; frozen grain and/or bread based appetizers, hors d'oeuvres and canapes;</p>	

MARK	REG./APP. NO.	REG./FILING DATE	GOODS	CLASS
			candy	
GOOD EARTH	85/344,787	June 13, 2011	Mineral water, carbonated waters, drinking waters	32
GOOD EARTH & DESIGN	3,683,648	September 15, 2009	tea; ready-to-drink tea based beverages; tea based powdered beverage mixes; tea based liquid beverage mixes; coffee; instant coffee; caffeine-free coffee; roasted coffee; powdered coffee; granulated coffee; whole coffee beans; ground coffee beans; roasted coffee beans; sugar-coated coffee beans; coffee-based beverage containing milk; prepared coffee; coffee-based beverages; coffee pods; coffee flavored syrup used in making food beverages; coffee substitutes made from grain; coffee substitutes made from chicory; artificial coffee; vegetable preparations for use as coffee	30
GOOD EARTH (stylized)	77/896,061	December 17, 2009	Prepared meals consisting primarily of meat, fish, poultry, vegetables or potatoes; canned and frozen vegetables,	29 and 30

MARK	REG./APP. NO.	REG./FILING DATE	GOODS	CLASS
			canned tomatoes and processed tomatoes in a jar, soup, yogurt, snack bars consisting primarily of processed nuts, seeds and/or dried or dehydrated fruit, snack mixes consisting primarily of processed nuts, seeds, and/or dried or dehydrated fruit, soy-based snack food; frozen appetizers, hors d'oeuvres and canapes consisting primarily of meat, poultry, seafood, vegetables or potatoes; potato-based snack foods and Prepared meals consisting primarily of rice or pasta; pasta salads; breakfast cereal, tomato based sauces, salsa, seasoning mixes, processed herbs, spices, condiments, namely, ketchup, mustard, relishes, Worcester sauce; bread, biscuits, rolls, bagels, cookies, cakes, frozen yogurt, cereal based snack foods, granola based snack bars, snack mixes consisting primarily of crackers,	

MARK	REG./APP. NO.	REG./FILING DATE	GOODS	CLASS
			pretzels, candied nuts, and/or popped popcorn, rice based snack foods, corn based snack foods; pizza, frozen grain or and/or bread based appetizers, hors d'oeuvres and canapes; mixes for bakery goods; desserts, namely, bakery desserts, dessert souffles, dessert pudding; candy; coffee and tea	
GOOD EARTH (stylized)	77/904,486	January 4, 2010	franchising, namely, offering business management assistance in the establishment and/or operation of restaurants	35 and 43
GOOD EARTH NATURALLY	3,997,953	July 19, 2011	restaurant services	43
GOOD EARTH PRODUCTS	85/071,692	June 25, 2010	teas	30
GOOD EARTH WHITE TEA & GREEN TEA BLEND with Green Stripe	3,235,618	May 1, 2007	tea	30
GOOD EARTH WHITE TEA & GREEN TEA BLEND with Yellow Stripe	3,235, 620	May 1, 2007	tea	30
THE GOOD EARTH	1,114,999	March 13, 1979	restaurant services	42
THE GOOD EARTH EXPRESS	85/344,766	June 13, 2011	restaurant services	43

5. By reason of the extensive promotion, advertizing, and high quality products manufactured and distributed by Opposer in conjunction with its GOOD EARTH marks, the public and the trade have come to recognize the products and/or services offered in conjunction with these marks as signifying Opposer and its beverage, food and other products and/or services.

6. Opposer's GOOD EARTH marks were used, and the registrations were issued, for the goods and services indicated therein, on the dates indicated. There is no issue as to priority. The Applicant has not yet claimed use of Applicant's Mark, and June 3, 2011, the date that Applicant filed its application to register Applicant's Mark on an intent to use basis is decades after the dates when Opposer first used and registered its GOOD EARTH marks.

7. Opposer's use of its GOOD EARTH marks has been continuous since its date of first use, and the marks have not been abandoned. Opposer's use of a family of GOOD EARTH marks (marks that include the term "GOOD EARTH", including the GOOD EARTH marks set forth in Exhibit A) has been continuous since prior to Applicant's filing date of its application to register THE GOOD EARTH. Opposer's GOOD EARTH marks are symbolic of the extensive goodwill and consumer recognition built up by Opposer through substantial amounts of time and effort in advertising, promoting, and selling its goods and offering its services under these marks. Opposer's GOOD EARTH marks are composed and used in such a way that the purchasing public associates such marks with Opposer. Opposer's GOOD EARTH marks are distinctive and have become widely recognized by the consuming public as a designation of the source of Opposer's goods and services.

8. Notwithstanding Opposer's long prior rights in the GOOD EARTH marks, Applicant has filed an application, Serial No. 85/337,652, to register THE GOOD EARTH for cat litter and litter for small animals. Applicant's Mark was published for opposition in the Official Gazette on October 25, 1011.

9. The trademark proposed for registration by the Applicant, namely, THE GOOD EARTH, is identical to a mark owned by Opposer and virtually identical to other of Opposer's marks, and is applied to goods similar to those offered by Opposer. Applicant's Mark so closely resembles Opposer's GOOD EARTH marks as to be likely to be confused therewith and mistaken therefor. Applicant's Mark is deceptively similar to Opposer's GOOD EARTH marks so as to cause confusion and lead to deception as to origin of Applicant's goods bearing the Applicant's Mark.

COUNT ONE

Likelihood of Confusion

10. Opposer repeats and realleges each and every allegation set forth in paragraphs 1 through 9.

11. In view of the similarity between Opposer's GOOD EARTH marks and Applicant's Mark, and the related nature of the goods of the respective parties, Applicant's Mark so resembles Opposer's GOOD EARTH marks, which were previously used in the United States and not abandoned, as to be likely to cause confusion, or to cause mistake, or to deceive.

12. The granting of a trademark registration for THE GOOD EARTH to Applicant would be contrary to Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), and would violate or diminish the prior and superior rights of Opposer in its GOOD EARTH marks.

13. Opposer will be damaged if Application Serial No. 85/337,652 should issue to registration because Applicant will obtain statutory rights in the designation THE GOOD EARTH in violation and derogation of the established prior rights of Opposer.

COUNT TWO

Dilution

14. Opposer repeats and realleges each and every allegation set forth in paragraphs 1 through 13.

15. In view of the strength of Opposer's GOOD EARTH marks, the duration and extent of Opposer's use and advertising of its GOOD EARTH marks, the nationwide use of Opposer's GOOD EARTH marks, and the degree of recognition of Opposer's GOOD EARTH marks, Opposer's GOOD EARTH marks have become famous. Opposer's GOOD EARTH Marks were famous prior to the filing date of Applicant's application for Applicant's Mark.

16. Applicant's Mark and application are likely to cause, and will cause, dilution of the distinctive value of Opposer's GOOD EARTH marks under Section 43(c) of the Lanham Act of 1946, as amended, 15 U.S.C. § 1125(c).

17. Opposer will be damaged if Application Serial No. 85/337,652 is granted registration because Applicant will obtain statutory rights in the designation THE GOOD EARTH in violation and derogation of the established prior rights of Opposer.

COUNT THREE

False Designation of Origin

18. Opposer repeats and realleges each and every allegation set forth in paragraphs 1 through 17.

19. Applicant's unauthorized proposed distribution of cat litter and litter for small animals bearing Applicant's Mark will constitute a false designation of origin and a false description or representation that Applicant's sale of such products is authorized by Opposer, and is thereby likely to confuse consumers.

20. Upon information and belief, Applicant intends to use the designation THE GOOD EARTH with full knowledge that such designation is associated exclusively with Opposer and exclusively designates Opposer's goods and services. Applicant's proposed acts of unfair competition will be willful and deliberate and with intent to reap the benefit of the goodwill and reputation associated with Opposer's GOOD EARTH marks.

21. Applicant's proposed sale and distribution of cat litter and litter for small animals bearing Applicant's Mark will violate Section 43(a)(1)(A) of the Lanham Act, 15 U.S.C. § 1125(a)(1)(A).

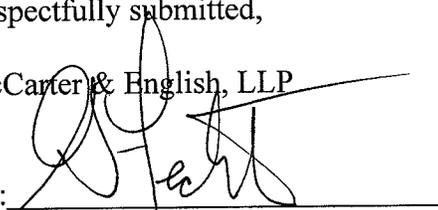
22. Opposer will be damaged if Application Serial No. 85/337,652 should issue to registration because Applicant will obtain statutory rights in the designation THE GOOD EARTH in violation and derogation of the established prior right of Opposer.

WHEREFORE, Opposer prays that said Application Serial No. 85/337,652 be rejected, that no registration be issued thereon to Applicant in Class 31, and that this opposition be sustained in favor of Opposer.

Dated: November 15, 2011

Respectfully submitted,

McCarter & English, LLP

By: 

Gary H. Fechter

Lori Shyavitz

Attorneys for Opposer

The Good Earth Corporation

245 Park Ave

27th Floor

New York, NY 10167

Tel: (212) 609-6800

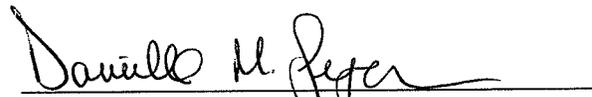
Fax: (212) 609-6921

CERTIFICATION OF SERVICE

The undersigned hereby certifies that the original of the foregoing NOTICE OF OPPOSITION has been served by overnight mail to Applicant's attorney of record at the following address:

Kyle M. Costello
Boyle Fredrickson, S.C.
840 N Plankinton Ave.
Milwaukee, WI 53203-1802

Dated: November 15, 2011



Danielle M. Lynch

EXHIBIT A

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

This page was generated by the TARR system on 2011-11-15 14:59:51 ET

Serial Number: 72393253 Assignment Information Trademark Document Retrieval

Registration Number: 943714

Mark (words only): GOOD EARTH

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2003-01-10

Filing Date: 1971-05-27

Transformed into a National Application: No

Registration Date: 1972-09-26

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2008-09-08

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

1. GOOD EARTH CORPORATION, THE

Address:

GOOD EARTH CORPORATION, THE
831 ALMAR AVENUE
SANTA CRUZ, CA 95060
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

U.S. Class: 046 (International Class 029, 030, 031, 032, 033)

Class Status: Active

NATURAL FOODS-NAMELY, ORGANIC EGGS, FRUIT JUICES, NAMELY, TOMATO JUICE, APPLE JUICE, BOISENBERRY JUICE, GRAPE JUICE, CIDER, VINEGAR, MAPLE SYRUP, POULTRY, FISH, BEEF, LAMB, PORK, VEAL, CANNED, DRIED, FROZEN AND FRESH VEGETABLES AND FRUITS, BAKERY PRODUCTS INCLUDING BREAD, BAGELS, COOKIES AND CAKES, CHEESE, MILK, BUTTER, DATES, HONEY, GRAINS, FLOURS, CEREALS, EDIBLE SEEDS, NUTS, BEANS, SAUCES,

CONDIMENTS, HERBS, SPICES, TEAS, AND NOODLES

Basis: 1(a)

First Use Date: 1964-05-15

First Use in Commerce Date: 1964-08-10

ADDITIONAL INFORMATION

Prior Registration Number(s):

616952

829179

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2008-09-08 - Case File In TICRS

2006-01-11 - TEAS Change Of Correspondence Received

2005-04-27 - TEAS Change Of Correspondence Received

2003-01-10 - Second renewal 10 year

2003-01-10 - Section 8 (10-year) accepted/ Section 9 granted

2002-09-27 - Combined Section 8 (10-year)/Section 9 filed

2002-09-27 - PAPER RECEIVED

1993-02-03 - First renewal 10 year

1992-12-11 - Post Registration action mailed - Section 9

1992-09-28 - Section 9 filed/check record for Section 8

1979-02-05 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

PETER S. REICHERTZ

Correspondent

Peter S. Reichertz, Esq.

Sheppard Mullin Richter & Hampton LLP

1300 I Street, N.W., 11th Floor - East

Washington DC 20005-3314

Phone Number: 202-772-5333
Fax Number: 202-312-9426

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

This page was generated by the TARR system on 2011-11-15 14:56:25 ET

Serial Number: 74642203 Assignment Information Trademark Document Retrieval

Registration Number: 2563918

Mark (words only): GOOD EARTH

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2008-07-24

Filing Date: 1995-03-06

Transformed into a National Application: No

Registration Date: 2002-04-23

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-07-24

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

1. Good Earth Corporation, The

Address:

Good Earth Corporation, The
831 Almar Avenue
Santa Cruz, CA 95060
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 025

Class Status: Active

T-shirts, shorts, pants, jackets, jogging suits and sandals

Basis: 1(a)

First Use Date: 1980-00-00

First Use in Commerce Date: 1994-00-00

ADDITIONAL INFORMATION

Prior Registration Number(s):

943714
1114999
1238249
1321440
1627516

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2008-07-24 - Section 8 (6-year) accepted & Section 15 acknowledged

2008-04-29 - Assigned To Paralegal

2008-04-14 - TEAS Section 8 & 15 Received

2007-05-10 - Case File In TICRS

2006-01-11 - TEAS Change Of Correspondence Received

2002-04-23 - Registered - Principal Register

2002-02-15 - Allowed for Registration - Principal Register (SOU accepted)

2002-02-12 - Assigned To Examiner

2002-01-04 - Statement Of Use Processing Complete

2001-07-10 - Use Amendment Filed

2001-06-26 - NOA Mailed - SOU Required From Applicant

2001-04-06 - Opposition terminated for Proceeding

2001-04-06 - Opposition dismissed for Proceeding

1996-08-12 - Opposition instituted for Proceeding

1996-01-02 - Extension Of Time To Oppose Received

1995-12-05 - Published for opposition

1995-11-03 - Notice of publication

1995-08-06 - Approved For Pub - Principal Register

1995-08-01 - Examiner's amendment mailed

1995-07-17 - Assigned To Examiner

1995-07-03 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Peter S. Reichertz, Esq.

Correspondent

Peter S. Reichertz, Esq.

Sheppard Mullin Richter & Hampton LLP

1300 I Street, N.W., 11th Floor - East

Washington DC 20005-3314

Phone Number: 202-772-5333

Fax Number: 202-312-9426

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

This page was generated by the TARR system on 2011-11-15 15:00:27 ET

Serial Number: 85381571 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GOOD EARTH

(words only): GOOD EARTH

Standard Character claim: Yes

Current Status: Application has been published for opposition. The opposition period begins on the date of publication.

Date of Status: 2011-11-01

Filing Date: 2011-07-26

The Information will be/was published in the Official Gazette on 2011-11-01

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
LOWRY LEIGH A

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-09-26

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

1. The Good Earth Corporation

Address:
The Good Earth Corporation
155 Chestnut Ridge Rd
Montvale, NJ 07645
United States

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

GOODS AND/OR SERVICES

International Class: 032
Class Status: Active
Spring water and sweet cider
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-11-01 - Notice Of Actual Publication E-Mailed
2011-11-01 - Published for opposition
2011-09-24 - Approved For Pub - Principal Register
2011-09-24 - Assigned To Examiner
2011-08-01 - New Application Office Supplied Data Entered In Tram
2011-07-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Gary H. Fechter

Correspondent
GARY H. FECHTER
MCCARTER & ENGLISH LLP
245 PARK AVE FL 27
NEW YORK, NY 10167-2801
Phone Number: 212 609 6800
Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:00:46 ET

Serial Number: 74565140 Assignment Information Trademark Document Retrieval

Registration Number: 1913376

Mark (words only): GOOD EARTH

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2005-04-25

Filing Date: 1994-08-24

Transformed into a National Application: No

Registration Date: 1995-08-22

Register: Principal

Law Office Assigned: LAW OFFICE 10

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2005-04-25

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

1. Good Earth Corporation, The

Address:

Good Earth Corporation, The
831 Almar Avenue
Santa Cruz, CA 95060
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 021

Class Status: Active

ceramicware, namely teapots and mugs

Basis: 1(a)

First Use Date: 1988-00-00

First Use in Commerce Date: 1988-00-00

ADDITIONAL INFORMATION

Prior Registration Number(s):

943714
1114999
1238249
1321440
1627516

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.

2006-01-11 - TEAS Change Of Correspondence Received
2005-04-27 - TEAS Change Of Correspondence Received
2005-04-25 - First renewal 10 year
2005-04-25 - Section 8 (10-year) accepted/ Section 9 granted
2005-04-25 - Assigned To Paralegal
2005-03-28 - Combined Section 8 (10-year)/Section 9 filed
2005-03-28 - PAPER RECEIVED
2001-07-12 - Section 8 (6-year) accepted & Section 15 acknowledged
2001-05-10 - Section 8 (6-year) and Section 15 Filed
1995-08-22 - Registered - Principal Register
1995-05-30 - Published for opposition
1995-04-28 - Notice of publication
1995-01-21 - Approved for Pub - Principal Register (Initial exam)
1995-01-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
PETER S REICHERTZ

Correspondent

Peter S. Reichertz, Esq.
Sheppard Mullin Richter & Hampton LLP
1300 I Street, N.W., 11th Floor - East
Washington DC 20005-3314
Phone Number: 202-772-5333
Fax Number: 202-312-9426

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

This page was generated by the TARR system on 2011-11-15 15:00:58 ET

Serial Number: 74565142 Assignment Information Trademark Document Retrieval

Registration Number: 2291798

Mark (words only): GOOD EARTH

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2009-11-23

Filing Date: 1994-08-24

Transformed into a National Application: No

Registration Date: 1999-11-16

Register: Principal

Law Office Assigned: LAW OFFICE 109

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: 2009-11-23

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

1. Good Earth Corporation, The

Address:

Good Earth Corporation, The
155 Chestnut Ridge Road
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 025

Class Status: Active

clothing, namely T-shirts and hats

Basis: 1(a)

First Use Date: 1988-00-00

First Use in Commerce Date: 1988-00-00

ADDITIONAL INFORMATION

Prior Registration Number(s):

943714
1114999
1238249
1321440
1627516

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.

2009-11-23 - First renewal 10 year
2009-11-23 - Section 8 (10-year) accepted/ Section 9 granted
2009-11-12 - TEAS Section 8 & 9 Received
2006-01-11 - TEAS Change Of Correspondence Received
2005-05-16 - TEAS Change Of Correspondence Received
2005-04-29 - Section 8 (6-year) accepted & Section 15 acknowledged
2005-03-28 - Section 8 (6-year) and Section 15 Filed
2005-03-28 - PAPER RECEIVED
1999-11-16 - Registered - Principal Register
1999-09-29 - Opposition terminated for Proceeding
1999-09-29 - Opposition dismissed for Proceeding
1996-08-15 - Opposition instituted for Proceeding
1995-07-03 - Extension Of Time To Oppose Received
1995-05-30 - Published for opposition
1995-04-28 - Notice of publication
1995-01-21 - Approved for Pub - Principal Register (Initial exam)
1995-01-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

Gary H. Fechter

McCarter & English LLP

245 Park Avenue, 27th Floor

New York NY 10167-0001

Phone Number: 212 609 6800

Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:01:12 ET

Serial Number: 74567956 Assignment Information Trademark Document Retrieval

Registration Number: 1914950

Mark (words only): GOOD EARTH

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2005-04-25

Filing Date: 1994-08-31

Transformed into a National Application: No

Registration Date: 1995-08-29

Register: Principal

Law Office Assigned: LAW OFFICE 10

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2005-04-25

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

1. Good Earth Corporation, The

Address:

Good Earth Corporation, The
831 Almar Avenue
Santa Cruz, CA 95060
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 018

Class Status: Active

canvas tote bags

Basis: 1(a)

First Use Date: 1994-00-00

First Use in Commerce Date: 1994-00-00

ADDITIONAL INFORMATION

Prior Registration Number(s):

943714
1114999
1238249
1321440
1627516

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.

2006-01-11 - TEAS Change Of Correspondence Received
2005-04-27 - TEAS Change Of Correspondence Received
2005-04-25 - First renewal 10 year
2005-04-25 - Section 8 (10-year) accepted/ Section 9 granted
2005-04-25 - Assigned To Paralegal
2005-03-28 - Combined Section 8 (10-year)/Section 9 filed
2005-03-28 - PAPER RECEIVED
2002-04-03 - Section 8 (6-year) accepted & Section 15 acknowledged
2001-05-10 - Section 8 (6-year) and Section 15 Filed
1995-08-29 - Registered - Principal Register
1995-06-06 - Published for opposition
1995-05-05 - Notice of publication
1995-01-31 - Approved for Pub - Principal Register (Initial exam)
1995-01-24 - Examiner's amendment mailed
1995-01-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
PETER S. REICHERTZ

Correspondent

Peter S. Reichertz, Esq.

Sheppard Mullin Richter & Hampton LLP

1300 I Street, N.W., 11th Floor - East

Washington DC 20005-3314

Phone Number: 202-772-5333

Fax Number: 202-312-9426

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

This page was generated by the TARR system on 2011-11-15 15:01:22 ET

Serial Number: 73293306 Assignment Information Trademark Document Retrieval

Registration Number: 1238249

Mark (words only): GOOD EARTH

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2003-08-21

Filing Date: 1981-01-16

Transformed into a National Application: No

Registration Date: 1983-05-17

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2008-04-28

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

1. GOOD EARTH CORPORATION, THE

Address:

GOOD EARTH CORPORATION, THE
17327 VENTURA BLVD., SUITE 301
ENCINO, CA 91316
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 016

Class Status: Active

Magazines Distributed to and Through Restaurants and to Restaurant Patrons, and which Present Subject-Matter Dealing with Good Health Through Nutrition, Exercise and Attitude

Basis: 1(a)

First Use Date: 1980-07-08

First Use in Commerce Date: 1980-07-08

ADDITIONAL INFORMATION

Prior Registration Number(s):

1114999

8291790

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2008-04-28 - Case File In TICRS

2006-01-11 - TEAS Change Of Correspondence Received

2003-08-21 - First renewal 10 year

2003-08-21 - Section 8 (10-year) accepted/ Section 9 granted

2003-05-16 - Combined Section 8 (10-year)/Section 9 filed

2003-05-16 - PAPER RECEIVED

1989-08-24 - Section 8 (6-year) accepted & Section 15 acknowledged

1989-05-17 - Section 8 (6-year) and Section 15 Filed

1983-05-17 - Registered - Principal Register

1982-08-03 - Published for opposition

1983-05-17 - Registered - Principal Register

1982-06-22 - Notice of publication

1982-06-14 - Approved for Pub - Principal Register (Initial exam)

1981-12-18 - Non-final action mailed

1981-10-09 - Assigned To Examiner

1981-04-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Peter S. Reichertz, Esq.

Sheppard Mullin Richter & Hampton LLP
1300 I Street, N.W., 11th Floor - East
Washington DC 20005-3314
Phone Number: 202-772-5333
Fax Number: 202-312-9426

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

This page was generated by the TARR system on 2011-11-15 15:01:37 ET

Serial Number: 77393704 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GOOD EARTH

(words only): GOOD EARTH

Standard Character claim: Yes

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

Date of Status: 2011-07-05

Filing Date: 2008-02-11

The Notice of Allowance Date is: 2009-01-20

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
NEVILLE J BRIAN

Current Location: 700 -Intent To Use Section

Date In Location: 2009-09-04

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Road
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California
Phone Number: 202-772-5333
Fax Number: 202 312-9426

GOODS AND/OR SERVICES

International Class: 029
Class Status: Active
Beverage used as a milk substitute
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 030
Class Status: Active
Tea extracts
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 032
Class Status: Active
Fruit juices; bottled drinking water; colas, namely, soft drinks
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):
943714
1238249
2986004

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.

2011-07-06 - Notice Of Approval Of Extension Request E-Mailed

2011-07-05 - Extension 5 granted

2011-06-30 - Extension 5 filed

2011-06-30 - TEAS Extension Received

2010-10-26 - Notice Of Approval Of Extension Request E-Mailed

2010-10-25 - Extension 4 granted
2010-10-22 - Extension 4 filed
2010-10-22 - TEAS Extension Received
2010-07-20 - Notice Of Approval Of Extension Request E-Mailed
2010-07-19 - Extension 3 granted
2010-07-16 - Extension 3 filed
2010-07-16 - TEAS Extension Received
2010-01-22 - Extension 2 granted
2010-01-20 - Extension 2 filed
2010-01-20 - TEAS Extension Received
2009-09-04 - Extension 1 granted
2009-07-20 - Extension 1 filed
2009-07-20 - Amendment After NOA Not Entered
2009-08-18 - Case Assigned To Intent To Use Paralegal
2009-07-23 - Attorney Revoked And/Or Appointed
2009-07-23 - TEAS Revoke/Appoint Attorney Received
2009-07-20 - TEAS Extension Received
2009-01-20 - NOA Mailed - SOU Required From Applicant
2008-10-28 - Published for opposition
2008-10-08 - Notice of publication
2008-09-20 - Law Office Publication Review Completed
2008-09-19 - Approved For Pub - Principal Register
2008-09-09 - Examiner's Amendment Entered
2008-09-08 - Notification Of Examiners Amendment E-Mailed
2008-09-08 - EXAMINERS AMENDMENT E-MAILED
2008-09-08 - Examiners Amendment -Written
2008-09-08 - Notification Of Non-Final Action E-Mailed
2008-09-08 - NON-FINAL ACTION E-MAILED

2008-09-08 - Non-Final Action Written

2008-09-04 - Previous Allowance Count Withdrawn

2008-08-12 - Withdrawn From Issue - Petitions Office Request

2008-08-12 - Published for opposition

2008-07-23 - Notice of publication

2008-07-10 - Law Office Publication Review Completed

2008-07-09 - Approved For Pub - Principal Register

2008-07-08 - TEAS Change Of Correspondence Received

2008-07-08 - Examiner's Amendment Entered

2008-07-08 - Notification Of Examiners Amendment E-Mailed

2008-07-08 - EXAMINERS AMENDMENT E-MAILED

2008-07-08 - Examiners Amendment -Written

2008-07-08 - Notification Of Non-Final Action E-Mailed

2008-07-08 - NON-FINAL ACTION E-MAILED

2008-07-08 - Non-Final Action Written

2008-07-07 - Previous Allowance Count Withdrawn

2008-06-23 - Withdrawn From Pub - Og Review Query

2008-06-10 - Law Office Publication Review Completed

2008-06-09 - Approved For Pub - Principal Register

2008-05-23 - Examiner's Amendment Entered

2008-05-23 - Assigned To LIE

2008-05-23 - Notification Of Examiners Amendment E-Mailed

2008-05-23 - EXAMINERS AMENDMENT E-MAILED

2008-05-23 - Examiners Amendment -Written

2008-05-23 - Notification Of Non-Final Action E-Mailed

2008-05-23 - Non-final action e-mailed

2008-05-23 - Non-Final Action Written

2008-05-21 - Assigned To Examiner

2008-02-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

Gary H. Fechter

McCarter & English LLP

245 Park Avenue, 27th Floor

New York NY 10167-0001

Phone Number: 212 609 6800

Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:01:48 ET

Serial Number: 77859290 Assignment Information Trademark Document Retrieval

Registration Number: 3958837

Mark

GOOD EARTH

(words only): GOOD EARTH

Standard Character claim: Yes

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

Date of Status: 2011-05-10

Filing Date: 2009-10-28

Transformed into a National Application: No

Registration Date: 2011-05-10

Register: Principal

Law Office Assigned: LAW OFFICE 102

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: 2011-04-06

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Rd
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Prepared meals consisting primarily of meat, fish, poultry, vegetables or potatoes

Basis: 1(a)

First Use Date: 2010-05-31

First Use in Commerce Date: 2010-05-31

International Class: 030

Class Status: Active

Prepared meals consisting primarily of rice or pasta; pasta salads

Basis: 1(a)

First Use Date: 2010-05-31

First Use in Commerce Date: 2010-05-31

ADDITIONAL INFORMATION

Prior Registration Number(s):

943714

1627516

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.

2011-05-10 - Registered - Principal Register

2011-04-07 - Notice Of Acceptance Of Statement Of Use E-Mailed

2011-04-06 - Law Office Registration Review Completed

2011-03-30 - Allowed for Registration - Principal Register (SOU accepted)

2011-03-22 - Statement Of Use Processing Complete

2011-03-08 - Use Amendment Filed

2011-03-22 - Case Assigned To Intent To Use Paralegal

2011-03-08 - TEAS Statement of Use Received

2010-09-14 - NOA E-Mailed - SOU Required From Applicant

2010-07-20 - Notice Of Actual Publication E-Mailed

2010-07-20 - Published for opposition
2010-06-17 - Law Office Publication Review Completed
2010-06-17 - Assigned To LIE
2010-06-02 - Approved For Pub - Principal Register
2010-05-27 - Teas/Email Correspondence Entered
2010-05-27 - Communication received from applicant
2010-05-27 - TEAS Response to Office Action Received
2010-02-03 - Notification Of Non-Final Action E-Mailed
2010-02-03 - Non-final action e-mailed
2010-02-03 - Non-Final Action Written
2010-02-02 - Assigned To Examiner
2009-11-02 - New Application Office Supplied Data Entered In Tram
2009-10-31 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

GARY H. FECHTER
MCCARTER & ENGLISH LLP
245 PARK AVE FL 27
NEW YORK, NY 10167-2801
Phone Number: 212 609 6800
Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:02:03 ET

Serial Number: 85347612 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GOOD EARTH

(words only): GOOD EARTH

Standard Character claim: Yes

Current Status: Application has been published for opposition. The opposition period begins on the date of publication.

Date of Status: 2011-11-01

Filing Date: 2011-06-16

The Information will be/was published in the Official Gazette on 2011-11-01

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
LOWRY LEIGH A

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-09-26

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

1. The Good Earth Corporation

Address:
The Good Earth Corporation
155 Chestnut Ridge Road
Montvale, NJ 07645
United States

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

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Milk-based beverages containing coffee

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 030

Class Status: Active

Coffee; instant coffee, caffeine-free coffee; roasted coffee; powdered coffee; granulated coffee; whole coffee beans; ground coffee beans; roasted coffee beans; sugar-coated coffee beans; coffee-based beverage containing milk; prepared coffee; coffee-based beverages; coffee pods; coffee flavored syrup used in making food beverages; coffee substitutes made from grain; coffee substitutes made from chicory; artificial coffee; vegetable preparations for use as coffee

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 032

Class Status: Active

Coffee-flavored soft drinks

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-11-01 - Notice Of Actual Publication E-Mailed

2011-11-01 - Published for opposition

2011-09-24 - Approved For Pub - Principal Register

2011-09-24 - Assigned To Examiner

2011-06-20 - New Application Office Supplied Data Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

GARY H. FECHTER

MCCARTER & ENGLISH LLP

245 PARK AVE FL 27

NEW YORK, NY 10167-2801

Phone Number: 212 609 6800

Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:02:18 ET

Serial Number: 77894591 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GOOD EARTH

(words only): GOOD EARTH

Standard Character claim: Yes

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

Date of Status: 2011-09-08

Filing Date: 2009-12-16

The Notice of Allowance Date is: 2010-09-21

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 102

Attorney Assigned:
BUTLER ANDREA P

Current Location: 700 -Intent To Use Section

Date In Location: 2010-09-21

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Rd
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Canned tomatoes and processed tomatoes in a jar, soup, yogurt, snack bars consisting primarily of processed nuts, seeds and/or dried or dehydrated fruit; snack mixes consisting primarily of processed nuts, seeds, and/or dried or dehydrated fruit, soy-based snack foods, frozen appetizers, hors d'oeuvres and canapes consisting primarily of meat, poultry, seafood, vegetables or potatoes; potato-based snack foods

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 030

Class Status: Active

Breakfast cereal, tomato based sauces, salsa, seasoning mixes, frozen yogurt, cereal based snack foods, granola based snack bars, snack mixes consisting primarily of crackers, pretzels, candied nuts, and/or popped popcorn, rice based snack foods, corn based snack foods; pizza, mixes for bakery goods; desserts, namely, bakery desserts, dessert souffles, dessert pudding; frozen grain and/or bread based appetizers, hors d-oeuvres and canapes; candy

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

943714

1627516

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.

2011-09-10 - Notice Of Approval Of Extension Request E-Mailed

2011-09-08 - Extension 2 granted

2011-09-08 - Extension 2 filed

2011-09-08 - TEAS Extension Received

2011-03-10 - Notice Of Approval Of Extension Request E-Mailed

2011-03-08 - Extension 1 granted

2011-03-08 - Extension 1 filed

2011-03-08 - TEAS Extension Received
2010-09-21 - NOA E-Mailed - SOU Required From Applicant
2010-07-27 - Notice Of Actual Publication E-Mailed
2010-07-27 - Published for opposition
2010-06-24 - Law Office Publication Review Completed
2010-06-24 - Assigned To LIE
2010-06-11 - Approved For Pub - Principal Register
2010-05-28 - Teas/Email Correspondence Entered
2010-05-28 - Communication received from applicant
2010-05-28 - TEAS Response to Office Action Received
2010-02-03 - Notification Of Non-Final Action E-Mailed
2010-02-03 - Non-final action e-mailed
2010-02-03 - Non-Final Action Written
2010-02-02 - Assigned To Examiner
2009-12-23 - New Application Office Supplied Data Entered In Tram
2009-12-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

GARY H. FECHTER
MCCARTER & ENGLISH LLP
245 PARK AVE FL 27
NEW YORK, NY 10167-2801
Phone Number: 212 609 6800
Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:02:32 ET

Serial Number: 85344787 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GOOD EARTH

(words only): GOOD EARTH

Standard Character claim: Yes

Current Status: Application has been published for opposition. The opposition period begins on the date of publication.

Date of Status: 2011-11-01

Filing Date: 2011-06-13

The Information will be/was published in the Official Gazette on 2011-11-01

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
LOWRY LEIGH A

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-09-26

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Road
Montvale, NJ 07645
United States

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

GOODS AND/OR SERVICES

International Class: 032
Class Status: Active
Mineral water, carbonated waters, drinking waters
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-11-01 - Notice Of Actual Publication E-Mailed
2011-11-01 - Published for opposition
2011-09-24 - Approved For Pub - Principal Register
2011-09-24 - Assigned To Examiner
2011-06-16 - New Application Office Supplied Data Entered In Tram
2011-06-16 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Gary H. Fechter

Correspondent
GARY H. FECHTER
MCCARTER & ENGLISH LLP
245 PARK AVE FL 27
NEW YORK, NY 10167-2801
Phone Number: 212 609 6800
Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:02:45 ET

Serial Number: 77232498 Assignment Information Trademark Document Retrieval

Registration Number: 3683648

Mark



The logo features the words "GOOD EARTH" in a bold, serif font. The letter "O" in "GOOD" is stylized with a leaf-like shape inside it. Below the text is a simple, curved underline.

(words only): GOOD EARTH

Standard Character claim: No

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

Date of Status: 2009-09-15

Filing Date: 2007-07-18

Transformed into a National Application: No

Registration Date: 2009-09-15

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2009-08-07

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Road
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

tea; ready-to-drink tea based beverages; tea based powdered beverage mixes; tea based liquid beverage mixes; coffee; instant coffee; caffeine-free coffee; roasted coffee; powdered coffee; granulated coffee; whole coffee beans; ground coffee beans; roasted coffee beans; sugar-coated coffee beans; coffee-based beverage containing milk; prepared coffee; coffee-based beverages; coffee pods; coffee flavored syrup used in making food beverages; coffee substitutes made from grain; coffee substitutes made from chicory; artificial coffee; vegetable preparations for use as coffee

Basis: 1(a)

First Use Date: 2007-09-00

First Use in Commerce Date: 2007-09-00

ADDITIONAL INFORMATION

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

Description of Mark: The mark consists of the wording "GOOD EARTH" with the first "O" in "GOOD" appearing as a rounded leaf; all of the wording is underlined by a curved line.

Design Search Code(s):

05.03.25 - Leaf, single; Other leaves

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters

27.03.04 - Plants forming letters or numerals

Prior Registration Number(s):

943714

1114999

2088846

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.

2009-09-15 - Registered - Principal Register

2009-08-07 - Law Office Registration Review Completed

2009-08-07 - Allowed for Registration - Principal Register (SOU accepted)

2009-08-06 - Statement Of Use Processing Complete

2009-07-30 - Use Amendment Filed

2009-07-30 - TEAS Statement of Use Received
2009-07-23 - Attorney Revoked And/Or Appointed
2009-07-23 - TEAS Revoke/Appoint Attorney Received
2009-02-20 - Extension 1 granted
2009-02-07 - Extension 1 filed
2009-02-20 - Case Assigned To Intent To Use Paralegal
2009-02-07 - TEAS Extension Received
2008-08-12 - NOA Mailed - SOU Required From Applicant
2008-05-20 - Published for opposition
2008-04-30 - Notice of publication
2008-04-11 - Law Office Publication Review Completed
2008-04-10 - Approved For Pub - Principal Register
2008-03-26 - Teas/Email Correspondence Entered
2008-03-26 - Communication received from applicant
2008-03-26 - TEAS Response to Office Action Received
2008-03-21 - Notification Of Non-Final Action E-Mailed
2008-03-21 - NON-FINAL ACTION E-MAILED
2008-03-21 - Non-Final Action Written
2008-03-20 - LIE Checked Susp - To Atty For Action
2008-03-20 - Assigned To LIE
2007-09-14 - Notification Of Letter Of Suspension E-Mailed
2007-09-14 - Letter of suspension e-mailed
2007-09-14 - Suspension Letter Written
2007-09-14 - Assigned To Examiner
2007-07-24 - Notice Of Design Search Code Mailed
2007-07-23 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

Gary H. Fechter

McCarter & English LLP

245 Park Avenue, 27th Floor

New York NY 10167-0001

Phone Number: 212 609 6800

Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:03:01 ET

Serial Number: 77896061 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

**good
earth**

(words only): GOOD EARTH

Standard Character claim: No

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

Date of Status: 2011-09-12

Filing Date: 2009-12-17

The Notice of Allowance Date is: 2010-09-28

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 102

Attorney Assigned:
BUTLER ANDREA P

Current Location: 700 -Intent To Use Section

Date In Location: 2010-09-28

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Rd
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Prepared meals consisting primarily of meat, fish, poultry, vegetables or potatoes; canned and frozen vegetables, canned tomatoes and processed tomatoes in a jar, soup, yogurt, snack bars consisting primarily of processed nuts, seeds and/or dried or dehydrated fruit, snack mixes consisting primarily of processed nuts, seeds, and/or dried or dehydrated fruit, soy-based snack food; frozen appetizers, hors d'oeuvres and canapes consisting primarily of meat, poultry, seafood, vegetables or potatoes; potato-based snack foods

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 030

Class Status: Active

Prepared meals consisting primarily of rice or pasta; pasta salads; breakfast cereal, tomato based sauces, salsa, seasoning mixes, processed herbs, spices, condiments, namely, ketchup, mustard, relishes, Worcester sauce; bread, biscuits, rolls, bagels, cookies, cakes, frozen yogurt, cereal based snack foods, granola based snack bars, snack mixes consisting primarily of crackers, pretzels, candied nuts, and/or popped popcorn, rice based snack foods, corn based snack foods; pizza, frozen grain or and/or bread based appetizers, hors d'oeuvres and canapes; mixes for bakery goods; desserts, namely, bakery desserts, dessert souffles, dessert pudding; candy; coffee and tea

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 words "GOOD EARTH" in stylized lettering.

Prior Registration Number(s):

943714

1627516

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.

2011-09-14 - Notice Of Approval Of Extension Request E-Mailed

2011-09-12 - Extension 2 granted

2011-09-12 - Extension 2 filed

2011-09-12 - TEAS Extension Received
2011-03-10 - Notice Of Approval Of Extension Request E-Mailed
2011-03-08 - Extension 1 granted
2011-03-08 - Extension 1 filed
2011-03-08 - TEAS Extension Received
2010-09-28 - NOA E-Mailed - SOU Required From Applicant
2010-08-03 - Notice Of Actual Publication E-Mailed
2010-08-03 - Published for opposition
2010-06-28 - Law Office Publication Review Completed
2010-06-28 - Assigned To LIE
2010-06-14 - Approved For Pub - Principal Register
2010-05-28 - Teas/Email Correspondence Entered
2010-05-28 - Communication received from applicant
2010-05-28 - TEAS Response to Office Action Received
2010-02-03 - Notification Of Non-Final Action E-Mailed
2010-02-03 - Non-final action e-mailed
2010-02-03 - Non-Final Action Written
2010-02-02 - Assigned To Examiner
2009-12-23 - New Application Office Supplied Data Entered In Tram
2009-12-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

GARY H. FECHTER
MCCARTER & ENGLISH LLP
245 PARK AVE FL 27
NEW YORK, NY 10167-2801
Phone Number: 212 609 6800
Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:03:15 ET

Serial Number: 77904486 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

**good
earth**

(words only): GOOD EARTH

Standard Character claim: No

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

Date of Status: 2011-06-30

Filing Date: 2010-01-04

The Notice of Allowance Date is: 2010-07-20

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
HINES REGINA C

Current Location: 700 -Intent To Use Section

Date In Location: 2010-07-20

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Rd.
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 035

Class Status: Active

Franchising, namely, offering business management assistance in the establishment and/or operation of restaurants

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 043

Class Status: Active

Restaurant services

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 words "GOOD EARTH" in stylized lettering.

Prior Registration Number(s):

1114999

1627516

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.

2011-07-02 - Notice Of Approval Of Extension Request E-Mailed

2011-06-30 - Extension 2 granted

2011-06-30 - Extension 2 filed

2011-06-30 - TEAS Extension Received

2010-10-26 - Notice Of Approval Of Extension Request E-Mailed

2010-10-22 - Extension 1 granted

2010-10-22 - Extension 1 filed

2010-10-22 - TEAS Extension Received

2010-07-20 - NOA E-Mailed - SOU Required From Applicant
2010-05-25 - Notice Of Actual Publication E-Mailed
2010-05-25 - Published for opposition
2010-04-16 - Law Office Publication Review Completed
2010-04-16 - Assigned To LIE
2010-03-30 - Approved For Pub - Principal Register
2010-03-30 - Teas/Email Correspondence Entered
2010-03-30 - Communication received from applicant
2010-03-30 - TEAS Response to Office Action Received
2010-03-29 - Notification Of Non-Final Action E-Mailed
2010-03-29 - Non-final action e-mailed
2010-03-29 - Non-Final Action Written
2010-03-27 - Assigned To Examiner
2010-01-08 - New Application Office Supplied Data Entered In Tram
2010-01-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

GARY H. FECHTER
MCCARTER & ENGLISH LLP
245 PARK AVE FL 27
NEW YORK, NY 10167-2801
Phone Number: 212 609 6800
Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:03:30 ET

Serial Number: 85209758 Assignment Information Trademark Document Retrieval

Registration Number: 3997953

Mark

GOOD EARTH NATURALLY

(words only): GOOD EARTH NATURALLY

Standard Character claim: Yes

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

Date of Status: 2011-07-19

Filing Date: 2011-01-04

Transformed into a National Application: No

Registration Date: 2011-07-19

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-07-19

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Rd
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 043

Class Status: Active

Restaurant services

Basis: 1(a)

First Use Date: 2008-09-00

First Use in Commerce Date: 2008-09-00

ADDITIONAL INFORMATION

Prior Registration Number(s):

943714

1114999

1627516

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.

2011-07-19 - Registered - Principal Register

2011-05-03 - Notice Of Actual Publication E-Mailed

2011-05-03 - Published for opposition

2011-03-26 - Law Office Publication Review Completed

2011-03-25 - Approved for Pub - Principal Register (Initial exam)

2011-03-24 - Teas/Email Correspondence Entered

2011-03-23 - Communication received from applicant

2011-03-24 - Assigned To LIE

2011-03-23 - TEAS Response to Office Action Received

2011-03-15 - Notification Of Non-Final Action E-Mailed

2011-03-15 - Non-final action e-mailed

2011-03-15 - Non-Final Action Written

2011-03-10 - Assigned To Examiner

2011-01-07 - New Application Office Supplied Data Entered In Tram

2011-01-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

GARY H. FECHTER

MCCARTER & ENGLISH LLP

245 PARK AVE FL 27

NEW YORK, NY 10167-2801

Phone Number: 212 609 6800

Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:03:42 ET

Serial Number: 85071692 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

GOOD EARTH PRODUCTS

(words only): GOOD EARTH PRODUCTS

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: 2011-06-30

Filing Date: 2010-06-25

The Notice of Allowance Date is: 2011-01-25

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 102

Attorney Assigned:
HERRERA ROSELLE MORALDE

Current Location: 700 -Intent To Use Section

Date In Location: 2011-01-25

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Road
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

Teas

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "PRODUCTS"

Prior Registration Number(s):

2088846

3235618

3235620

3683648

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.

2011-07-02 - Notice Of Approval Of Extension Request E-Mailed

2011-06-30 - Extension 1 granted

2011-06-30 - Extension 1 filed

2011-06-30 - TEAS Extension Received

2011-01-25 - NOA E-Mailed - SOU Required From Applicant

2010-11-30 - Notice Of Actual Publication E-Mailed

2010-11-30 - Published for opposition

2010-10-22 - Law Office Publication Review Completed

2010-10-21 - Assigned To LIE

2010-10-07 - Approved For Pub - Principal Register

2010-10-06 - Examiner's Amendment Entered

2010-10-06 - Notification Of Examiners Amendment E-Mailed

2010-10-06 - Examiners amendment e-mailed

2010-10-06 - Examiners Amendment -Written

2010-09-30 - Assigned To Examiner

2010-06-30 - New Application Office Supplied Data Entered In Tram

2010-06-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary H. Fechter

Correspondent

GARY H. FECHTER
MCCARTER & ENGLISH LLP
245 PARK AVE FL 27
NEW YORK, NY 10167-2801
Phone Number: 212 609 6800
Fax Number: 212 609 6921

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

This page was generated by the TARR system on 2011-11-15 15:03:52 ET

Serial Number: 76654262 Assignment Information Trademark Document Retrieval

Registration Number: 3235618

Mark



(words only): GOOD EARTH WHITE TEA & GREEN TEA BLEND

Standard Character claim: No

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

Date of Status: 2007-05-01

Filing Date: 2006-01-30

Transformed into a National Application: No

Registration Date: 2007-05-01

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-05-01

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
831 Almar Avenue
Santa Cruz, CA 95060
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

Tea

Basis: 1(a)

First Use Date: 2005-08-29

First Use in Commerce Date: 2005-08-29

ADDITIONAL INFORMATION

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

Description of Mark and Any Color Part(s): The mark consists of the words GOOD EARTH (in black), WHITE TEA (in light green stylized script) & GREEN TEA BLEND (in dark green stylized script), Chinese characters in gold, a light green horizontal stripe beneath the words, and green and brown leaves, all of which appear on a white background on the carton for the goods. The broken lines appearing in the drawing are not a feature of the mark but serve to show the position of the mark on the packaging.

Disclaimer: "WHITE TEA & GREEN TEA BLEND" and "BAI CHA"

Translation: The English translation of the Chinese characters in the mark is "WHITE TEA".

Transliteration: The non-Latin characters in the mark transliterate to "BAI CHA" and this means "WHITE TEA" in English.

Design Search Code(s):

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

05.03.10 - Other branches with leaves, with or without fruit

05.03.25 - Leaf, single; Other leaves

26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)

26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

28.01.03 - Asian characters; Chinese characters; Japanese characters

Prior Registration Number(s):

943714

1114999

1238249

1627516

1913376

2088846

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.

2007-05-01 - Registered - Principal Register
2007-02-13 - Published for opposition
2007-01-24 - Notice of publication
2006-12-20 - Examiner's amendment mailed
2006-12-19 - Law Office Publication Review Completed
2006-12-19 - Approved for Pub - Principal Register (Initial exam)
2006-12-19 - Examiner's Amendment Entered
2006-12-19 - Examiners Amendment -Written
2006-12-08 - Non-final action mailed
2006-12-08 - Non-Final Action Written
2006-11-20 - Amendment From Applicant Entered
2006-11-20 - Communication received from applicant
2006-11-20 - Assigned To LIE
2006-09-05 - PAPER RECEIVED
2006-07-21 - Non-final action mailed
2006-07-20 - Non-Final Action Written
2006-07-20 - Assigned To Examiner
2006-02-11 - Application Filing Receipt Mailed
2006-02-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Peter S. Reichertz

Correspondent

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SHEPPARD MULLIN HAMPTON & RICHTER LLP
1300 I ST NW FL W11
WASHINGTON, DC 20005-3314
Phone Number: 202-772-5333
Fax Number: 202-312-9426

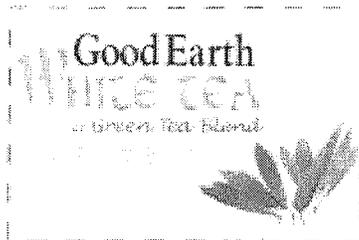
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-11-15 15:04:04 ET

Serial Number: 76654433 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3235620

Mark



(words only): GOOD EARTH WHITE TEA & GREEN TEA BLEND

Standard Character claim: No

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

Date of Status: 2007-05-01

Filing Date: 2006-01-30

Transformed into a National Application: No

Registration Date: 2007-05-01

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-05-01

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
831 Almar Avenue
Santa Cruz, CA 95060
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

Tea

Basis: 1(a)

First Use Date: 2005-08-29

First Use in Commerce Date: 2005-08-29

ADDITIONAL INFORMATION

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

Description of Mark and Any Color Part(s): The mark consists of the words GOOD EARTH (in black), WHITE TEA (in light green stylized script) & GREEN TEA BLEND (in dark green stylized script), Chinese characters in gold, a yellow horizontal stripe beneath the words, and green and brown leaves, all of which appear on a white background on the carton for the goods. The broken lines appearing in the drawing are not a feature of the mark but serve to show the position of the mark on the packaging.

Disclaimer: "WHITE TEA & GREEN TEA BLEND" and "CHUN YE"

Translation: The English translation of the Chinese character in the mark is "SPRING LEAVES".

Transliteration: The non-Latin characters in the mark transliterate to "CHUN YE" and this means "SPRING LEAVES" in English.

Design Search Code(s):

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

05.03.10 - Other branches with leaves, with or without fruit

05.03.25 - Leaf, single; Other leaves

26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)

26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

28.01.03 - Asian characters; Chinese characters; Japanese characters

Prior Registration Number(s):

943714

1114999

1238249

1627516

1913376

2088846

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.

2007-05-01 - Registered - Principal Register
2007-02-13 - Published for opposition
2007-01-24 - Notice of publication
2006-12-20 - Examiner's amendment mailed
2006-12-19 - Law Office Publication Review Completed
2006-12-19 - Approved for Pub - Principal Register (Initial exam)
2006-12-19 - Examiner's Amendment Entered
2006-12-19 - Examiners Amendment -Written
2006-12-08 - Non-final action mailed
2006-12-08 - Non-Final Action Written
2006-11-20 - Amendment From Applicant Entered
2006-11-20 - Communication received from applicant
2006-11-20 - Assigned To LIE
2006-09-05 - PAPER RECEIVED
2006-07-21 - Non-final action mailed
2006-07-20 - Non-Final Action Written
2006-07-20 - Assigned To Examiner
2006-02-14 - Application Filing Receipt Mailed
2006-02-09 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

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Correspondent

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Fax Number: 202-312-9426

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Serial Number: 73117349 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 1114999

Mark (words only): THE GOOD EARTH

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2009-10-03

Filing Date: 1977-02-28

Transformed into a National Application: No

Registration Date: 1979-03-13

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: (NOT AVAILABLE)

Date In Location: 2009-10-03

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

1. GOOD EARTH CORPORATION, THE

Address:

GOOD EARTH CORPORATION, THE
155 Chestnut Ridge Road
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 035

Class Status: Section 8 - Cancelled

Basis: 1(a)

First Use Date: 1975-03-00

First Use in Commerce Date: 1975-04-00

International Class: 042

Class Status: Active
RESTAURANT SERVICES
Basis: 1(a)
First Use Date: 1975-03-00
First Use in Commerce Date: 1975-04-00

ADDITIONAL INFORMATION

Prior Registration Number(s):
829179
975145

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.

2009-10-03 - Second renewal 10 year
2009-10-03 - Section 9 granted/check record for Section 8
2009-10-03 - Partial Section 8 (10-Year) accepted/checked record for section
2009-09-03 - Combined Section 8 (10-year)/Section 9 filed
2009-09-03 - TEAS Section 8 & 9 Received
2008-01-09 - Case File In TICRS
2006-01-11 - TEAS Change Of Correspondence Received
1999-05-20 - First renewal 10 year
1999-02-25 - Section 9 filed/check record for Section 8
1985-06-17 - Section 8 (6-year) accepted & Section 15 acknowledged
1985-02-11 - Section 8 (6-year) and Section 15 Filed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Gary H. Fechter

Correspondent
Gary H. Fechter
McCarter & English LLP
245 Park Avenue, 27th Floor

New York NY 10167-0001
Phone Number: 212 609 6800
Fax Number: 212 609 6800

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

This page was generated by the TARR system on 2011-11-15 15:04:26 ET

Serial Number: 85344766 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

THE GOOD EARTH EXPRESS

(words only): THE GOOD EARTH EXPRESS

Standard Character claim: Yes

Current Status: Review prior to publication completed.

Date of Status: 2011-10-18

Filing Date: 2011-06-13

The Information will be/was published in the Official Gazette on 2011-11-22

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
LOWRY LEIGH A

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-10-18

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

1. The Good Earth Corporation

Address:

The Good Earth Corporation
155 Chestnut Ridge Road
Montvale, NJ 07645
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 043

Class Status: Active

Restaurant services

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "EXPRESS"

Prior Registration Number(s):

943714

1114999

1627516

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.

2011-11-02 - Notification Of Notice Of Publication E-Mailed

2011-10-18 - Law Office Publication Review Completed

2011-10-17 - Assigned To LIE

2011-09-24 - Approved For Pub - Principal Register

2011-09-24 - Examiner's Amendment Entered

2011-09-24 - Notification Of Examiners Amendment E-Mailed

2011-09-24 - Examiners amendment e-mailed

2011-09-24 - Examiners Amendment -Written

2011-09-24 - Assigned To Examiner

2011-06-16 - New Application Office Supplied Data Entered In Tram

2011-06-16 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

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NEW YORK, NY 10167-2801

Phone Number: 212 609 6800

Fax Number: 212 609 6921
