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

Proceeding	91204124
Party	Defendant Robert Campbell
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Date	02/21/2014
Attachments	Applicant Response Brief Part 1.pdf(5932462 bytes) Applicant Response Brief Part 2.pdf(5273748 bytes)

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

In the Matter of Trademark Application Serial Number: 85/396,136
Mark: PLANT HERBAL TREASURES
Filed: August 12, 2011
Published: January 31, 2012

THRESHOLD ENTERPRISES, Ltd., Opposer v. ROBERT CAMPBELL, An Individual, Applicant.	Opposition No. 91204124
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Commissioner of Trademarks
PO Box 1451
Alexandria, VA. 22313-1451

**APPLICANT’S REPLY TO OPPOSER’S RESPONSE TO APPLICANT’S
MOTION FOR SUMMARY JUDGMENT**

Applicant, Robert Campbell (“Applicant”), hereby replies to Opposer’s Response to Applicant’s Motion for Summary Judgment.

1. Opposer’s Asserted Defenses Based on Unpleaded Claims and Unpleaded Alleged Common Law Trademark Rights are not Supported by Case Law

In its response to Applicant’s Motion for Summary judgment, Opposer boldly asserts claims to its unpleaded and alleged house mark Planetary Herbals, and makes a weak attempt at asserting that the *DuPont* factor for Fame, and its trade dress, albeit never pleaded in its notice of opposition, are relevant and probative to this proceeding. *See Exhibit A and Exhibit B at para. 7.* In fact they are not relevant and probative, and are a desperate attempt by Opposer to derail the Board’s focus from Opposer’s frivolous

claims for Likelihood of Confusion. The Board has clearly established that it does not consider insufficient or unpleaded claims or defenses on summary judgment. *Asian and Western Classica B.V. v. Selkow*, 92 USPQ2d 1478, 1480 (TTAB 2009) and *Giersch v. Scripps Networks Inc.*, 85 USPQ2d 1306, 1309 n.3 (TTAB 2007). Furthermore, a party may not obtain summary judgment on an unpleaded claim or defense, nor may a party defend against a motion for summary judgment by asserting the existence of genuine disputes of material fact as to an unpleaded claim or defense. See, e.g., *American Express Marketing & Development Corp. V. Gilad Development Corp.*, 94 USPQ2d 1294, 1296 (TTAB 2010) (“defendant may not obtain summary judgment on an unasserted defense...summary judgment is not appropriate on an unpleaded issue.”); *Consolidated Foods Corporation v. Berkshire Hankerchief Co., Inc.*, 229 USPQ 619, 621 (TTAB 1986) (“Generally only pleaded issues may be the basis for grant of summary judgment”). In addition, where Opposer fails to simultaneously file a motion to amend its pleadings with its response to Applicant’s Motion for Summary judgment, the Board will not consider the unpleaded claims. *Bausch & Lomb Inc. v. Karl Storz GmbH & Co. KG*, 87 USPQ2d 1526, 1528 n.3 (TTAB 2008). It should also be noted that unpleaded claims of dilution are not considered by the Board. *Syngenta Crop Protection Inc., v. Bio-Check LLC*, 90 USPQ2d 1112, 1115 n.3 (TTAB 2009). Finally, Opposer’s claims of prior common law use of the mark Planetary Herbals without supporting evidence or a pleaded registration is evidence of nothing. *Id* at 1119.

In sum, Opposer’s assertion of its unpleaded PLANETARY HERBALS mark, claims of fame, and its trade dress have no bearing to Applicant’s Motion for Summary judgment, and should not be considered by the Board. In any event, without waiving its

objection to Opposer's unpleaded claims and defenses above, Applicant will address Opposer's new claims and defenses below.

2. Opposer's Planetary, Planetary Formulas, and Unpleaded Planetary Herbals marks are Not famous

In order for the fifth DuPont factor of Fame to have any probative value to Opposer's defense, Opposer must submit sufficient evidence of fame to prove it. *See Blue Man Productions Inc., v. Tarmann*, 75 USPQ2d 1811 (TTAB 2005). It is the duty of a Plaintiff asserting that its mark is famous to clearly prove it. *Id* at 1819. In fact, besides its assertion of fame, Opposer failed to submit even one piece of evidence to show fame. Therefore, this DuPont factor is neutral. *Leading Jewelers Guild, Inc. v. LJOW Holdings, LLC*, Opposition No. 91160856 (TTAB 2007).

3. Opposer's Unpleaded Trade Dress is not Similar to Applicant

As discussed above, Opposer has failed to plead trade dress and therefore any assertion of similarity between the trade dress of the respective parties is irrelevant to this proceeding. In addition, the at issue marks are word marks and do not feature any stylized images. *See Exhibit C*.

Nevertheless, Applicant and Opposer both offer products, namely nutritional, herbal, and dietary supplements, to the consuming public in bottles. Although a number of Applicant's bottles are white with white caps a dominant portion of Applicant's products are sold in black bottles with black caps. *See Exhibit D*. In addition, the use of white bottles with white caps is common practice within the nutritional, herbal, and dietary supplement industry across the United States. *See Exhibit E*. It is therefore puzzling why Opposer believes the generic color white for nutritional, herbal, and dietary supplements would have any probative value in regards to source confusion. In addition,

asides from both parties using generic white bottles for their products, there are no other significant shared characteristics. Specifically, Opposer uses Planetary Herbals on their bottles as a headnote or title above the specific name of its product with a partial insignificant depiction of the earth on the bottom left corner of its label. *See Exhibit F.* In contrast, Applicant's bottles display the entire earth in the center of its labels as a dominant portion of its trade dress with the words Plant Herbal Treasures written in a "U" shaped manner just above the stylized image of the earth. *See Exhibit G.* In addition, although Opposer uses leaves in connection with its mark, these too are insignificant and barely noticeable compared to Applicant's use of a long tree branch with leaves and a type of red berry or fruit holding the Earth in place.

4. The Marks are Dissimilar

Similarity is a crucial factor in the likelihood of confusion inquiry. *Al-Ste Corp. v. VSI Int'l Inc.* 174 F.3d 1308 (Fed. Cir. 1999) ("[s]imilarity of the marks is a hallmark of consumer confusion"); *Malletier v. Donney & Burke, Inc.* 454 F.3d 108, 117 (2d. Cir. 2006) ("[t]he similarity of the marks is a key factor in determining likelihood of confusion"); *GoTo.com, Inc. v. Walt Disney Co.* 202 F.3d 199 (9th Cir. 2000) ("[t]he...similarity of the marks...as always been considered a critical question in the likelihood of confusion analysis."). Each Circuit lists similarity of the marks prominently in its likelihood of confusion factors. Gilson on Trademarks, Sec. 5.03910 p. 41, citing cases.

The Federal Circuit has repeatedly found the similarity factor alone to even be potentially dispositive of the confusion issue. *Champagne Louis Roederer, S.A. v. Delicata Vineyards*, 148 F.3d 1373 (Fed. Cir. 1998) (upholding Board's dismissal of

opposition based only on dissimilarity of the marks with respect to appearance, sound, significance and commercial impression); *Kellogg Co. v. Pack'Em Enters., Inc.*, 951 F.2d 330 (Fed. Cir. 1991)(upholding Board's grant of summary judgment finding no likelihood of confusion based only on dissimilarity of the marks in their entireties as to appearance, sound, connotation, and commercial impression.); *Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Fondee En 1772*, 396 F.3d 1369 (Fed. Cir. 2005) (Court affirms Board's treatment of commercial impression as ultimate conclusion under similarity prong).

When goods at issue are in direct competition, a Court may consider only the marks' similarity and need not analyze the remaining confusion factors. *A & H Sportswear, Inc. v. Victoria's Secret Stores, Inc.*, 237 F.3d 198, 214 (3d Cir. 2000). For purposes of its Motion, Applicant has admitted that the respective products of the parties are related, and therefore are naturally in direct competition with the goods of Opposer. *See Exhibit H para. 4.*

Well accepted principles in trademark law are that the appearance, sound, meaning and overall commercial impression of the alleged conflicting marks are to be considered, and that marks are to be compared in their entireties although certain portions may tend to dominate. *In re Lamson Oil Co.*, 6 USPQ2d 1041, n. 4 (TTAB 1987) (similarity of one aspect of sign, sound, meaning trilogy will not automatically result in likelihood of confusion); *Massey Jr. College v. Fashion Instit. Of Tech*, 492 F.2d 1399, 1402 (CCPA 1974)(“[i]t is axiomatic that a mark should not be dissected and considered piecemeal; rather it must be compared as a whole in determining likelihood of confusion.”).

a) There are no Confusing Similarities When Comparing Opposer’s PLANETARY FORMULAS, PLANETARY, and PLANETARY HERBALS Marks to Applicant’s PLANT HERBAL TREASURES Mark.

One dominant argument set forth by Opposer for similarity in sight, sound, and meaning is predicated on the unpleaded mark PLANETARY HERBALS. Its main focus is on the descriptive term HERBALS. When evaluating the similarity of marks, it is well established that “[a] descriptive feature of a mark is entitled less weight than inherently distinctive elements.” *Bass Pro Trademarks, LLC v. Sportsman’s Warehouse, Inc.*, 89 USPQ2d 1844, 1857-1858 (TTAB 2008) (marks termed dissimilar in sound and appearance despite both prominently featuring SPORTSMAN’S WAREHOUSE; both parties had disclaimed the descriptive term.) Thus, even a one-word difference may eviscerate similarity where the common portions of the marks are purely descriptive. *See In re Merchandising Motivation, Inc.*, 184 USPQ 364 (TTAB 1974) (MMI MENSWEAR and MEN’S WEAR not confusingly similar because the term MEN’S WEAR is descriptive).

More generally, “[w]hen a business adopts a mark incorporating a descriptive term, it assumes the risk that competitors may also use that descriptive term.” *Bass Pro*, 89 USPQ2d at 1857; see also *Leading Jewelers Guild, Inc. v. LJOW Hohldings, LLC*, 82 USPQ2d 1901, 1905-06 (TTAB 2007); *Duluth News-Tribune v. Mesabi Publ. Co.*, 38 USPQ2d 1937,1940 (8th Cir. 1996). Here, the profound weakness of Opposer’s mark precludes any serious contention of similarity. The word elements are not similar because the overlapping phrases are descriptive and generic. A mark is merely descriptive if it describes an ingredient, quality, characteristics, function, feature, purpose or use of the specified goods. TMEP § 1209.01(b); *see In re Steelbuilding.com*, 415

F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005); In re Gyulay, 820 F.2d 1216, 1217-18, 3 USPQ2d 1009, 1010 (Fed. Cir. 1987). Here, Opposer is claiming rights of the descriptive term “HERBALS” for use with nutritional, herbal, and dietary supplements. The goods are herbal in nature as established in the identification of goods. Herbs are plants. See Exhibit I. It is presumed from the wording in the mark that Opposer’s supplements include herbs from plant sources. Therefore, even if the Board were to consider this unpleaded mark, the HERBALS element within this mark is weak, should not be offered any consideration, and therefore no similarities can be concluded between any of Opposer’s marks with the term Herbals and Applicant’s PLANT HERBAL TREASURES mark.

i) Appearance

Although all of the at issue marks utilize the same first four letters PLAN, these letters are merely the first four letters in two completely different words, specifically, PLANETARY and PLANT. Ironically, Opposer fails to note that the letters PLAN in its marks are four letters of a nine-letter word, less than half of the total letters in its PLANETARY element, the remaining letters being ETARY. Surely Opposer does not believe that the Board and consumers will fail to notice such clear differentiations between Applicant’s PLANT element and Opposer’s PLANETARY element. In addition, Opposer’s attempt to discount the word TREASURES in Applicant’s mark due to Opposer’s alleged use of the unpleaded “Women’s Dong Quai Treasure” mark is without merit. As discussed above, unpleaded matters will not be considered by the Board and Opposer’s attempt to tack “Women’s Dong Quai Treasure” onto its Planetary marks should therefore not be considered due to failure by Opposer to properly plead.

The H.D. Lee Company, Inc. v. Maidenform, Inc., Opposition No. 91168309 (TTAB 2008).

In sum, applying the Anti-Dissection rule, Applicant's mark consists of three elements PLANT, HERBAL, and TREASURES whereas Opposer's marks consist of PLANETARY FORMULAS, PLANETARY, and the unpleaded PLANETARY HERBALS marks. Opposer's registered marks do not feature the words PLANT, HERBAL, or TREASURES, and Opposer's use of HERBALS in its unpleaded PLANETARY HERBALS mark should be awarded no consideration. Therefore, when considered in their entireties, the difference in literal elements of Applicant's mark so distinguishes it from Opposer's marks as to render confusion unlikely.

ii) Sound

Not only are the respective marks phonetically dissimilar, the individual elements do not share the same numbers of syllables. As previously discussed in Applicant's Motion for Summary Judgment, Opposer's registered marks phonetic pronunciations are PLAE-NE-TER-EE, PLAE-NE-TER-EE FORM-JULAS, and its unpleaded mark is PLAE-NE-TER-EE 'ERBALS, whereas Applicant's mark is pronounced PLANT 'ERBAL 'TRE-ZERS. Where Opposer's first word PLANETARY has 4 syllables, Applicant's first word PLANT has only one syllable. In addition, applicant's entire mark PLANT HERBAL TREASURES consists of 5 syllables, whereas Opposer's marks, including its unpleaded mark, consist of either 4 or 7 syllables. Therefore, the phonetic differences between the at-issue marks are enormous, further establishing a lack of similarities between the marks.

iii) Meaning

When considering the meaning of the respective marks, it must be noted that even marks that are identical in sound and/or appearance may create sufficiently different commercial impressions when applied to the respective parties' goods or services so that there is no likelihood of confusion. TMEP 1207.01(b)(v). Opposer asserts that its respective marks, including its unpleaded mark, suggest either "ingredients or substances form the Earth", "made of herbs", or "belonging to Earth". Opposer further asserts that Applicant's mark carries the meaning of "Special Herbs from Earth's Ground."

Although Opposer has asserted a nice fantasy when setting forth its view of the meaning of Applicant's mark, unfortunately for Opposer, Applicant's mark indeed connotes "Wealth Through Health" when considering the terms Plant Herbal Treasures with the goods offered by applicant. First, herbal medicine, and plants have been the basis through much of human history. *See Exhibit J.* In addition, modern medicine recognizes herbalism as a form of alternative medicine. *Id.* In fact, modern medicine also makes use of many plant-derived compounds as the basis for evidence-tested pharmaceutical drugs, and phytotherapy works to apply modern standards of effectiveness testing to herbs and medicines that are derived from natural sources. *Id.* In addition, according to the Botanic Gardens Conservation International (representing botanic gardens in 120 countries), has reported that five billion people today rely on traditional plant-based medicine as their primary form of health care. *Id.* It is therefore a natural bridge in the eyes of the consumer to connote the words PLANT and HERBAL with health.

According to the Collins Dictionary, Treasures is defined as a) accumulated or stored wealth in the form of money, precious metals, jewels, etc., b) any person or thing considered very valuable, c) to store away or save up, and d) to value greatly or cherish.

See Exhibit K. According to a survey by Principal Financial in Time magazines Business & Money section, 84% of American workers said being physically healthy is good for their financial future and 76% said if they spend time and money on their health now they will avoid major health costs later in life. See Exhibit L. The only reason to invest money in herbal or traditional medicine is for ones health. The majority of working Americans view health as a bridge to a secure financial future, hence the most relevant definition most likely to be significant to the ordinary working American consuming public would be “Wealth through Health”, and NOT “special herbs from Earth’s ground.” Opposer’s arguments here are based on subjective conclusions with no supporting evidence asides from its biased views of Applicant’s mark. Finally, the only evidence that Opposer has presented in support of its allegations is Applicant’s tagline “Brining Herbal Treasures From Around The World”, as being more inline with Opposer’s definition with “special herbs from Earth’s ground” rather than with “Wealth through Health.” If the Board were to accept Opposer’s argument in regards to Applicant’s online tagline, which incidentally is not featured on any of Applicant’s products, then this would essentially limit every trademark owner in the United States to one connotation with every mark in association to a specific good or service. Regardless, Applicant’s tagline is not in line with Opposer’s definition rather, it connotes “Wealth through Health with Herbs gathered from around the World.” Therefore, this DuPont factor weighs in favor of Applicant.

5. There Is No Actual Confusion

Opposer’s response asserts that “discovery is currently underway” and that instances of actual confusion could be discovered from third parties, such as retailers. It

is puzzling to Applicant that Opposer is not able to point to even one instance of confusion, especially in the light of the fact that Applicant began using its abandoned mark Planetary Herb Treasures since at least as early as 2001 and Plant Herbal Treasures since at least as early as August 12, 2011. *See* Campbell Decl. ¶¶ 3 and 4. Applicant has been in business for approximately 13 years and abandoned its Planetary Herb Treasures mark in 2011 replacing it with Plant Herbal Treasures. *Id.* If Applicant was capable of causing confusion with Opposer’s mark, examples of actual confusion amongst the relevant consumer, including vendors, certainly should have been discovered by now. Opposer has cited none. For this reason alone, the “actual confusion” factor strongly undermines Opposer’s position. Therefor the lack of actual confusion examples, as conceded by Opposer, is telling. Under DuPont, the length of time during and conditions under which there has been concurrent use without evidence of actual confusion is a relevant factor. DuPont, 177 USPQ at 567. As the Board noted in *Haveg Industries, Inc. v. Shell Oil Co.*, 199 USPQ 618, 626 (TTAB 1978), “where there has been considerable activity by the parties under their respective marks over a considerable period...it may be assumed with some reasonable degree of certainty that if confusion had not occurred in the past, the chances for confusion to result in the future would be slim.” *See also The Christian Broadcasting Network, Inc. v. ABS-CBN International*, 85 USPQ2d 1560, 1570 (TTAB 2007) (confusion unlikely because marks had been used extensively for nearly a decade without any reported instances of actual confusion.)

After over a decade of co-existence, Opposer is not able to direct the Board to one email, letter, or phone call intended for Applicant; nor has Opposer experienced any other instances between Opposer and Applicant in their 13 years of co-existence. If

Applicant's mark(s) were confusingly similar to Opposer's, surely more extensive evidence of actual confusion would have accumulated by today.

6. The Parties' Customers are Sophisticated Purchasers

The fourth factor for consideration under the DuPont test is "the conditions under which and buyers to whom sales are made, i.e. 'impulse' vs. careful, sophisticated purchasing." DuPont, 177 USPQ at 567. Sophisticated consumers tend to exercise more care before purchasing the goods or services they seek. *See Keikhaefer Corp. v. Willys-Overland Motors, Inc.*, 111 USPQ 105, 108 (CCPA 1956). Furthermore, "where the purchasers are the same, their sophistication is important and often dispositive because sophisticated consumers may be expected to exercise greater care". *Electronic Design & Sales v. Electronic Systems*, 21 USPQ2d 1388, 1392 (Fed. Cir. 1992), citing *Pignons S.A. de Mecanique de Precision v. Polaroid Corp.*, 212 USPQ 246, 252 (1st Cir. 1981). In an Emory Law Journal titled "Trademarks, Consumer Psychology, and the Sophisticated Consumer", it sets forth that in the health-food niche, consumers may be assumed to be more concerned about physical risk, and thus to expend greater cognitive resources than they would if they were focused only on the minimal financial risk associated with a snack food purchase. *See Exhibit M at 612*. Thus, the impulse product question should be evaluated based on the degree of relative risk factors as motivations for extended involvement, not on blind adherence to precedents identifying broad product categories deemed forever likely to be purchased on impulse. *Id.* In addition, courts have frequently assumed a positive correlation between the age and consumer care. Older consumers are generally thought to be sophisticated, while younger consumers are conceived as relatively careless. *Id.* at 633; *See, e.g., Banfi Prods. Corp. v. Kendall-*

Jackson Winery, Ltd., 74 F. Supp. 2d 188, 199 (E.D.N.Y. 1999) (finding consumers of wine, who are likely to be older than the general population, to be relatively sophisticated) and *Blake Publ'g Corp. v. O'Quinn Studios, Inc.*, 202 U.S.P.Q. 848, 858 (S.D.N.Y. 1979). Here both parties are in the business of offering nutritional, herbal, and dietary supplements to the consuming public, and as demonstrated below, the target demographic for nutritional and herbal supplements are aging 65 year olds and/or aging Baby Boomers. In addition, Nutritional supplement marketers must work to keep their products integral to consumer health regimens. See Exhibit N. Key to this pursuit are targeted products featuring highly publicized ingredients that are solidly backed by science and take a page from functional food companies. *Id.* At the same time supplement marketers must use adroit target marketing on their prime demographics: those over age 65 and the up-and-coming aging Baby Boomers currently swelling the senior brackets. *Id.* As such, it is reasonable to conclude that the target markets for both Opposer and Applicant are either close to, or over the age of 65, conscious of their health, and therefore extra vigilant when purchasing products for the purpose of preserving their health regardless of the low cost that the at issue products may be offered at.

7. Extensive Third-Party Use Severely Undercuts Any Claims of Confusion and Demonstrates the Weakness of Opposer's Marks

As the Federal Circuit has held, “[o]ne of the relevant factors in the likelihood of confusion examination is the ‘number and nature of similar marks in use on similar goods [or services.]’” *Lloyd's Food Products, Inc. v. Eli's, Inc.*, 25 USPQ2d 2027, 2028 (Fed. Cir. 1993); *In re Broadway Chicken*, 38 USPQ2d 1559, 1565-66 (TTAB 1996).

Common sense coupled with the market educate consumers to distinguish between such marks on the bases of minute and slight distinctions. See *Broadway Chicken*, 38

USPQ2d at 1565; see also *Steve's Ice Cream v. Steve's Famous Hot Dogs*, 3 USPQ2d 1477, 1479 (TTAB 1987) (holding that STEVE'S was sufficiently diluted by third party use in the restaurant industry; "[the] purchasing public is able to *distinguish* between these business based on small distinctions among the marks."). Third party trademark registrations may be considered "to show that there is a well-known and commonly understood meaning of that word and that the mark has been chosen to convey that meaning." *In re Melville Corp.*, 18 USPQ2d 1386, 1388 (TTAB 1991); see also *United Foods, inc. v. J.R. Simplot Co.*, 4 USPQ2d 1172, 1174 (TTAB 1987) (other registrations "may show that a particular term has descriptive or suggestive significance as applied to certain goods or services" in "the same way that dictionaries are used"). Such evidence tends to show "an inherent weakness in a mark comprised in whole or in part of the word in question" and that "only slight differences in the marks may be sufficient to distinguish one from the other." *In re Melville Corp.*, 18 USPQ2d at 1388.

Applicant respectfully submits hundreds of registered marks within class 005 in connection with nutritional, herbal, and/or dietary supplement utilizing the terms PLANET, HERBAL, and FORMULAS that utterly refutes any contention that consumers are or can be confused even by similar marks. See Exhibit O, Exhibit P, and Exhibit Q. Such vast and widespread third party use of the terms PLANET, HERBAL, and FORMULAS in marks registered with the United States Patent and Trademark Office not only demonstrates the terms' weakness in identifying Opposer as a source of its goods, but also that consumers are accustomed to distinguishing among these hundreds or even thousands of nutritional, herbal, and/or dietary supplement providers. Given the lack of confusion demonstrated by Opposer's inability to specify even one instance of confusion

after over a decade of co-existence with Applicant, consumers are demonstrably capable of making these distinctions.

Therefore, the widespread third party incorporation of Opposer's marks clearly refutes any possibility of confusion, and demonstrates the weakness of Opposer's marks.

8. Applicant's Position of No Likely Confusion is Supported by Ample and Relevant Precedent

Finally, Applicant notes that the numerous cases discussed in its Motion for Summary Judgment, and here in its Response to Opposer's Reply Brief found no confusing similarity between marks that shared far more similarities than Applicant's and Opposer's marks. Opposer's attempts to distinguish or discount this precedent are not persuasive, and will not be discussed here.

9. Conclusion

For the foregoing reasons, and because no genuine issues of material fact exist with respect to each Dupont Factor set forth by Applicant, and because the remaining factors weigh in favor of Applicant, Applicant respectfully requests that its Motion for Summary Judgment be granted, and that the Notice of Opposition be dismissed with prejudice.

Respectfully Submitted

Date: February 21, 2014

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CERTIFICATE OF MAILING AND SERVICE

The undersigned hereby certifies that on the date indicated below, a true and correct copy of this document entitled **APPLICANT’S REPLY TO OPPOSER’S RESPONSE TO APPLICANT’S MOTION FOR SUMMARY JUDGMENT** was served on counsel for Opposer Threshold Enterprises, Ltd., by depositing said copy with the United Parcel Service (“UPS”), postage prepaid, in shipping box addressed to:

Jeremy McLaughlin
Arnold & Porter LLP
Three Embarcadero Center, 10th Floor
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Attorneys for Opposer

February 21, 2014

/s/ Kuscha Hatami

Kuscha Hatami

Raj Abhyanker P.C.

DECLARATION OF APPLICANT
ROBERT CAMPBELL

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

In the Matter of Trademark Application Serial Number: 85/396,136
Mark: PLANT HERBAL TREASURES
Filed: August 12, 2011
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THRESHOLD ENTERPRISES, Ltd., Opposer v. ROBERT CAMPBELL, An Individual, Applicant.	Opposition No. 91204124
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Commissioner of Trademarks
PO Box 1451
Alexandria, VA. 22313-1451

**DECLARATION OF ROBERT CAMPBELL IN SUPPORT OF
APPLICANT'S REPLY TO OPPOSER'S RESPONSE TO APPLICANT'S
MOTION FOR SUMMARY JUDGMENT**

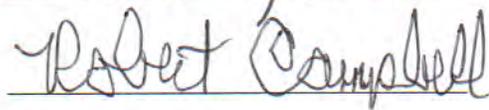
I, ROBERT CAMPBELL, declare under penalty of perjury under the laws of the United States that the facts contained herein are of my personal knowledge, and if called upon, I could and would competently testify to them.

1. This declaration is submitted in support of Applicant's Opposition to Opposer's Motion for Summary Judgment.
2. I own trademark application serial No. 85/396,136
3. In or about 2001, I began offering vitamin, dietary, nutritional, and herbal supplements to the public under the mark Planetary Herb Treasures.

4. In or about 2011, in order to come to an amicable resolution with Opposer, I abandoned the Planetary Herb Treasures mark, and began offering vitamin, dietary, nutritional, and herbal supplements to the public under the Plant Herbal Treasures mark since at least as early as August 12, 2011.
5. On or about August 12, 2011, I caused to be filed with the U.S. Patent and Trademark Office an intent-to-use application denoted as Serial No. 85/396,136 to register Plant Herbal Treasures in International Class 005 in connection with dietary herbal supplements, vitamins, and nutritional supplements.
6. I believe that the Plant Herbal Treasures mark is not likely to result in consumer confusion with respect Opposer's marks for competing and related products.
7. I am currently offering goods under the mark Plant Herbal Treasures mark in interstate commerce and have not experienced any source confusion with Opposer's marks.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 21st day of February 2014 at Santa Fe, NM.



Robert Campbell

EXHIBIT A

ESTTA Tracking number: **ESTTA459529**

Filing date: **03/01/2012**

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	Threshold Enterprises, Ltd.		
Entity	Corporation	Citizenship	Delaware
Address	23 Janis Way Scotts Valley, CA 95066 UNITED STATES		

Attorney information	Jeremy M. McLaughlin Arnold & Porter LLP Three Embarcadero Center 7th Floor San Francisco, CA 94111 UNITED STATES trademarkdocketing@aporter.com, jeremy.mclaughlin@aporter.com, monty.agarwal@aporter.com, jessica.lewis@aporter.com Phone:(415) 471-3297		
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Applicant Information

Application No	85396136	Publication date	01/31/2012
Opposition Filing Date	03/01/2012	Opposition Period Ends	03/01/2012
Applicant	Campbell, Robert 2917 Camino Del Bosque Santa Fe, NM 87507 UNITED STATES		

Goods/Services Affected by Opposition

Class 005. All goods and services in the class are opposed, namely: Dietary herbal supplements, vitamins, and nutritional supplements
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Grounds for Opposition

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

U.S. Registration No.	3370447	Application Date	11/03/2005
Registration Date	01/15/2008	Foreign Priority Date	NONE
Word Mark	PLANETARY		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 1984/01/01 First Use In Commerce: 1984/01/01 vitamins, dietary herbal supplements and nutritional supplements

U.S. Registration No.	1900303	Application Date	05/12/1994
Registration Date	06/20/1995	Foreign Priority Date	NONE
Word Mark	PLANETARY FORMULAS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1984/01/01 First Use In Commerce: 1984/01/01 dietary herbal supplements and nutritional supplements		

Attachments	78746648#TMSN.jpeg (1 page)(bytes) PLANT HERBAL TREASURES Notice of Opposition.pdf (5 pages)(14423 bytes)
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Certificate of Service

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

Signature	/Jeremy M. McLaughlin/
Name	Jeremy M. McLaughlin
Date	03/01/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Filed August 12, 2011
Mark PLANT HERBAL TREASURES
Published in the Official Gazette on January 31, 2012

Threshold Enterprises Ltd.,)	
)	
Opposer,)	
)	Opposition No. _____
vs.)	
)	
Robert Campbell,)	
)	
Applicant.)	
_____)	

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

In the matter of U.S. Trademark Application Serial No. 85/396,136 (“Serial No. 85/396,136”) for the mark PLANT HERBAL TREASURES, in the name of Robert Campbell (“Applicant”), which was published for opposition in the Official Gazette on January 31, 2012. Threshold Enterprises Ltd. (“Threshold Enterprises”), a corporation of Delaware with its principal place of business at 23 Janis Way, Scotts Valley, California 95066, believes it will be damaged by the registration of the mark in Serial No. 85/396,136 in International Class 005 and hereby opposes the same, in accordance with Section 13 of the Trademark (Lanham) Act of 1946, 15 U.S.C. §1063.

As grounds for the opposition, Threshold Enterprises alleges as follows:

Notice of Opposition
Serial No. 85/396,136

1. On information and belief, applicant is an individual residing at 2917 Camino Del Bosque, Santa Fe, New Mexico 87507, United States.

2. Applicant filed Serial No. 85/396,136 on August 12, 2011, seeking registration of PLANT HERBAL TREASURES for “Dietary herbal supplements, vitamins, and nutritional supplements,” in International Class 005.

3. Threshold Enterprises is the owner of incontestable U.S. Trademark Registration No. 3,370,447 for PLANETARY for “vitamins, dietary herbal supplements and nutritional supplements,” in International Class 005. This registration is valid, subsisting, uncancelled and conclusive evidence of Threshold Enterprises’ exclusive right to use PLANETARY in commerce or in connection with the goods specified in the registration.

4. Since at least twenty-six years prior to applicant’s filing date for Serial No. 85/396,136, Threshold Enterprises adopted and has continuously used its PLANETARY mark in connection with vitamins, dietary herbal supplements and nutritional supplements. PLANETARY is a prominent national brand, with products available nationwide in all major markets.

5. Threshold Enterprises is the owner of U.S. Trademark Registration No. 1,900,303 for PLANETARY FORMULAS for “dietary herbal supplements and nutritional supplements” in International Class 005. This registration is valid, subsisting, uncancelled and conclusive evidence of Threshold Enterprises’ exclusive right to use PLANETARY FORMULAS in commerce or in connection with the goods specified in the registration.

6. Since at least twenty-six years prior to applicant’s filing date for Serial No. 85/396,136, Threshold Enterprises adopted and has continuously used its PLANETARY

Notice of Opposition
Serial No. 85/396,136

FORMULAS mark in connection with dietary herbal supplements and nutritional supplements. PLANETARY FORMULAS is a prominent national brand, with products available nationwide in all major markets.

7. Applicant has no license, consent or permission from Threshold Enterprises to use or register PLANT HERBAL TREASURES.

8. Applicant's mark so resembles Threshold Enterprises' PLANETARY and PLANETARY FORMULAS marks that it is likely to cause confusion, or to cause mistake or deceive within the meaning of Section 2(d) of the Trademark (Lanham) Act of 1946, 15 U.S.C. §1052(d); and more particularly, applicant's mark and use thereof are likely to cause confusion in, or to cause mistake by, or to deceive the trade and purchasing public into believing that the goods/services in Serial No. 85/396,136 originate with or are affiliated with Threshold Enterprises, or otherwise are authorized, licensed or sponsored by Threshold Enterprises.

9. By reasons of the foregoing, Threshold Enterprises will be gravely damaged by the registration of PLANT HERBAL TREASURES for the goods in Serial No. 85/396,136, because registration of that mark would be in violation of Threshold Enterprises' trademark rights.

WHEREFORE, Threshold Enterprises prays that this Notice of Opposition be sustained in favor of Threshold Enterprises and that Serial No. 85/396,136 be denied registration.

You are hereby authorized to deduct the \$300 fee for filing this Opposition, and any additional fees necessary to process this Notice, from Deposit Account No. 502387 in the name of Arnold Porter LLP.

Respectfully submitted,

Notice of Opposition
Serial No. 85/396,136

Dated: March 01, 2012

THRESHOLD ENTERPRISE LTD.

/s/

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Attorneys for Opposer

PROOF OF SERVICE

I hereby certify that a true and complete copy of the foregoing **NOTICE OF OPPOSITION** has been served on Applicant Robert Campbell by mailing said copy on March 01, 2012, via US Postal Service:

Robert Campbell
2917 Camino Del Bosque
Santa Fe, New Mexico 87507

Dated: March 01, 2012

Signature: _____/s/_____

Type or Print Name: Jessica Lewis

EXHIBIT B

ESTTA Tracking number: **ESTTA585385**

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

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Date	02/03/2014
Attachments	Opposer's Opposition to Applicant's Motion for Summary Judgment Public, part 1.pdf(4759649 bytes) Opposer's Opposition to Applicant's Motion for Summary Judgment Public, part 2.pdf(3497622 bytes)

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

In the Matter of U.S. Application Serial No. 85/396136
For: PLANT HERBAL TREASURES

THRESHOLD ENTERPRISES LTD.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91204124
)	
ROBERT CAMPBELL (individual),)	
)	
Applicant.)	
)	

**OPPOSER'S OPPOSITION TO APPLICANT'S MOTION FOR SUMMARY
JUDGMENT**

PUBLIC VERSION

INTRODUCTION

Applicant Robert Campbell (“Applicant”) has moved for summary judgment on the issue of likelihood of confusion. In his Motion for Summary Judgment (“Motion”), he identifies only four factors that he claims support summary adjudication in his favor. As a result, the remaining likelihood of confusion factors automatically favor Opposer Threshold Enterprises, Ltd. (“Threshold”). Each of the four factors Applicant identifies, however, either weigh in favor of Threshold or are the subject of disputed factual issues. As a result, Applicant has fallen short of carrying his necessary burden to warrant the entry of summary judgment. His motion, therefore, must be denied.

BACKGROUND

The history between Threshold and Applicant long pre-dates the immediate opposition. In 1995, while shopping at a health food store, Applicant became aware of some products bearing Threshold’s PLANETARY, PLANETARY FORMULAS, and/or PLANETARY HERBALS marks. (Exhibit A at 20, Exhibit B). Applicant again encountered products bearing Threshold’s PLANETARY, PLANETARY FORMULAS, and/or PLANETARY HERBALS marks in or around 1998. (Id.)

Only three years later, in 2001, Applicant began using PLANETARY HERB TREASURES as a mark on dietary herbal supplements, vitamins, and nutritional supplements. (Exhibit C at 8-9, Exhibit D). After becoming aware of Applicant’s use of the PLANETARY HERB TREASURES mark and the website www.planetaryherbtreasures.com, on July 23, 2011 and August 3, 2011, Threshold contacted Applicant asking that he cease use of the mark. (Exhibit E at 5-6). On August 8, 2011, Applicant responded to Threshold’s inquiry, stating that he did not believe there was any trademark infringement. (Exhibit E at 4). On August 10, 2011, Threshold responded and reiterated its position that Applicant was infringing Threshold’s marks

and offered Applicant time to discontinue his use and re-label his products. (Exhibit E at 1-3). On August 12, 2011, an attorney for Applicant responded to Threshold again indicating that Applicant had no plans to discontinue his use of the PLANETARY HERB TREASURES mark. (Exhibit D at 1-3) In fact, on that same day, Applicant filed numerous applications for other marks, including PLANT HERBALS for “Dietary herbal supplements, vitamins, and nutritional supplements” in International Class 5, and PLANT HERBAL TREASURES, the mark at issue in this Opposition. In follow-up discussions between the parties, Applicant sought compensation from Threshold to discontinue use of his marks, which Threshold refused to offer. (Exhibit E at 41) Applicant did so knowing that Threshold also used PLANETARY HERBALS as a housemark. Indeed, Threshold has used the mark PLANETARY HERBALS since at least 2005. (Declaration of Barry Sugarman In Support Of Opposer’s Opposition To Applicant’s Motion for Summary Judgment (“Sugarman Decl.”), ¶2).

Because of this history, and Applicant’s gamesmanship, on March 1, 2012, Threshold filed the immediate Notice of Opposition against Applicant’s PLANT HERBAL TREASURES mark. On November 27, 2013, Applicant filed the Motion. On December 31, 2013, the Board granted Threshold’s request for an extension of time until February 3, 2014 to respond to the Motion.

ARGUMENT

A. Summary Judgment Standard

Summary judgment is appropriate only where the movant “shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a). The moving party has the burden of demonstrating the absence of any genuine dispute of material fact, and that it is entitled to judgment as a matter of law. TBMP §528.01. If the moving party meets its burden, the non-moving party must proffer countering evidence

showing that there is a genuine factual dispute for trial. *Id.* A factual dispute is genuine “if sufficient evidence is presented such that a reasonable fact finder could decide the question in favor of the non-moving party.” *Id.* The nonmoving party must be given the benefit of all reasonable doubt as to whether genuine disputes of material fact exist, and the evidentiary record and all inference to be drawn from the undisputed facts must be viewed in the light most favorable to the non-moving party. *Olde Tyme Foods, Inc. v. Roundy’s Inc.*, 961 F.2d 200 (Fed. Cir. 1992).

B. Likelihood of Confusion Analysis

Although Applicant claims he is moving for summary judgment “sole[ly]” on the “significant dissimilarity of the marks themselves,” the Motion is, in fact, based on four of the thirteen factors identified in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361 (CCPA 1973). Those four factors are: (1) “The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression” (Motion at 3-14); (2) “The conditions under which and buyers to whom sales are made . . .” (Motion at 14-15); (3) “The nature and extent of any actual confusion” (Motion at 15-16); and (4) “The number and nature of similar marks in use of similar goods.” (Motion at 16-22). *duPont*, 476 F.2d at 1361. Here, there are genuine disputes of material fact as to *each* of the four factors identified by Applicant. Summary judgment, therefore, should be denied.

Moreover, Applicant has conceded the relatedness of his products to Threshold’s products and that Threshold has priority in interstate commerce, and he makes no other arguments about the remaining *du Pont* factors. Motion at 3. As a result, for purposes of this motion, when weighing the *du Pont* factors, the Board assumes that the remaining factors, such as fame, relatedness of goods, and trade channels, favor Threshold. *The Hebrew University of Jerusalem v. 9081-0516 Quebec Inc.*, 2003 WL 1018100, at *2 (TTAB 2003). Thus, even if

there are no genuine issues of fact regarding the four factors identified by Applicant (which there are), and even if those factors favor Applicant (which they do not), they will still be weighed against the remaining factors that all favor Threshold.¹

1. *Similarity or dissimilarity of the marks in their entireties.*

Because Applicant has conceded the relatedness of his products to Threshold's products, the showing required to demonstrate similarity of the marks is less than in those cases involving different goods. *See, e.g., In re Mighty Tea Leaf*, 601 F.3d 1342, 1348 (Fed. Cir. 2010); *In re Microsoft Corp.*, 68 U.S.P.Q.2d 1195 (TTAB 2003) (“[W]hen marks appear on or in connection with virtually identical or closely related goods, the degree of similarity of the marks necessary to support a conclusion of likely confusion is not as great as when the goods are different.”); *Top Tobacco, L.P. v. North Atlantic Operating Co., Inc.*, 101 U.S.P.Q.2d 1163, 1173 (TTAB 2011) (when marks appear on identical goods, the degree of similarity needed for likely confusion declines). Moreover, similarity in any one of the trilogy factors—sight, sound, or meaning—“is sufficient to support a determination of likelihood of confusion.” *Eveready Battery Company, Inc. v. Green Planet, Inc.*, 91 U.S.P.Q.2d 1151 (TTAB 2009) (finding likelihood of confusion based on appearance and sound, even though marks had different meanings).

Applicant's mark is PLANT HERBAL TREASURES. Threshold has registrations for the marks PLANETARY and PLANETARY FORMULAS, and uses PLANETARY HERBALS as a housemark. (Sugarman Decl. ¶2). It is therefore appropriate to compare Applicant's mark with both Threshold registrations as well as its housemark. *See* McCarthy on Trademarks

¹ Moreover, a party's intent is a relevant factor in a likelihood of confusion analysis, such as whether an applicant adopted a mark with full knowledge of plaintiff's mark and/or the applicant tried to adopt a mark as close as possible to plaintiff. McCarthy on Trademarks §§23:115, 116 (4th ed. 2013). Given the history of Applicant's use of marks, there are substantial factual questions about his intent in adopting his mark.

§23:43 (4th ed. 2013) (“Conflicting marks must be compared in their entirety, including any ‘house mark’ which one party may append to its mark.”).

(a) Appearance.

The overall appearance of the marks is one of similarity. The marks with the most similar appearance are Applicant’s PLANT HERBAL TREASURES mark and Threshold’s PLANETARY HERBALS mark. The first word in each of these marks begins with the same first four letters: PLAN. The second word of Applicant’s mark—Herbal—is the same second word in Threshold’s mark, except the word is plural. In short, comparing PLANT HERBAL with PLANETARY HERBALS shows significant similarity between the marks. Applicant’s mark has TREASURES at the end of it. Although Threshold’s mark does not contain the word TREASURES, products bearing Threshold’s PLANETARY HERBALS mark have the word TREASURES in the title, such as Women’s Dong Quai Treasure. (Exhibit F at 8). As a result, there is significant overlap when considering the marks, and use of the marks, as a whole.

Even beyond Threshold’s housemark, Applicant’s mark starts out with the letters PLAN, and Threshold’s two registered marks begin with the same four letters. Moreover, although PLANET, which is the first part of each of Threshold’s marks has the letter E, it is nonetheless similar to the first full part of Applicant’s mark, PLANT.

(b) Sound.

The overall sound of Applicant’s mark is similar to that of Threshold’s marks.

Applicant’s mark is pronounced phonetically as PLANT ER-BAL TREH-ZHURES. Comparing just the first part – PLANT ER-BAL – to the phonetic pronunciation of the first part of each of Threshold’s mark reveals significant similarities. Threshold’s mark is pronounced or begins with the pronunciation PLAN-EH-TEAR-EE. Both of these pronunciations begin with “PLAN” and are followed by a “T” sound either immediately or shortly thereafter. Both marks

have the primary accent on the first syllable. In addition, the second syllable of each mark is acoustically similar—ER and EH—and receives the least accent of the entire mark.

Moreover, if one considers the second part of Threshold's house mark—HERBALS—the acoustic similarities increase. As discussed above, PLANT HERBALS and PLANETARY have acoustic similarities standing alone. However, PLANT HERBAL and PLANETARY HERBALS are even more similar because the final two syllables are nearly identical, with only an S separating them.

Although the final part of Applicant's mark—TREH-ZHURES—is not similar in sound to FORMULAS or HERBALS, that does not necessarily defeat the acoustic similarities of the overall marks when compared to each other. For example, in *Eveready Battery Company*, the Board found similar in sound the marks SCHICK and SLICK ULTRA PLUS, notwithstanding the addition of ULTRA PLUS to the latter mark. 91 U.S.P.Q.2d 1511, 2009 WL 2176668, at *8. Indeed, as relevant to both the *Eveready Battery Company* case and the instant case, where the first part of a mark is similar, it is especially important “since it is often the first part of a mark which is most likely to be impressed upon the mind of a purchaser and remembered.” *Presto Products, Inc. v. Nice-Pak Products, Inc.*, 9 U.S.P.Q.2d 1895, 1897 (TTAB 1988).

In his Motion, when discussing the sounds of the involved marks, Applicant simply states in conclusory fashion that the marks are not phonetically similar. This is not enough to carry his burden on summary judgment, which requires he demonstrate the absence of any genuine dispute of material fact. TBMP §528.01. He can meet this burden by showing “that there is an absence of evidence to support the nonmoving party's case” (*id.*), but, as just explained, there is ample evidence to demonstrate the similar sounds of the marks.

Moreover, Applicant cites *National Distillers & Chemical Corporation v. William Grant*

and Sons, Inc., 505 F.2d 719 (CCPA1974) for the proposition that “even where marks are phonetically similar, no likelihood of confusion exists if other differentiating factors can be established.” Motion at 9. In that case, the court noted as an “other differentiating factor” the fact that the word “duet” was a familiar word, but the word “duvet” was not. But here, Applicant fails to identify—let alone establish—*any* “other differentiating factors.”

Finally, after conceding that the same four consecutive letters begin both Applicant’s mark and Threshold’s marks, Applicant cites to various registered marks that contain those same four consecutive letters. Motion at 9. This is irrelevant for determining whether Applicant’s mark and Threshold’s sound alike, and Applicant makes no argument to the contrary.

(c) Meaning.

Determining the overall meaning of a mark can take into account a variety of factors. Moreover, even where marks are dissimilar in sound and appearance, their meaning can be so similar that they are likely to cause confusion. McCarthy §23:26. As discussed below, numerous factors independently convey a similar meaning between Applicant’s mark and Threshold’s marks. When these factors are combined, there is therefore strong evidence that the marks at issue convey a similar meaning.

(i) *Definitions of the Terms.*

A relevant factor to determine a mark’s meaning is the dictionary definition. *Id.* All of Threshold’s marks begin with the word PLANETARY. Merriam-Webster’s online dictionary defines the following terms:

- PLANETARY as, *inter alia*: (1) of, relating to, being, or resembling a planet; (2) erratic, wandering; (3) having a motion like that of a planet; (4) immense; (5) of, relating to, or belonging to the earth. (Exhibit G).
- FORMULA as, *inter alia*: (1) a plan or method for doing, making, or achieving

something; (2) a list of ingredients used for making something; (3) a symbolic expression of the chemical composition or constitution of a substance. (Exhibit H).

- HERBAL as, *inter alia*: (1) made of or relating to herbs. (Exhibit I).
- PLANT as, *inter alia*: (1) to put in the ground to grow (verb); (2) a living thing that grows in the ground, usually has leaves or flowers, and needs sun and water to survive (noun). (Exhibit J).
- TREASURE as, *inter alia*: (1) something valuable that is hidden or kept in a safe place; (2) something that is very special, important, or valuable; (3) a collection of precious things. (Exhibit K).

The overall meaning must be gauged by what the “ordinary viewer or customer” would conclude. McCarthy §23:26.

Here, PLANETARY is used on various types of supplements. In that context, the definition most likely to be relevant for an ordinary customer would be of or belonging to the Earth; it is unlikely consumers would believe the products came from “planets” in general. Because FORMULAS is also used on various types of supplements (rather than in a scientific or strategic context), consumers would most likely associate the term with a list of ingredients or an expression of the constitution of a substance. Considering the meaning of these terms together, the overall impression is: ingredients or substances from Earth. As for Threshold’s housemark, PLANETARY HERBALS, which is used only on herbal supplements, the overall impression is: made of herbs from Earth.

As for Applicant’s mark, the term PLANT, when used on herbal supplements, would convey to a consumer a living thing that grows in the ground. Of course, most consumers would affiliate “ground” with the ground on Earth, not some other planet. Moreover, because

HERBAL immediately follows the term PLANT, consumers likely would understand it to mean herbs growing in the ground. Finally, because the products are supplements, which consumers would not generally understand to be “hidden” or “valuable” in terms of money, the likely definition of TREASURES would be something special. Considering these terms together, the overall impression is: special herbs from Earth’s ground.

In short, the overall impression of Threshold’s marks are: (a) belonging to Earth, (b) ingredients from Earth, and (c) made of herbs from Earth. This is very similar to the overall impression of Applicant’s mark: special herbs from Earth’s ground. Indeed, as Applicant highlights, Threshold views the phrase PLANETARY FORMULAS to connote “its efforts to source the best of the world’s herbal ingredients and remedies.” Motion at 12. Of course, “best” is very similar to “special” and “the world’s herbal ingredients” refers to *Earth’s* herbal ingredients. This, too, demonstrates the similarity of definitions to Applicant’s mark: *special herbs* from *Earth’s* ground.

Applicant claims that the overall impression conveyed by his mark is “wealth through health.” Motion at 12. No evidence supports this assertion. None of the terms in Applicant’s mark conveys the term “health.” And although TREASURE could connote “wealth” in some circumstances, it is unlikely a consumer purchasing herbal supplements would conclude TREASURE indicates the supplement will provide the consumer with wealth. Indeed, Applicant’s own evidence undermines his argument that his mark means “wealth through health.” The motto present on Applicant’s website is “Bringing Herbal Treasures From Around The World.” (Exhibit E at 37.1 - 39) That motto is much more aligned with the meaning ‘special herbs from Earth’s ground’ than with ‘health through wealth.’

(ii) *Context of mark.*

As Applicant admits, in determining the meaning or connotation of the mark, it is

relevant to analyze the context in which the mark is used, such as material on labels, advertisements, packaging, etc. Motion at 10 (*citing In re Nationwide Industries*, 6 U.S.P.Q.2d 1882 (TTAB 1988)); *see also* McCarthy §23:52. Applicant, however, wholly fails to address this consideration. When properly considered, these contextual indicators further demonstrate the overall similarity of the marks at issue.

The trade dress of Applicant's products and Threshold's products are very similar. As is evidenced from each party's website, most of each party's products are sold in white bottles with white caps. (Exhibit E at 40, Exhibit F at 1). In addition, the labels on each party's bottle share many, significant characteristics:

- PLANT HERBAL TREASURES (Applicant) and PLANETARY HERBALS (Threshold) are each written in a yellow/gold font.
- Both marks are written in all uppercase letters.
- Each label depicts green leaves, either below or next to the mark.
- Each label prominently features a picture of Earth.

Id.

* * * * *

Applicant fails to provide undisputed evidence demonstrating that the marks at issue are so dissimilar that they are not likely to cause confusion. In fact, *each* of the factors—appearance, sound, and meaning—demonstrate a close similarity between the marks. Given that (a) a lower showing is required for similarity of the marks because the goods are concededly related, and (b) one factor alone can warrant a similarity finding, Applicant has come nowhere close to demonstrating that he is entitled to summary judgment on this factor. At the very least, however, there are genuine factual disputes preventing the entry of summary judgment because a

reasonable fact finder could decide the question in favor of Threshold.²

2. *Sophistication of the Consumer.*

The degree of care exercised by a purchasing consumer is relevant in determining whether a consumer will be misled by marks. *See generally* McCarthy §23:95. If a consumer is likely to exercise a high degree of care and deliberation when purchasing a product, there is a lessened chance that the consumer will be confused by similar marks. *Id.* Conversely, if a consumer likely will exercise less care, such as with an impulse purchase, the consumer will more likely be confused by similar marks. *Id.*

Without citing any authority or evidence, Applicant claims that consumers “will be especially vigilant” when purchasing the party’s products. Motion at 15. Such a bald assertion, however, is far from clear and far from what is required to show the lack of any genuine issue of material fact. To the contrary, there is evidence undermining Applicant’s position.

As an initial matter, goods that are inexpensive tend to have more impulse buyers when compared to expensive goods. McCarthy §23:95. Here, the goods at issue are relatively inexpensive (*See, e.g.*, Exhibit E at 7-37 (retail prices ranging from \$12.50-\$49.95) & (Exhibit F at 2-6 (retail prices ranging from \$8.50 to \$35.98)), which supports a conclusion that purchasers will be less discerning. Indeed, rejecting an argument that consumers of dietary supplements are sophisticated purchasers, the Seventh Circuit found that “there is just no evidence that consumers as a whole are extraordinarily careful when it comes to dietary supplements.” *Eli Lilly & Co. v. Natural Answers, Inc.*, 233 F.3d 456, 464 (7th Cir. 2000). Moreover, the ability to purchase the

² Throughout his argument about the supposed dissimilarities of his and Threshold’s marks, Applicant extols the virtues of the Anti-Dissection Rule, which provides that marks must be considered as a whole. Motion at 7, 12. As Threshold has demonstrated, considering the appearance, sound, and meaning of the marks as a whole, the marks are very similar. Accordingly, Applicant’s arguments comparing portions of the marks, such as TREASURES and PLANETARY are misplaced and unpersuasive. Motion at 13.

products on the Internet further adds to the potential for confusion, because consumers can navigate “amongst web sites [with] practically no efforts whatsoever.” *GoTo.com v. Walt Disney Company*, 202 F.3d 1199 (9th Cir. 2000).

On the other hand, a district court has found that purchasers of dietary supplements at health and natural food stores are likely to exercise a heightened degree of care. *See Hero Nutritionals LLC v. Nutraceutical Corp.*, 2013 WL 4480674, at *7 (C.D. Cal. Aug. 16, 2013). In that case, the court relied on the fact that consumers purchasing dietary and nutritional supplements are more focused on the quality and efficacy of goods. *Id.* However, a report by the New York State Task Force on Life & the Law undermines this finding because it notes that consumers purchase dietary supplements for a wide variety of reasons. (Exhibit L at 21-27). The variety of reasons—such as improving health and wellness, improving athletic performance, and avoiding pharmaceutical—indicates that a variety of different types of consumers purchase supplements, and those different types of consumers will have a range of sophistication in their shopping patterns. (*Id.*).

Applicant has provided no evidence that the average consumer of will be a sophisticated consumer such that this factor should weigh in Applicant’s favor. In fact, there is evidence to the contrary and thus disputed issues of fact as to this factor.

3. *Lack of Actual Confusion.*

As Applicant states, Threshold is *currently* unaware of instances of actual confusion. Motion at 16. Applicant is incorrect, however, when he concludes that this fact supports the entry of summary judgment.

First, instances of actual confusion are not necessary to prove *likelihood* of confusion. McCarthy §23:12. Moreover, in Threshold’s discovery response on which Applicant relies, Threshold explained that “discovery is currently underway” and that instances of actual

confusion could be discovered from third-parties, such as retailers. *See* Motion, Exh. 6, at 3-4. Threshold products are sold through a variety of retailers and through the Internet. (Exhibit F at 7). Accordingly, if a consumer had a complaint about a Threshold product or were to return a product because of brand confusion, the retailer would likely have evidence of that. For this reason, and contrary to Applicant's assertion, the parties cannot yet conclude whether instances of actual confusion have occurred.

4. ***Number and Nature of Similar Marks in Use on Similar Goods.***

For the final factor identified by Applicant, he cites to a variety of other marks registered with the USPTO and argues that, for a variety of reasons, these marks support a finding of no likelihood of confusion. Applicant, however, misunderstands relevant law and, in fact, makes arguments that support Threshold.

First, he argues that "widespread use" of the consecutive letters PLAN and the words PLANT, PLANET, and FORMULA in International Class 5 demonstrates Threshold's "mark should be considered a weak mark and Applicant's mark should be considered a strong mark." Motion at 18. This argument is nonsensical. Applicant's mark contains the consecutive letters PLAN and the word PLANT, so is therefore difficult to understand why, if Threshold's mark should be considered weak, Applicant's mark would not also be considered weak. Moreover, Applicant is conspicuously silent about other features of Threshold's marks, such as PLANETARY and HERBALS.

Second, Applicant's evidence of other registrations consist solely of the TSDR registration records. *See* Motion, Exhs. 10-30. He submits no evidence that any of these registrations are commercially in use; registrations are not evidence that the marks shown therein are in use or that the public is familiar with them. *In re Albert Trostel & Sons Co.*, 29 U.S.P.Q.2d 1783 (TTAB 1993). Accordingly, the 30 registrations submitted into evidence by

Applicant cannot demonstrate that other marks have coexisted with Threshold's or that the market is saturated by these marks.

Finally, many of the marks cited by Applicant—unlike Applicant's mark—are readily distinguishable from Threshold's mark. For example, a vast majority have the word PLANT but none of them have the term HERB or HERBAL. Motion at 19-22. In addition, several of the marks are distinguishable based on the fact that they're composed of foreign words, such as PLAN 30 DIAS, PLANTE SYSTEM COMPLEXE VEGETAL P.E.S., and PLANTA MEDICA.

CONCLUSION

Applicant has moved for summary judgment relying on four *du Pont* factors. Because genuine issues of material fact exist with respect to each element, and because the remaining factors weigh in favor of Threshold, Applicant's motion for summary judgment should be denied.

Respectfully submitted,

THRESHOLD ENTERPRISES, LTD.

February 3, 2014

By: /s/ _____

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing OPPOSER'S
OPPOSITION TO APPLICANT'S MOTION FOR SUMMARY JUDGMENT [SEALED] and
DECLARATION OF BARRY SUGARMAN IN SUPPORT OF OPPOSER'S OPPOSITION TO
APPLICANT'S MOTION FOR SUMMARY JUDGMENT has been served on Applicant Robert
Campbell, by OVERNIGHT DELIVERY by Federal Express in a sealed envelope with all fees
prepaid at the address noted below on February 3, 2014 to:

Kuscha Hatami
LegalForce RAPC Worldwide
1580 W. El Camino Real Suite 13
Mountain View, CA 94040

Attorney for Applicant

By: 
Marc Schiess

EXHIBIT C

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

Reg. No. 3,370,447

United States Patent and Trademark Office

Registered Jan. 15, 2008

**TRADEMARK
PRINCIPAL REGISTER**

PLANETARY

THRESHOLD ENTERPRISES, LTD. (DELAWARE
CORPORATION)
23 JANIS WAY
SCOTTS VALLEY, CA 95066

FOR: VITAMINS, DIETARY HERBAL SUPPLE-
MENTS AND NUTRITIONAL SUPPLEMENTS, IN
CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 1-1-1984; IN COMMERCE 1-1-1984.

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

OWNER OF U.S. REG. NO. 1,900,303.

SN 78-746,648, FILED 11-3-2005.

JASON LOTT, EXAMINING ATTORNEY

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office **Reg. No. 1,900,303**
Registered June 20, 1995

**TRADEMARK
PRINCIPAL REGISTER**

PLANETARY FORMULAS

THRESHOLD ENTERPRISES LTD. (DELA-
WARE CORPORATION)
23 JANIS WAY
SCOTTS VALLEY, CA 95066

FOR: DIETARY HERBAL SUPPLEMENTS
AND NUTRITIONAL SUPPLEMENTS, IN
CLASS 5 (U.S. CL. 18).

FIRST USE 1-1-1984; IN COMMERCE
1-1-1984.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "FORMULAS", APART FROM
THE MARK AS SHOWN.

SER. NO. 74-524,065, FILED 5-12-1994.

LEIGH CAROLINE CASE, EXAMINING AT-
TORNEY

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office **Reg. No. 1,900,303**
Registered June 20, 1995

**TRADEMARK
PRINCIPAL REGISTER**

PLANETARY FORMULAS

THRESHOLD ENTERPRISES LTD. (DELA-
WARE CORPORATION)
23 JANIS WAY
SCOTTS VALLEY, CA 95066

FOR: DIETARY HERBAL SUPPLEMENTS
AND NUTRITIONAL SUPPLEMENTS, IN
CLASS 5 (U.S. CL. 18).

FIRST USE 1-1-1984; IN COMMERCE
1-1-1984.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "FORMULAS", APART FROM
THE MARK AS SHOWN.

SER. NO. 74-524,065, FILED 5-12-1994.

LEIGH CAROLINE CASE, EXAMINING AT-
TORNEY

Generated on: This page was generated by TSDR on 2014-02-21 13:48:29 EST

Mark: PLANT HERBAL TREASURES

PLANT HERBAL TREASURES

US Serial Number: 85396136

Application Filing Date: Aug. 12, 2011

Register: Principal

Mark Type: Trademark

Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Mar. 01, 2012

Publication Date: Jan. 31, 2012

Mark Information

Mark Literal Elements: PLANT HERBAL TREASURES

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "PLANT HERBAL"

Goods and Services

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

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

For: Dietary herbal supplements, vitamins, and nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Campbell, Robert

Owner Address: 2917 Camino Del Bosque
Santa Fe, NEW MEXICO 87507
UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Christopher Ditico

Docket Number: 31712

Attorney Primary Email Address: trademarks@rajpatent.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JENNIE CHENG
RAJ ABHYANKER PC
1580 WEST EL CAMINO REAL
SUITE 8
MOUNTAIN VIEW, CALIFORNIA 94040

UNITED STATES

Phone: 650 965-8731

Fax: 650 989-2131

Correspondent e-mail: trademarks@rajpatent.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 01, 2012	OPPOSITION INSTITUTED NO. 999999	204124
Mar. 01, 2012	OPPOSITION PAPERS RECEIVED AT TTAB	
Jan. 31, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 31, 2012	PUBLISHED FOR OPPOSITION	
Jan. 11, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 28, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Dec. 28, 2011	ASSIGNED TO LIE	73797
Dec. 06, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 06, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 06, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 06, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 06, 2011	EXAMINERS AMENDMENT -WRITTEN	76933
Dec. 05, 2011	ASSIGNED TO EXAMINER	76933
Aug. 16, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 16, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: POWELL, LINDA A

Law Office Assigned: LAW OFFICE 106

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 28, 2011

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91204124](#)

Filing Date: Mar 01, 2012

Status: Pending

Status Date: Mar 01, 2012

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Robert Campbell

Correspondent Address: JENNIE CHENG
RAJ ABHYANKER PC
1580 WEST EL CAMINO REAL, SUITE 8
MOUNTAIN VIEW CA , 94040
UNITED STATES

Correspondent e-mail: kuscha@legalforcelaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PLANT HERBAL TREASURES	Opposition Pending	85396136	

Plaintiff(s)

Name: Threshold Enterprises, Ltd.

Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER, 10TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: jeremy.mclaughlin@aporter.com , trademarkdocketing@aporter.com , elisabeth.richards@aporter.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
PLANETARY	Section 8 and 15 - Accepted and Acknowledged	78746648	3370447
PLANETARY FORMULAS	Renewed	74524065	1900303

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 01, 2012	Apr 10, 2012
3	PENDING, INSTITUTED	Mar 01, 2012	
4	D'S REQUEST TO WITHDRAW AS ATTORNEY	Mar 27, 2012	
5	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 06, 2012	May 06, 2012
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Apr 18, 2012	
7	BOARD ORDER; ANSWER DUE 6/11/2012	May 21, 2012	
8	ANSWER	Jun 11, 2012	
9	STIPULATION FOR AN EXTENSION OF TIME	Aug 16, 2012	
10	EXTENSION OF TIME GRANTED	Aug 16, 2012	
11	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 27, 2012	
12	SUSPENDED	Dec 27, 2012	
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 17, 2013	
14	SUSPENDED	Apr 17, 2013	
15	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 06, 2013	
16	SUSPENDED	Jun 06, 2013	
17	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 05, 2013	
18	SUSPENDED	Aug 05, 2013	
19	P MOT FOR EXT W/ CONSENT	Oct 03, 2013	
20	EXTENSION OF TIME GRANTED	Nov 07, 2013	
21	D'S MOT FOR SUMMARY JUDGMENT	Nov 27, 2013	
22	SUSP PEND DISP OF OUTSTNDNG MOT	Dec 19, 2013	
23	P MOT FOR EXT W/O CONSENT	Dec 20, 2013	
24	D OPP/RESP TO MOTION	Dec 23, 2013	
25	P REPLY IN SUPPORT OF MOTION	Dec 26, 2013	
26	D'S SUR-REPLY TO MOT	Dec 30, 2013	
27	P'S MOT TO EXTEND GRANTED	Dec 31, 2013	
28	P OPP/RESP TO MOTION	Feb 03, 2014	
29	Confidential Plaintiff's Opposition/Response to Motion	Feb 03, 2014	
30	DECL IN SUPPORT OF P'S OPP/RESP TO MOTION	Feb 03, 2014	

EXHIBIT D

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Cen
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\$15.00

Allergy Decongest - 4 oz

[More Information](#)



\$20.50

Allergy Defense - Cang Er Zi San & Yu Ping Feng San - 90 ct.

[More Information](#)



\$15.00

Breathe-ease - 4 oz

[More Information](#)



\$15.00

Clear Out & Boost Up - Xiao Chai Hu Tang - 4 oz

[More Information](#)



\$30.00

Clear Out & Boost Up - Xiao Chai Hu Tang - 8 oz

[More Information](#)



\$15.00

Clear Throat & Sinus Formula - 4 oz

[More Information](#)





\$15.00

Clear Eyes - 4 oz

[More Information](#)



\$15.00

Lower Pressure - Tian Ma
Gou Teng Yin Jia Wei Tang -
4 oz

[More Information](#)



\$30.00

Lower Pressure - Tian Ma
Gou Teng Yin Jia Wei Tang -
8 oz

[More Information](#)



\$18.50

Bone & Back Support - 90 ct

[More Information](#)



\$18.50

Injury & Trauma - Die Da Jia Wei Pian - 90 ct

[More Information](#)



\$19.50

Joint & Muscle Relief - Du Huo Ji Sheng Jia Wei Pian - 90 ct

[More Information](#)



Bringing Herbal Treasures From Around The World

Out of stock

Pain & Injury Spray (Die Da Jia Wei Spray) - 2 oz

[More Information](#)



Bringing Herbal Treasures From Around The World

Out of stock

Red Ointment (Die Da Jia Wei Ointment) - 2 oz

[More Information](#)



Plant Herbal Treasures

"Bringing Herbal Treasures From Around The World"™



Wild Chinese Ginseng
(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

Bringing Herbal Treasures From Around The World™

Products

Herb Pharmacy

Consultations

Herbs List /
Formulas List

Case Histories

Testimonials

Healing Center



\$15.00

Uterine & Breast Clearing - 4
oz

[More Information](#)



Bringing Herbal Treasures From Around The World™

\$49.95

Bosom Boost (Breast
enhancement) - 90 ct.

[More Information](#)



Plant Herbal Treasures

"Bringing Herbal Treasures From Around The World"™



Wild Chinese Ginseng
(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis
Dong Quai - Slice
(Dang Gui)

Bringing Herbal Treasures From Around The World™

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Ce
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\$35.00

Essiac Formula (Cancer Supplement) - 8 oz

[More Information](#)



\$18.00

Pokeberry Compound (Cancer Supplement) - 90 ct.

[More Information](#)



Plant Herbal Treasures

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Wild Chinese Ginseng
(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

Around The World™

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Cent
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\$20.50

Allergy Defense - Cang Er Zi
San & Yu Ping Feng San - 90
ct.

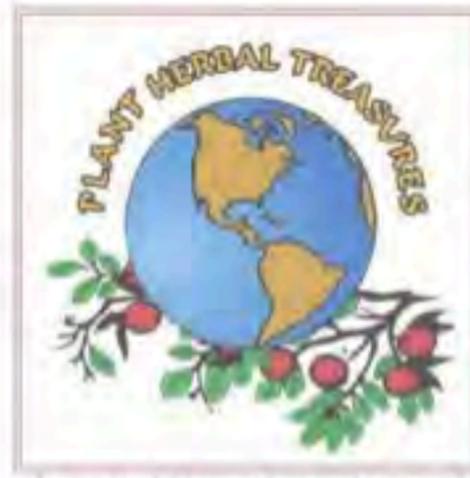
[More Information](#)



\$18.50

Bone & Back Support - 90 ct

[More Information](#)



\$49.95

Bosom Boost (Breast
enhancement) - 90 ct.

[More Information](#)



\$20.50

Calm & Relaxed - 90 ct.

[More Information](#)



\$20.50

Calm Shen - 90 ct.

[More Information](#)



\$18.50

Coptis Clearing - Huang Lian
Jie Du Tang (Antibiotic /
Heat / Inflammation Formula) -
60 ct.

[More Information](#)

[More Information](#)

[More Information](#)

Jie Du Tang (Antibiotic / Heat / Inflammation Formula) - 60 ct.

[More Information](#)



Out of stock

Corydalis Pain Relief - Yan Hu Suo Capsule Formula - 90 ct.

[More Information](#)

\$20.50

Emperor's Calm Shen - Tian Wang Bu Xin Jia Wei Tang - 90 ct.

[More Information](#)

\$16.50

Gypsum & Rehmannia Formula - Yu Niu Jian - 60 ct.

[More Information](#)



\$30.00

Heavy Metal-Radiation Detox - 90 ct.

[More Information](#)

\$19.50

Hemorrhoid Formula - 90 ct.

[More Information](#)

\$39.95

He Shou Wu Hair Compound - 90 ct.

[More Information](#)



\$18.50

Injury & Trauma - Die Da Jia Wei Pian - 90 ct.

[More Information](#)

\$16.50

Isatis Clearing (Antibiotic Formula) - 60 ct.

[More Information](#)

\$19.50

Joint & Muscle Relief - Du Huo Ji Sheng Jia Wei Pian - 90 ct.

[More Information](#)

\$18.50

Injury & Trauma - Die Da Jia Wei Pian - 90 ct

[More Information](#)



\$18.50

Kelp Phlegm / Nodule Formula - 90 ct.

[More Information](#)

\$16.50

Isatis Clearing (Antibiotic Formula) - 60 ct.

[More Information](#)



\$39.95

Men's Ching Capsules (Sexual Enhancement) - 60 ct.

[More Information](#)

\$19.50

Joint & Muscle Relief - Du Huo Ji Sheng Jia Wei Pian - 90 ct

[More Information](#)



\$20.50

Overthinkers Formula - Gui Pi Tang - 90 ct.

[More Information](#)



\$18.00

Phlegm - Damp Formula - 90 ct.

[More Information](#)



\$18.00

Pokeberry Compound (Cancer Supplement) - 90 ct.

[More Information](#)



\$16.50

Pulsatilla Formula (Ameobic Dysentery) - 60 ct.

[More Information](#)



\$20.00

Salvia Capsules - Dan Shen Capsules (Heart / Angina) - 60 ct.

[More Information](#)



\$19.50

Skin Rash - 3 (capsule form) - 90 ct.

[More Information](#)



\$18.00

Stomach Soothe - 90 ct.

[More Information](#)

Salvia Capsules - Dan Shen
Capsules (Heart / Angina) -
60 ct.

[More Information](#)



\$20.00

Stop Bleeding /
Pseudoginseng - 60 ct.

[More Information](#)

Skin Rash - 3 (capsule form)
- 90 ct.

[More Information](#)



\$18.50

Valerian & Skullcap (Sleep,
Stress etc.) - 90 ct.

[More Information](#)

Stomach Soothe - 90 ct.

[More Information](#)



Out of stock

Varicose - Plex - 90 ct.

[More Information](#)



\$20.00

Vital Energy - 90 ct.

[More Information](#)



\$39.50

Women's Ching (Sexual
Enhancement) - 60 ct.

[More Information](#)



\$18.50

Women's Treasure (Women's
Hormones, Periods) - 60 ct.

[More Information](#)



\$18.50

Wormwood Formula
(Parasites, Worms) - 90 ct.

[More Information](#)



from Around The World™



Wild Chinese Ginseng
(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Center
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\$15.00

AVSY - 4 oz

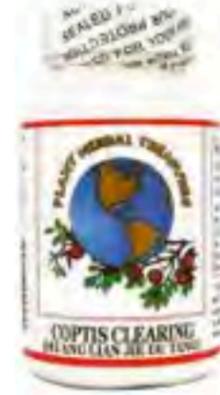
[More Information](#)



\$15.00

Clear Throat & Sinus
Formula - 4 oz

[More Information](#)



\$18.50

Coptis Clearing - Huang Lian
Jie Du Tang (Antibiotic /
Heat / Inflammation Formula) -
60 ct.

[More Information](#)



\$15.00

Fire-Toxin Clearing - 4 oz

[More Information](#)



\$16.50

Isatis Clearing (Antibiotic
Formula) - 60 ct.

[More Information](#)



\$15.00

Yin Qiao San (Wind-Heat
Relief) 4 oz

[More Information](#)



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(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

From Around The World™

- Products
- Herb Pharmacy
- Consultations
- Herbs List / Formulas List
- Case Histories
- Testimonials
- Healing Center



\$16.50

Gypsum & Rehmannia
Formula - Yu Niu Jian - 60
ct.

[More Information](#)



\$15.00

Lax-ease / Run Chang Jia
Wei Tang - 4 oz

[More Information](#)



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Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

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Products

Herb Pharmacy

Consultations

Herbs List /
Formulas List

Case Histories

Testimonials

Healing Center



\$15.00

Glucose Balancer - 4 oz

[More Information](#)



\$30.00

Glucose Balancer - 8 oz

[More Information](#)



\$15.00

Digest-ease - Chai Shao Liu
Jun Zi Tang - 4 oz

[More Information](#)



Out of stock

Digestive Energy - Si Jun Zi
Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Digestive Energy - Si Jun Zi
Jia Wei Tang - 8 oz

[More Information](#)



\$15.00

Food Allerg-ease - 4 oz

[More Information](#)



\$15.00

Food Stagnation - Bao He Jia
Wei Wan - 4 oz

[More Information](#)



\$30.00

Food Stagnation - Bao He Jia
Wei Wan - 8 oz

[More Information](#)



\$18.00

Stomach Soothe - 90 ct.

[More Information](#)



\$15.00

Boost-up Central Qi -Bu
Zhong Yi Qi Tang - 4 oz

[More Information](#)



\$30.00

Boost-up Central Qi -Bu
Zhong Yi Qi Tang - 8 oz

[More Information](#)



Out of stock

Digestive Energy - Si Jun Zi
Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Digestive Energy - Si Jun Zi
Jia Wei Tang - 8 oz

[More Information](#)



Out of stock

Dong Quai Blood - 4 oz

[More Information](#)



\$30.00

Dong Quai Blood - 8 oz

[More Information](#)



\$15.00

Eight Treasures Plus
Compound - Ba Zhen Jia Wei
Tang - 4 oz

[More Information](#)



\$30.00

Eight Treasures Plus
Compound - Ba Zhen Jia Wei
Tang - 8 oz

[More Information](#)



\$15.00

Liver Energy - 4 oz

[More Information](#)





Plant Herbal Treasures

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Wild Chinese Ginseng
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(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

om Around The World"

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Center
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\$15.00
Clear Eyes - 4 oz
[More Information](#)



\$15.00
Wolfberry-Bilberry Eye
Compound - 4 oz
[More Information](#)



\$30.00
Wolfberry-Bilberry Eye
Compound - 8 oz
[More Information](#)



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Wild Chinese Ginseng
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(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

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[Products](#)

[Herb Pharmacy](#)

[Consultations](#)

[Herbs List /
Formulas List](#)

[Case Histories](#)

[Testimonials](#)

[Healing Center](#)



\$15.00

He Shou Wu Hair Compound
- 4 oz

[More Information](#)



\$30.00

He Shou Wu Hair Compound
- 8 oz

[More Information](#)



\$39.95

He Shou Wu Hair Hair
Compound - 90 ct.

[More Information](#)



...m Around The World™



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(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Center
--------------------------	-------------------------------	-------------------------------	--	--------------------------------	------------------------------	--------------------------------



\$15.00
Hawthorn-Salvia Compound
- 4 oz

[More Information](#)



\$15.00
Heart Circulation - Guan Xin
Er Hao Feng - 4 oz

[More Information](#)



Out of stock
Period-Ease - 4 oz

[More Information](#)



\$30.00
Period-Ease - 8 oz

[More Information](#)



Around The World™



Wild Chinese Ginseng
(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Center
--------------------------	-------------------------------	-------------------------------	--	--------------------------------	------------------------------	--------------------------------



\$30.00

Heavy Metal-Radiation
Detox - 90 ct.

[More Information](#)



Herbs From Around The World®



Wild Chinese Ginseng (Ye Ren Shen)



"Rare" Antler Reishi (Lu Jiao Ling Zhi)



Ganoderma-Reishi (Ling Zhi)



Lycii-Wolfberry (Gou Qi Zi)



Angelica Sinensis-Dong Quai - Sliced (Dang Gui)

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Center
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\$15.00

Clear Out & Boost Up - Xiao Chai Hu Tang - 4 oz

[More Information](#)



\$30.00

Clear Out & Boost Up - Xiao Chai Hu Tang - 8 oz

[More Information](#)



\$15.00

Immune Defense Support - Yu Pin Feng Jia Wei San - 4 oz

[More Information](#)



\$30.00

Immune Defense Support - Yu Pin Feng Jia Wei San - 8 oz

[More Information](#)



\$15.00

Vital Immune Support - 4 oz

[More Information](#)



\$30.00

Vital Immune Support - 8 oz

[More Information](#)

(Ye Ren Shen)

(Lu Jiao Ling Zhi)

(Ling Zhi)

(Gou Qi Zi)

Dong Quai - Sliced
(Dang Gui)

Around The World™

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials	Healing Center
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\$18.50

Bone & Back Support - 90 ct

[More Information](#)



\$18.50

Injury & Trauma - Die Da Jia
Wei Pian - 90 ct

[More Information](#)



\$19.50

Joint & Muscle Relief - Du
Huo Ji Sheng Jia Wei Pian -
90 ct

[More Information](#)



\$15.00

Kudzu- Neck Formula - 4 oz

[More Information](#)



Out of stock

Pain & Injury Spray (Die Da
Jia Wei Spray) - 2 oz

[More Information](#)



Out of stock

Red Ointment (Die Da Jia
Wei Ointment) - 2 oz

[More Information](#)



\$20.00

Stop Bleeding /
Pseudoginseng - 60 ct.

[More Information](#)



\$15.00

Kidney Qi - Wu Zi Wan Plus Compound - 4 oz

[More Information](#)



\$30.00

Kidney Qi - Wu Zi Wan Plus Compound - 8 oz

[More Information](#)



\$15.00

Kidney Yin Support - Zuo Gui Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Kidney Yin Support - Zuo Gui Jia Wei Tang - 8 oz

[More Information](#)



\$15.00

Rehmannia Yang Tonic - Jin Gui Shen Qi Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Rehmannia Yang Tonic - Jin Gui Shen Qi Jia Wei Tang - 8 oz

[More Information](#)



\$15.00

Rehmannia Yin Tonic - Liu Wei Di Huang Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Rehmannia Yin Tonic - Liu Wei Di Huang Jia Wei Tang - 8 oz

[More Information](#)



\$15.00

Saw Palmetto Plus Compound - 4 oz

[More Information](#)



\$30.00

Saw Palmetto Plus Compound - 8 oz

[More Information](#)



\$15.00

Urine Leak-Stop - 4 oz

[More Information](#)



\$30.00

Urine Leak-Stop - 8 oz

[More Information](#)



Plant Herbal Treasures

"Bringing Herbal Treasures From Around The World"™



Wild Chinese Ginseng
(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

From Around The World™

Products

Herb Pharmacy

Consultations

Herbs List /
Formulas List

Case Histories

Testimonials



\$19.50

Life Force Support - Fu
Zheng Therapeutics - 4 oz

[More Information](#)



\$39.00

Life Force Support - Fu
Zheng Therapeutics - 8 oz

[More Information](#)



\$15.00

Allergy Decongest - 4 oz

[More Information](#)



\$15.00

AVSY - 4 oz

[More Information](#)



\$15.00

Boost-up Central Qi -Bu
Zhong Yi Qi Tang - 4 oz

[More Information](#)



\$30.00

Boost-up Central Qi -Bu
Zhong Yi Qi Tang - 8 oz

[More Information](#)



\$15.00

Breathe-ease - 4 oz

[More Information](#)



Out of stock

Bupleurum- Dandelion
Compound - 4 oz

[More Information](#)



\$30.00

Bupleurum- Dandelion
Compound - 8 oz

[More Information](#)



\$15.00

Clear Eyes - 4 oz

[More Information](#)



\$15.00

Cool Blood - 4 oz

[More Information](#)



\$15.00

Digest-ease - Chai Shao Liu
Jun Zi Tang - 4 oz

[More Information](#)



Out of stock

Digestive Energy - Si Jun Zi
Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Digestive Energy - Si Jun Zi
Jia Wei Tang - 8 oz

[More Information](#)





Out of stock
Dong Quai Blood - 4 oz
[More Information](#)



\$30.00
Dong Quai Blood - 8 oz
[More Information](#)



\$30.00
Drain Water - Wu Ling Jia
Wei San - 8 oz
[More Information](#)



\$15.00
Ease Dryness - Sha Shen Mai
Men Jia Wei Tang - 4 oz
[More Information](#)



\$30.00
Ease Dryness - Sha Shen Mai
Men Jia Wei Tang - 8 oz
[More Information](#)



\$15.00
Eight Treasures Plus
Compound - Ba Zhen Jia Wei
Tang - 4 oz
[More Information](#)



\$30.00
Eight Treasures Plus
Compound - Ba Zhen Jia Wei
Tang - 8 oz
[More Information](#)



\$35.00
Essiac Formula (Cancer
Supplement) - 8 oz
[More Information](#)



\$15.00
Fire-Toxin Clearing - 4 oz
[More Information](#)



\$15.00
Food Allerg-ease - 4 oz
[More Information](#)



\$15.00
Food Stagnation - Bao He Jia
Wei Wan - 4 oz
[More Information](#)



\$30.00
Food Stagnation - Bao He Jia
Wei Wan - 8 oz
[More Information](#)



[More Information](#)



\$15.00
Free & Relaxed - Xiao Yao
Jia Wei San - 4 oz

[More Information](#)

[More Information](#)



\$30.00
Free & Relaxed - Xiao Yao
Jia Wei San - 8 oz

[More Information](#)

[More Information](#)



\$15.00
Gentiana Compound - Long
Dan Xie Gan Jia Wei Tang -
4 oz

[More Information](#)



\$15.00
Ginkgo Compound - 4 oz

[More Information](#)



\$15.00
Glucose Balancer - 4 oz

[More Information](#)



\$30.00
Glucose Balancer - 8 oz

[More Information](#)



\$15.00
Gota Kola Compound - 4 oz

[More Information](#)



\$15.00
Hawthorn-Salvia Compound
- 4 oz

[More Information](#)



\$15.00
Heart Circulation - Guan Xin
Er Hao Feng - 4 oz

[More Information](#)



\$15.00
Hep C Helper - 4 oz



\$15.00
He Shou Wu Hair Compound



\$30.00
He Shou Wu Hair Compound

Hep C Helper - 4 oz

[More Information](#)



\$15.00

Immune Defense Support -
Yu Pin Feng Jia Wei San - 4
oz

[More Information](#)

He Shou Wu Hair Compound

4 oz

[More Information](#)



\$30.00

Immune Defense Support -
Yu Pin Feng Jia Wei San - 8
oz

[More Information](#)

He Shou Wu Hair Compound

- 8 oz

[More Information](#)



\$15.00

Kidney Qi - Wu Zi Wan Plus
Compound - 4 oz

[More Information](#)



\$30.00

Kidney Qi - Wu Zi Wan Plus
Compound - 8 oz

[More Information](#)



\$15.00

Kidney Yang Support - You
Gui Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Kidney Yang Support - You
Gui Jia Wei Tang - 8 oz

[More Information](#)



\$15.00

Kidney Yin Support - Zuo
Gui Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Kidney Yin Support - Zuo
Gui Jia Wei Tang - 8 oz

[More Information](#)



\$15.00

Kudzu- Neck Formula - 4 oz

[More Information](#)



\$15.00
Lax-ease / Run Chang Jia
Wei Tang - 4 oz
[More Information](#)



\$15.00
Liver Energy - 4 oz
[More Information](#)



\$15.00
Lower Pressure - Tian Ma
Gou Teng Yin Jia Wei Tang -
4 oz
[More Information](#)



\$30.00
Lower Pressure - Tian Ma
Gou Teng Yin Jia Wei Tang -
8 oz
[More Information](#)

\$15.00
Meno-ease - Er Xian Jia Wei
Tang - 4 oz
[More Information](#)

\$30.00
Meno-ease - Er Xian Jia Wei
Tang - 8 oz
[More Information](#)



\$17.50
Men's Essence - Tian Kui - 4
oz
[More Information](#)

\$35.00
Men's Essence - Tian Kui - 8
oz
[More Information](#)

Out of stock
Period-Ease - 4 oz
[More Information](#)



\$30.00
Period-Ease - 8 oz
[More Information](#)

\$15.00
Phlegm - Resolve - 4 oz
[More Information](#)

\$15.00
Rehmannia Yang Tonic - Jin
Gui Shen Qi Jia Wei Tang - 4
oz
[More Information](#)



\$30.00

Rehmannia Yang Tonic - Jin
Gui Shen Qi Jia Wei Tang - 8
oz

[More Information](#)



\$15.00

Rehmannia Yin Tonic - Liu
Wei Di Huang Jia Wei Tang -
4 oz

[More Information](#)



\$30.00

Rehmannia Yin Tonic - Liu
Wei Di Huang Jia Wei Tang -
8 oz

[More Information](#)



\$15.00

Saw Palmetto Plus Compound
- 4 oz

[More Information](#)



\$30.00

Saw Palmetto Plus Compound
- 8 oz

[More Information](#)



\$15.00

Skin Rash - 1 / Zi Cao Xiao
Feng Jia Wei San - 4 oz

[More Information](#)



\$15.00

Skin Rash - 2 / Dang Gui Yin
Zi Jia Wei Tang - 4 oz

[More Information](#)



\$15.00

Stone Relief - 4 oz

[More Information](#)



\$15.00

Urine Leak-Stop - 4 oz

[More Information](#)



\$30.00

Urine Leak-Stop - 8 oz

[More Information](#)



\$15.00

Uterine & Breast Clearing - 4
oz

[More Information](#)



\$15.00

Vital Immune Support - 4 oz

[More Information](#)





\$15.00
 Skin Rash - 2 / Dang Gui Yin
 Zi Jia Wei Tang - 4 oz
[More Information](#)



\$15.00
 Stone Relief - 4 oz
[More Information](#)



\$15.00
 Urine Leak-Stop - 4 oz
[More Information](#)



\$30.00
 Urine Leak-Stop - 8 oz
[More Information](#)



\$15.00
 Uterine & Breast Clearing - 4
 oz
[More Information](#)



\$15.00
 Vital Immune Support - 4 oz
[More Information](#)



\$30.00
 Vital Immune Support - 8 oz
[More Information](#)



\$15.00
 Wolfberry-Bilberry Eye
 Compound - 4 oz
[More Information](#)



\$30.00
 Wolfberry-Bilberry Eye
 Compound - 8 oz
[More Information](#)



Out of stock
 Women's Essence - Tian Kui
 - 4 oz
[More Information](#)



\$39.50
 Women's Essence - Tian Kui
 - 8 oz
[More Information](#)



\$15.00
 Yin Qiao San (Wind-Heat
 Relief) 4 oz
[More Information](#)



Wild Chinese Ginseng
(Ye Ren Shen)

"Rare" Antler Reishi
(Lu Jiao Ling Zhi)

Ganoderma-Reishi
(Ling Zhi)

Lycii-Wolfberry
(Gou Qi Zi)

Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

round The World"

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials
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Out of stock
Bupleurum- Dandelion
Compound - 4 oz

[More Information](#)



\$30.00
Bupleurum- Dandelion
Compound - 8 oz

[More Information](#)



\$15.00
Gentiana Compound - Long
Dan Xie Gan Jia Wei Tang -
4 oz

[More Information](#)



\$15.00
Hep C Helper - 4 oz

[More Information](#)



\$15.00
Stone Relief - 4 oz

[More Information](#)



From Around The World

Wild Chinese Ginseng
(Ye Ren Shen)

Rare Antler Reishi
(Lu Jiao Ling Zhi)

Ganoderma-Reishi
(Ling Zhi)

Lycii-wolfberry
(Gou Qi Zi)

Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

Products

Herb Pharmacy

Consultations

**Herbs List /
Formulas List**

Case Histories

Testimonials



\$18.00

Phlegm - Damp Formula - 90
ct.

[More Information](#)



\$15.00

Phlegm - Resolve - 4 oz

[More Information](#)



Around The World

Wild Chinese Ginseng
(Ye Ren Shen)

Rare Antler Reishi
(Lu Jiao Ling Zhi)

Ganoderma-Reishi
(Ling Zhi)

Lychii-wonberry
(Gou Qi Zi)

Angelicac Sinensis-
Dong Quai - Sliced
(Dang Gui)

Products

Herb Pharmacy

Consultations

**Herbs List /
Formulas List**

Case Histories

Testimonials



\$15.00

Ginkgo Compound - 4 oz

[More Information](#)

\$15.00

Gota Kola Compound - 4 oz

[More Information](#)

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials
--------------------------	-------------------------------	-------------------------------	--	--------------------------------	------------------------------



\$17.50

Men's Essence - Tian Kui - 4 oz.

[More Information](#)



\$35.00

Men's Essence - Tian Kui - 8 oz.

[More Information](#)



\$15.00

Saw Palmetto Plus Compound - 4 oz.

[More Information](#)



\$30.00

Saw Palmetto Plus Compound - 8 oz.

[More Information](#)



\$39.95

Men's Ching Capsules (Sexual Enhancement) - 60 ct.

[More Information](#)



\$15.00

Kudzu- Neck Formula - 4 oz

[More Information](#)

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials
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Out of stock

Corydalis Pain Relief - Yan Hu Suo Capsule Formula - 90 ct.

[More Information](#)



\$15.00

Digest-ease - Chai Shao Liu Jun Zi Tang - 4 oz

[More Information](#)



\$19.50

Hemorrhoid Formula - 90 ct.

[More Information](#)



\$18.00

Stomach Soothe - 90 ct.

[More Information](#)



Plant Herbal Treasures

"Bringing Herbal Treasures From Around The World"™



Wild Chinese Ginseng
(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

"Bringing Herbal Treasures From Around The World"™

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials
--------------------------	-------------------------------	-------------------------------	--	--------------------------------	------------------------------



\$16.50

Pulsatilla Formula (Ameobic
Dysentery) - 60 ct.

[More Information](#)



\$18.50

Wormwood Formula
(Parasites, Worms) - 90 ct.

[More Information](#)



\$15.00

Boost-up Central Qi -Bu
Zhong Yi Qi Tang - 4 oz

[More Information](#)



\$30.00

Boost-up Central Qi -Bu
Zhong Yi Qi Tang - 8 oz

[More Information](#)



\$15.00

Eight Treasures Plus
Compound - Ba Zhen Jia Wei
Tang - 4 oz

[More Information](#)



\$30.00

Eight Treasures Plus
Compound - Ba Zhen Jia Wei
Tang - 8 oz

[More Information](#)



\$20.00

Vital Energy - 90 ct.

[More Information](#)



\$15.00

Kidney Qi - Wu Zi Wan Plus Compound - 4 oz

[More Information](#)



\$30.00

Kidney Qi - Wu Zi Wan Plus Compound - 8 oz

[More Information](#)



\$15.00

Kidney Yang Support - You Gui Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Kidney Yang Support - You Gui Jia Wei Tang - 8 oz

[More Information](#)



\$39.95

Men's Ching Capsules (Sexual Enhancement) - 60 ct.

[More Information](#)



\$17.50

Men's Essence - Tian Kui - 4 oz

[More Information](#)



\$35.00

Men's Essence - Tian Kui - 8 oz

[More Information](#)



\$39.50

Women's Ching (Sexual Enhancement) - 60 ct.

[More Information](#)



Out of stock

Women's Essence - Tian Kui - 4 oz

[More Information](#)





"Blessed Herbal Treasures From Around The World"

\$12.50

Blue Ointment

[More Information](#)



"Blessed Herbal Treasures From Around The World"

\$12.50

Calendula Comfrey Salve

[More Information](#)



\$15.00

Cool Blood - 4 oz

[More Information](#)



"Blessed Herbal Treasures From Around The World"

Out of stock

Golden Ointment

[More Information](#)



"Blessed Herbal Treasures From Around The World"

\$12.50

Purple Ointment

[More Information](#)



\$15.00

Skin Rash - 1 / Zi Cao Xiao
Feng Jia Wei San - 4 oz

[More Information](#)



\$15.00

Skin Rash - 2 / Dang Gui Yin
Zi Jia Wei Tang - 4 oz

[More Information](#)



\$19.50

Skin Rash - 3 (capsule form)
- 90 ct.

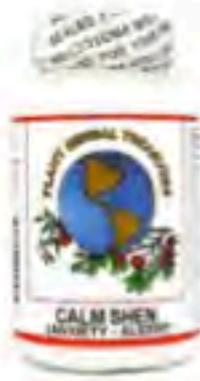
[More Information](#)



\$20.50

Calm & Relaxed - 90 ct.

[More Information](#)



\$20.50

Calm Shen - 90 ct.

[More Information](#)



\$20.50

Emperor's Calm Shen - Tian
Wang Bu Xin Jia Wei Tang -
90 ct.

[More Information](#)



\$15.00

Free & Relaxed - Xiao Yao
Jia Wei San - 4 oz

[More Information](#)



\$30.00

Free & Relaxed - Xiao Yao
Jia Wei San - 8 oz

[More Information](#)



\$15.00

Up-Lift Spirits - 4 oz

[More Information](#)



\$30.00

Up-Lift Spirits - 8 oz

[More Information](#)



\$18.50

Valerian & Skullcap (Sleep,
Stress etc.) - 90 ct.

[More Information](#)



Out of stock

Dong Quai Blood - 4 oz

[More Information](#)



\$30.00

Dong Quai Blood - 8 oz

[More Information](#)



\$15.00

He Shou Wu Hair Compound
- 4 oz

[More Information](#)



\$30.00

He Shou Wu Hair Compound
- 8 oz

[More Information](#)



\$30.00

Meno-ease - Er Xian Jia Wei
Tang - 8 oz

[More Information](#)



\$15.00

Meno-ease - Er Xian Jia Wei
Tang - 4 oz

[More Information](#)



\$15.00

Up-Lift Spirits - 4 oz

[More Information](#)



\$30.00

Up-Lift Spirits - 8 oz

[More Information](#)



\$39.50

Women's Ching (Sexual
Enhancement) - 60 ct.

[More Information](#)



\$15.00



\$39.50



Out of stock

HERBALS
TREASURES



"Bringing Herbal Treasures From Around The World"

Plant Herbal Treasures

"Bringing Herbal Treasures From Around The World"™



Wild Chinese Ginseng
(Ye Ren Shen)



"Rare" Antler Reishi
(Lu Jiao Ling Zhi)



Ganoderma-Reishi
(Ling Zhi)



Lycii-Wolfberry
(Gou Qi Zi)



Angelica Sinensis-
Dong Quai - Sliced
(Dang Gui)

Products	Herb Pharmacy	Consultations	Herbs List / Formulas List	Case Histories	Testimonials
----------	---------------	---------------	----------------------------	----------------	--------------



\$15.00
Kidney Yang Support - You
Gui Jia Wei Tang - 4 oz
[More Information](#)



\$30.00
Kidney Yang Support - You
Gui Jia Wei Tang - 8 oz
[More Information](#)



\$17.50
Men's Essence - Tian Kui - 4
oz
[More Information](#)



\$35.00
Men's Essence - Tian Kui - 8
oz
[More Information](#)



\$15.00
Rehmannia Yang Tonic - Jin
Gui Shen Qi Jia Wei Tang - 4
oz
[More Information](#)



\$30.00
Rehmannia Yang Tonic - Jin
Gui Shen Qi Jia Wei Tang - 8
oz
[More Information](#)

Products

Herb Pharmacy

Consultations

Herbs List /
Formulas List

Case Histories

Testimonials



\$15.00

Kidney Yin Support - Zuo
Gui Jia Wei Tang - 4 oz

[More Information](#)



\$30.00

Kidney Yin Support - Zuo
Gui Jia Wei Tang - 8 oz

[More Information](#)



\$15.00

Rehmannia Yin Tonic - Liu
Wei Di Huang Jia Wei Tang -
4 oz

[More Information](#)



\$30.00

Rehmannia Yin Tonic - Liu
Wei Di Huang Jia Wei Tang -
8 oz

[More Information](#)

EXHIBIT E



NOTICE FOR YOUR PROTECTION

AllergyResearchGroup

Artemisinin



**Now In
Vegetaps**

dietary supplement
HYPOALLERGENIC
90 vegetarian capsules

Supplement Facts

Serving Size
Servings Per Container

Amount Per Serving

Artemisinin

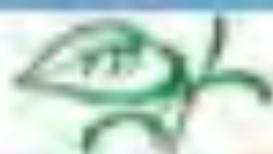
* Daily Value

Other ingredients: hydroxy-L-leucine, thiamin, beta-carotene

Formulated exclusively by
Allergy Research Group
www.allergyresearchgroup.com

... of the herb
... one or two times
... healthcare practitioner.
...
... women. Long-
... should be moni-
... enzymes
... or iron
... recombination





Physician Formulas

WWW.PHYSICIANFORMULAS.COM

Gotu Kola

(Centella Asiatica)

250 mg

100 Tablets

Doctor Formulated



Super Cleanse™

Enhances Digestion and
Promotes Colon Health*

13 Cleansing Herbs & Fibers

*Extra Strength Formula and Gentle on Your System**

Nature's Secret

280 TABLETS (ECONOMY SIZE) • DIETARY SUPPLEMENT



PROTEC
SEALED FOR
PROTECTION
SEALED FOR
PROTECTION

SEALED FOR
PROTECTION
SEALED FOR
PROTECTION



Physician Formulated
ADDICTION BUSTER™ #2

Designed to decrease the unpleasant symptoms associated with Detox, withdrawal and cravings from:

- | | |
|--|---------------------|
| Alcohol | Pain Meds |
| Nerve Pills | Vicodin |
| Valium | Oxycontin |
| Xanax | Heroin |
| Other Sedatives | Methadone, Suboxone |
| Other Hypnotics | Other Analgesics |
| Pornography and
Other Sexual Addictions | |

These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

Dietary Supplement
60 Tablets

AddictionBuster1.ORG

Manufactured by a GMP Certified Laboratory

85 supplements 812 621 812

ADVANCED WEIGHT LOSS FORMULA

African Mango
-SUPREME-

350mg
HYDROXYCINAMIC ACID

WITH AÇAÍ
& GREEN TEA

Food Supplement

60 CAPSULES



BOTANIC CHOICE®

Natural Health Care Since 1910

Dong Quai

*Hormone
Support**

520 mg.

100 Capsules

Doctor Recommended
for Purity & Potency

Herbal Supplement



**DR. MICHELLE'S
HERBALS**

SEAL
PROTECTION
FOR YOUR PROTECT
FOR YOUR PROTECT

Nature's Wealth



ECHINACEA

(Echinacea purpurea)

AND

GOLDENSEAL

(Hydrastis canadensis)

Dietary Supplement

100 Capsules

Supplement Facts

Serving Size: 1 Capsule

Amount Per Serving

Echinacea purpurea root extract 500 mg
Goldenseal (Hydrastis canadensis) extract 250 mg
Total 750 mg

Contains No Added sugar, salt, dairy, yeast, wheat, corn, soy, preservatives, artificial colors or flavors.

Suggested Use: As a dietary supplement, take 1 capsule 3 times daily with meals.



\$33.99 After \$8 OFF

Estrin-D, 180 Capsules

Compare product

Rated **★★★★☆** (out of 2 reviews)

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #746284

Features:
The First "Diet Pill"
Specifically Formulated
To Help Menopausal
And Pre-Menopausal
Women Lose Weight. †

\$8 manufacturer's discount is valid 2/7/14 through 3/9/14. While supplies last.

Online Price	\$41.99
Less	-\$8.00
Your Price	\$33.99

Shipping & Handling included *

QUANTITY

Add to Cart

The estimated delivery time will be approximately 3 - 5 business days from the time of order.



Members Also Viewed



Garcinia Cambogia 1234®, 180 Veggie Capsules

★★★★☆ (36)

\$29.99



Raspberry Ketone 1234® - 180 Capsules

★★★★☆ (72)

\$29.99

[Add to Wish List](#)
[Print this Page](#)

Product Details | [Specifications](#) | [Shipping & Terms](#) | [Returns/Warranty](#) | [Reviews \(2\)](#)

[What is relevancy sort?](#)

Choose a sort order

Product details have been supplied by the Manufacturer, and are hosted by a third party.

Product Description

Estrin®-D 180 Capsules

If you're a woman, over 35, and gaining weight in places you NEVER gained weight before... you may benefit from Estrin®-D.

Estrin-D was formulated to address one of the most exasperating complaints of menopausal and pre-menopausal women: Gaining Weight In All The Wrong Places (by the way, if you're over 35 and a woman, the term "pre-menopausal" means you). Estrin-D contains a potent, non-ephedra admixture specifically designed for the unique needs of women over 35. This revolutionary product was formulated to help:

- **Increase resting metabolic rate (so you burn more calories even when you're not working out)†**
- **Reduce caloric intake†**
- **Boost energy levels†**
- **Increase stamina†**



Do I need to diet or exercise when using Estrin-D?

One of the best things about Estrin-D is the fact that the revolutionary new Estrin-D weight-loss formulation reduces daily caloric intake automatically. In the clinical trial, the key Estrin-D weight-loss component was given to "free feeding" adults...there was no prescribed diet, and all study participants were free to continue their existing healthy eating and exercise programs. The only difference between the Estrin-D group and the "control" group (who received a placebo) was the key Estrin-D weight-loss compound. In other words, the functional ingredients in Estrin-D were clinically shown to produce significant weight loss without requiring subjects to adhere to a strict calorie restricted diet or strenuous exercise regimen. The study showed that the key ingredients in Estrin-D delayed gastric emptying... in other words, they automatically reduced caloric intake. More recent preliminary data revealed that Estrin-D's functional compound influences ghrelin, the so-called "hunger hormone." This discovery has led researchers to begin more extensive clinical research in the emerging field of hormone-influenced

caloric regulation.

Are there any clinical studies?

In a six-week, double-blind clinical trial, 47 overweight subjects were divided into two groups. Group A received the key Estrin-D weight-loss compound. Group B received a placebo (an inert sugar pill). Both groups were instructed to take their assigned capsules with a glass of water 15 minutes before the main meals of the day and not to change their normal eating habits or exercise routine. At the conclusion of the six-week study the data was independently verified and reviewed.

The results were astounding! Group A (the key Estrin-D compound group) experienced a significant decrease in overall body weight — more than 519% more weight loss (over 5 TIMES more) than those who took a placebo — without following a complicated diet program or following a prescribed exercise regimen. In other words, the functional ingredients in Estrin-D reduced caloric intake automatically. (Of course, a healthy diet and regular exercise are always a good idea, and will help any weight-loss product work even better.) But there's more! Not one of the subjects who continued taking the functional weight-loss compound in Estrin-D for a period of one full year experienced rebound weight gain. Not one! In other words, the functional ingredients in Estrin-D caused easy, automatic, long-term weight loss without calorie-counting and without diet rebound. The full report of this clinical



- **Brand:** Estrin D

** State law may require sales tax to be charged on the pre-discounted price if the product is subject to sales tax.

Standard shipping via UPS Ground is included in the quoted price. **The estimated delivery time will be approximately 3 - 5 business days from the time of order.**

Express shipping is via UPS. **The estimated delivery time will be approximately 1 - 2 business days from the time of order.**

Please choose your shipping method at checkout.

An additional Shipping and Handling fee will apply to express shipments. This fee will be quoted at checkout.

*Delivery is available to Alaska and Hawaii. An additional Shipping and Handling fee will apply to shipments going to Alaska or Hawaii. This fee will be quoted at checkout. Additional transit time may be required.

Delivery is not available to Puerto Rico.

Costco.com products can be returned to any of our more than 600 Costco warehouses worldwide.

Membership: We will refund your membership fee in full at any time if you are dissatisfied.

Merchandise: We guarantee your satisfaction on every product we sell with a full refund. The following must be returned within 90 days of purchase for a refund: televisions, projectors, computers, cameras, camcorders, touch screen tablets, MP3 players and cellular phones.

How to Return: For an immediate refund (including shipping and handling), simply return your purchase at any one of our Costco warehouses worldwide. If you are unable to return your order at one of our warehouses, please email customer service or call our customer service center at 1-800-955-2292 for assistance. To expedite the processing of your return, please reference your order number.

If you request an item be picked up for return, the item must be packaged and available for pick up in the same manner as it was delivered.

If your order was delivered "curb side", it will need to be available for curb side pick up.

If the item arrived to you in a box, it will need to be in a box at the time of pick up.

For information or a written copy of the manufacturer's warranty, please contact us at: warranty@contactcostco.com.

Summary of Customer Ratings & Reviews

Overall Rating ★★★★★ (out of 2 reviews)

[Review this product](#)

Share this Product: [f](#) [t](#) [p](#) [+](#)

Product Reviews

Rating: ★★★★★ **finally!**

Treeangel

Location: Chicago

Date: November 13, 2013

Pros: price was good, simple to use, no changing what you ate or drank
"ok, I've tried everything on the market that's legal, even weight loss food programs(yuck --the food was awful and I ate more than I'm use to). For me this worked, in about 25 days I've lost 10 lbs. and just by being myself. I never have overeaten (just good Polish home cooking), but, I can not exercise due to medical reasons, because of too many neck surgeries. So this is great!"

2 of 2 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review: [f](#) [t](#) [p](#) [+](#)

Rating: ★★★★★ **Good Products**

G12134

Location: Simi Valley, CA

Date: August 10, 2013

"Helpful with weight loss and seems to have an added bonus that helps some of the symptoms that come with being over 40; however I'm sure if this is any better then the Raspberry Ketone that is more affordable."

2 of 3 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    



Garcinia Cambogia 1234®, 180 Veggie Capsules

Compare product

Rated ★★★★★ (out of 36 reviews)

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #765162

Features:

Also Contains Calcium, Chromium & Potassium, 60% HCA, Gluten Free.

Your Price **\$29.99**

Shipping & Handling included *

QUANTITY

Add to Cart

The estimated delivery time will be approximately 3 - 5 business days from the time of order.

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Members Also Viewed



Doctor's Select Garcinia Cambogia 500 mg., 210 Vegetarian Capsules

★★★★★ (1)

\$21.99



Well Roots™ Garcinia HCA Pure Extract, 160 Liquid Softgels

★☆☆☆☆ (1)

\$23.99

[What is relevancy sort?](#)Product details have been supplied by the Manufacturer, and are hosted by **Product Overview****Why 1234?**

There are 4 phases involved in designing and creating a new you:

1. Load 2. Lose 3. Stabilize 4. Maintain

***Phase 1: Load**

For 2 days, take your Creative Bioscience® weight loss supplement as suggested and eat as many fatty foods as you like.

Phase 2: Lose

Beginning on day 3, and for the next 3 to 6 weeks, based on your needs and depending on your lifestyle, continue to take your Creative Bioscience® weight loss supplement as suggested and follow the 1234 Diet® Protocol.

877-744-1224 support@creativebioscience.com

Phase 3: Stabilize

Stop taking drops at this time, but continue taking appetite control and energy supplements as needed. To learn more about effective products to help you maintain your new body, contact our excellent Support team. After you have reached your goal weight, gradually add foods not found in the 1234 Diet® Protocol with the exception of sugar and starch. Add the foods slowly and maintain your journal, track your intake and if you gain weight from eating a certain food stop eating that food. Continue to weigh and measure yourself, and if you gain more than 2 pounds over your lowest Phase 2 weight, do a steak day (drink only water all day, eat a juicy steak for dinner, and, later, snack on an apple or tomato).

Phase 4: Maintain

Treat your new body well by following all of the 1234 Diet® Protocol. The 1234 Diet® is all about making a change in your lifestyle. Sure, losing weight is a part of that change, but the key is to lose weight and keep it off. Continue to monitor your weight and measurements. As you slowly reintroduce more of your favorite healthy foods try to keep your daily caloric intake between 1,500 and 2,000. Avoid sugar and starch. Take time to educate yourself on the causes of obesity. You can also consult your physician or other health professionals for advice. At this point you may feel better physically and mentally than you ever have before. Discover a new you!

Only for hCG Protocol*Garcinia Cambogia Extract for weight loss**

Scientists believe Garcinia Cambogia shows promise for steady, sustainable weight loss. Garcinia is an Indonesian fruit used in traditional South Asian dishes because of its "filling" properties. The fruit's rind contains HCA (Hydroxycitric Acid), which is thought to reduce weight gain by arresting fat synthesis. †

**How does HCA work?**

HCA inhibits key enzymes your body needs to convert carbohydrates to fat. Other proposed weight loss actions of HCA include appetite suppression, increased thermogenesis, and fat oxidation. HCA also appears to increase serotonin levels in your brain so that you are less likely to react to stress by craving comfort food. †

- Suppresses appetite, blocks fat formation †
- 60% HCA per serving of 1500 mg Garcinia Cambogia extract †
- No rebound effect, no side effects observed †
- Reduces abdominal fat accumulation †
- Comes with complimentary live support †
- Diet instructions, food lists, and charts help you reach your goal †

†These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.

Supplement Facts

Does Not Contain:

Corn, soy, wheat, yeast, lactose, milk, egg or fish



- **Brand:** Creative Bioscience

Standard shipping via UPS Ground is included in the quoted price. **The estimated delivery time will be approximately 3 - 5 business days from the time of order.**

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Summary of Customer Ratings & Reviews

Overall Rating ★★★★★ (out of 36 reviews)

[Review this product](#)

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Product Reviews

1 2 3 next >>

Rating: ★★★★★

This really works!!!

Chicana

Location: Chicago, IL

Date: October 8, 2013

Pros: fast delivery

Cons: too bad you only can buy it on line.

Model Number: Garcinia Cambogia 1234

"Having tried other weight loss supplements before, I wasn't too excited to try this one. I actually bought it because my daughter convinced me to do it because she heard great things about it, so I gave it a try and purchased it. Both my daughter and I, as well as one of my co-workers are using this product and we can definitely see results, especially in the abdomen area!! I'm super forgetful and I was afraid this would require some effort, like taking it more than once a day but good thing is, you only need to take 2 pills a day, 15 minutes prior to any meal, therefore it works for me, and if I forget to take it for breakfast, at least I still have lunch and dinner to make it up. My daughter is also exercising and in one week of exercise and Garcinia has lost 5 pounds, but like I said, you can definitely notice results in the abdomen area. I don't exercise but I can see results too and my co-worker loves it because her clothes are very loose."

8 of 8 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:

Rating: ★★★★★

This really Works

Pros: easy to take before meals., does not over stimulate me other products did.
 "Have been taking the Garcinia Cambogia 1234 Caps for two weeks now. Have only had 1 first thing in the morning before breakfast. It curbs my cravings 100%. I have lost 3 pounds because it also curbs my appetite and I eat less. I have not changed my eating habits, but I know if I watch my diet, I will lose more weight. This product has done everything it said it would and I am very pleased with the results."

1 of 1 people found this review helpful.
 Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    
 KittyHawk
 Location: Washington State
 Date: February 8, 2014

Rating: 

Keep Patience

dilacha
 Location: Chino Hills CA
 Date: October 24, 2013

Pros: feel good sleep good feel energetic
Cons: go to bathroom often
 "I think i spent so much time to do research and to read online reviews good and bad about Garcinia Cambogia 65% HCA. If i have to buy something, i always check availability in costco. This is my first week and my weight is down from 178 to 175lbs. I am a 44 years old and have a type 2 diabetes. my conclusion is, this product will work 100% after reading all reviews and applying myself. if it doesn't work with someone, that means you are not taking right. take 30min to one hour before each meal. I take three times. I have no side effect. I will share my result after four weeks again."

7 of 7 people found this review helpful.
 Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

Rating: 

ok, not great

gramms
 Location: WaSHINGTON
 Date: November 21, 2013

"I have been on this for 3 months. Dropped 8 lbs. Did not change eating habits or exercise. I do find taking it in morning is best. It tends to make sleeping a bit harder when taken later in the day."

4 of 4 people found this review helpful.
 Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

1 2 3 next >>



\$3 OFF

Green Tea Fat Burner®†, 200 Liquid Soft-Gels

Compare product

Item #100040856

Features:
Maximum Strength 400 mg EGCG Per Dose, Fast-Acting Liquid Soft-Gels.

\$3 manufacturer's discount is valid 1/30/14 through 2/23/14

[Print this Page](#)

Product Details

Available at your local Costco warehouse. Not available for purchase on Costco.com.

Limited Time Offer:

Valid January 30, 2014 through February 23, 2014. While supplies last. Limit 6 per household/membership.

Green Tea Antioxidant Power†

Antioxidants create a barrier of protection from internal and external factors that cause cell damage.† Specifically, antioxidants protect our bodies from the harmful effects of free radicals.†

What are free radicals?

Free radicals are unstable molecules that bounce around in our cells and cause cellular damage. An overload of these unstable molecules can increase the rate of cellular death and accelerate aging.†



Members With Similar Interests Bought



Garcinia Cambogia 1234®, 180 Veggie Capsules

★★★★☆ (36)
\$29.99



Raspberry Ketone 1234® - 180 Capsules

★★★★☆ (72)
\$29.99

Green Tea delivers some of the most powerful antioxidants found in nature.† One serving of **Green Tea Fat Burner®†** has higher antioxidant activity than one serving of most fruits and vegetables.† **Green Tea Fat Burner®†** delivers significant antioxidant protection in addition to weight loss support.†

The Fat Burning Power of Green Tea Extract, Highly Concentrated in Fast-Acting Liquid Soft-Gels†

Green Tea Fat Burner®† increases your calorie burning ability in fast-acting Liquid Soft-Gels.† This product has been formulated to deliver a highly concentrated form of Green Tea Extract combined with caffeine that, while not literally “melting” fat off the body, has been shown to:

- Increase calorie burning (thermogenesis)†
- Kick-start your fat burning ability (fat oxidation)†
- Supply powerful antioxidant protection†

When used in conjunction with a reduced calorie diet and exercise, this product can help you achieve your weight loss goals.†

Green Tea Extract - delivers a wide range of health-promoting nutrients, including superior levels of EGCG.†

EGCG - the most powerful and most abundant antioxidant found in tea leaves.† This product contains a full 400 mg of EGCG per maximum daily dose.

Essential Vitality Boost - a blend of botanicals that contributes powerful phytonutrients.†

†These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

Directions:

Adults 18 years and over: As an addition to your reduced calorie diet and exercise, take two (2) Liquid Soft-Gels in the morning and two (2) Liquid Soft-Gels in the afternoon with meals with a full glass of water. If caffeine keeps you up at night do not take this product in the evening since it contains caffeine.

Supplement Facts:

Serving Size: 2 Liquid Soft-Gels

Servings Per Container: 100

Amount Per Serving - % Daily Value:

Green Tea Extract (50% EGCG)(leaf) 400 mg - *, Caffeine 160 mg - *, Essential Vitality Blend [Maté (Yerba Maté) Powder (leaf), Bladderwrack Powder, Trimethylglycine (TMG), Cayenne Extract (40,000 HU)(fruit), Eleuthero Extract (0.8% Eleutheroides)(root), Ginger Extract (5% Gingerols)(root), Gotu Kola Powder (aerial), Licorice (*Glycyrrhiza Glabra*) Powder (root)] 160 mg - *.

*Daily Value not established

Other Ingredients:

Soy Bean Oil, Gelatin, Glycerin, Purified Water, Beeswax, Soy Lecithin, Titanium Dioxide and Sodium Copper Chlorophyllin.

Contains: Soy

Usage Warning:

- Do not use if safety seal is broken.
- This product contains caffeine and may affect blood pressure and/or heart conditions.
- Check with your doctor before using this product if you are using medication or have any medical conditions, including heart disease and/or high blood pressure.
- Do not use if you may become pregnant, are pregnant or nursing.
- Do not exceed recommended daily intake.
- Not intended for use by persons under 18.

KEEP OUT OF REACH OF CHILDREN.

Store in a cool, dry place.

WARNING: (State of California Prop 65) This product contains a chemical known to the State of California to cause birth defects or other reproductive harm.

NOTICE: For best results we recommend limiting the consumption of additional caffeine while using this product (e.g. less than three 8 ounce cups of coffee per day).



Anxiety Free

STRESS RELEASE FORMULA

NEW!

EXHIBIT HERBAL



Rosellica

hibiscus sabdariffa

Supports healthy blood pressure
60 CAPSULES - DIETARY SUPPLEMENT

60 CAPSULES - DIETARY SUPPLEMENT



Kirkland Signature™ Sublingual B-12 5000 mcg., 300 Tablets

Compare product

Rated ★★★★★ (out of 8 reviews)

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #690843

Features:
Fast Acting, Contains the Highly Bioavailable Methylcobalamin Form of B-12, Great Cherry Flavor.

[Vitamin & Supplement Guide](#)

Your Price **\$19.99**

Shipping & Handling included *

QUANTITY

Add to Cart

The estimated delivery time will be approximately 3 - 5 business days from the time of order.

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Members Also Viewed



webber naturals® B12 5000 mcg, 250 Microlozenges
★★★★★ (11)
\$20.99



Nature Made® Super B-Complex, 460 Tablets
★★★★★ (7)
\$16.49

Product Details Specifications Shipping & Terms Returns/Warranty Reviews (8) [What is relevancy sort?](#)

Choose a sort order

Fast Action Kirkland Signature™ Sublingual B-12 5000 mcg has a great cherry flavor you'll look forward to taking every day as it:

- Helps facilitate energy production†
- Supports a healthy nervous system†
- Supports healthy brain function†

This advanced strength formula contains the highly bioavailable methylcobalamin form of B-12. This is an active form of B-12 as it does not need to be converted. And, each sublingual tablet assures optimal delivery of B-12 to the body. †

†These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

Suggested Use: Dissolve one tablet daily, under the tongue for 30 seconds, and then swallow.

Supplement Facts:

Serving Size: 1 Tablet

Serving Per Container: 300

Amount Per Serving - % Daily Value:

Vitamin B12 (methylcobalamin) 5000 mcg - 83333%.

Ingredients:

Mannitol, Microcrystalline Cellulose, Crospovidone, Stearic Acid, Methylcobalamin, Silicon Dioxide, Natural Cherry Flavor, Sucralose, Maltodextrin, Magnesium Stearate, Red Beet Root, Citric Acid.

Warning: Pregnant or nursing women, individuals taking medication(s) or persons who have a health condition should consult their physician before using this product.

Keep out of the reach of children

Store at 15° - 30° C (59° - 86° F)

- **Brand:** Kirkland Signature

Kirkland Signature™ products are designed and produced using the finest quality materials and workmanship available.

Every Kirkland Signature™ product is guaranteed to meet or exceed the quality standards of the leading national brands. If you are not completely satisfied, your money will be refunded.

Standard shipping via UPS Ground is included in the quoted price. **The estimated delivery time will be approximately 3 - 5 business days from the time of order.**

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warranty@contactcostco.com.

Summary of Customer Ratings & Reviews

Overall Rating ★★★★★ (out of 8 reviews)

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Product Reviews

1 2 [next >>](#)

Rating: ★☆☆☆☆

Worst formulation

Sportbucket
 Location: New York
 Date: November 14, 2013

Pros: mb12, price
Cons: sucralose, mannitol, artificial flavor, can not break tablet into 2 pieces w/out crumbling

"Although methylcobalamin is preferred over cyano form of B12, the formulation of this product is pathetic. I pay Costco \$110/year so that they do a good job of formulating products and sell me at a reasonable price. This product contains sucralose and mannitol as sweeteners. The cherry flavor is artificial.

I would ALWAYS prefer cane sugar over sucralose, even if I would be a diabetic person. The reason, the sugar I will get out of one tiny tablet will be very little and sucralose is pretty bad for your health. Just search for sucralose or Splenda in Pubmed and just abstract will give you enough information on why it is bad for you. Mannitol is another story, google is your friend. If Costco wanted for formulate this product, why not use Stevia and Xylitol. Yes, it will be little expensive, at least it will not be harmful.

The tablet design is so bad that it is not easy to have 2 pieces of the tablet, I guess, because it is sublingual tablet."

4 of 12 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review: [f](#) [t](#) [p](#) [+](#)

Rating: ★★★★★

Pros: taste great
Cons: like the taste so much i want to eat more than one

lyndao37
 Location: Ashland Pa
 Date: February 6, 2014

Model Number: Sublingual B-12 5000 mcg
 "I had gastric bypass surgery, so my body does not absorb B12 taken orally, I now lack what is known as "intrinsic factor" to absorb B12 in my stomach. So my doctor recommended a sub-lingual B12."

1 of 1 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review: [f](#) [t](#) [p](#) [+](#)

Rating: ★★★★★

They work!

Pamela64
 Location: Seattle, WA
 Date: January 26, 2013

Pros: works fast, tastes good, bio-available methylcobalamin form
 "I had gastric bypass surgery, so my body does not absorb B12 taken orally, I now lack what is known as "intrinsic factor" to absorb B12 in my stomach. So my doctor recommended a sub-lingual B12.

My B12 levels are always in the "low-normal" range, around 300, where some people still experience symptoms of low B12, despite being normal. My doctor recommended supplementation to bring my levels up.

This form of B12 (methylcobalamin) is a form of B12 that occurs naturally in the body. You will notice that most OTC B12 supplements are in the form of cyanocobalamin, which does not naturally occur in the body. The body has to convert it. While this form is an adequate form of B12 for most people, methylcobalamin is a better form of B12 as the body does not have to convert it.

I bought this supplement and took it daily for several weeks before having my levels checked at my recent checkup. This is a high daily dose (5,000 mcg). My levels came back at 1,152. The range for my lab is 200-1,100, so I went from having pernicious anemia to having a high B12 level. B12 is water soluble, so there is no danger, but now I know I don't need to take these daily. I will drop my intake to 3 a week and have my blood checked again in 6 months.

My entire point is that this supplement works fast, it tastes good, and it is affordable. What more could a person ask for? I highly recommend."

18 of 18 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review: [f](#) [t](#) [p](#) [+](#)

Rating: ★★★★★

A godsend for me. Totally works.

Jim98122x
Location: Seattle, Wa
Date: August 26, 2013

Pros: huge reduction in nerve pain for me, tastes good--easy to take & dissolves quickly
Cons: wish it didn't have so much sweetener, turns your tongue red like cherry candy
Model Number: Kirkland-Signature sublingual B-12, 5000 micrograms
"I take this supplement to treat nerve pain in my feet. Even though I am not diabetic, I suffer from some of the sMe kind peripheral nerve pain that bothers many diabetics. Many people, especially in Europe, get B-12 injections to treat this. I just didn't want to get weekly shots. Though my doctor didn't discourage me, he seemed mildly skeptical. After just one tab a day for a week, my pain was about 50% gone. Adding a 2nd tab and my pain is about 80% gone. This totally works for me. The best part about it-- there's no harm trying it. One or two tabs, there's no threat of overdosing."

2 of 2 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review: [f](#) [t](#) [p](#) [+](#)

1 2 next >>

Nutrition

Feverfew

(Tanacetum parthenium)

300 mg

30 Capsules

Strongly Recommended

Exclusive to EBAY

HEM CLEAR

The Effective Solution

90 Capsules



Ocuvite® Eye Vitamin Adult 50+ Formula, 150 Soft Gels

Compare product

Rated ★★★★★ (out of 1 review)

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #370945

Features:

Eye Vitamin and Mineral Supplement, With Lutein, Zeaxanthin, and Omega-3, One Per Day Soft Gel.

Your Price **\$28.59**

Shipping & Handling included *

QUANTITY

Add to Cart

The estimated delivery time will be approximately 3 - 5 business days from the time of order.

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Members Also Viewed



Bausch + Lomb Ocuvite® Nutrition for Eyes, 240 Tablets

★★★★★ (10)
\$19.99



Bausch + Lomb PreserVision® Lutein, 180 Soft Gels

★★★★★ (7)
\$30.99

Ocuville® Eye Vitamin Adult 50+ Formula helps replenish essential eye nutrients that your eyes can lose as you age.†

Bausch + Lomb has developed this unique formulation of essential eye nutrients not found in leading multivitamins and often not obtained in sufficient quantities through diet alone.

The Role of Nutrients in the Eye:

- **Lutein & Zeaxanthin** - Help to filter harmful blue light and support macular health.†
- **Omega-3** - Essential nutrients that are important for proper retinal function.†

Directions for Use:

Take 1 Soft Gel daily, in the morning with a full glass of water during a meal.

Supplement Facts:

Serving Size: 1 Soft Gel

Servings Per Container: 150

Amount Per Serving - % Daily Value*:

Calories 5, Calories from Fat 5, Total Fat 0.5 g - 1%, Cholesterol < 5 mg - 2%, Vitamin C (ascorbic acid) 150 mg - 250%, Vitamin E (d-alpha tocopherol) 30 IU - 100%, Zinc (as zinc oxide) 9 mg - 60%, Copper (as copper gluconate) 1 mg - 50%, Omega-3 Fatty Acids (160 mg EPA, 90 mg DHA) 250 mg - **, Lutein^ 5 mg - **, Zeaxanthin^ 1 mg - **.

*Percent Daily Values are based on a 2,000 calorie diet.

** Daily Value not established.

^May be sourced from *Tagetes erecta*, a flower.

Other Ingredients:

Gelatin, Fish Oil (anchovy, sardine), Glycerin, Yellow Beeswax, Silicon Dioxide, Soy Lecithin, FD&C Red #40, FD&C Blue #1, Titanium Dioxide, Natural flavoring.

DO NOT USE IF SEAL UNDER CLOSURE IS BROKEN OR MISSING

KEEP OUT OF REACH OF CHILDREN

STORE AT ROOM TEMPERATURE

- **Brand:** Ocuville

Standard shipping via UPS Ground is included in the quoted price. **The estimated delivery time will be approximately 3 - 5 business days from the time of order.**

Express shipping is via UPS. **The estimated delivery time will be approximately 1 - 2 business days from the time of order.**

Please choose your shipping method at checkout.

An additional Shipping and Handling fee will apply to express shipments. This fee will be quoted at checkout.

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Delivery is not available to Puerto Rico.

Costco.com products can be returned to any of our more than 600 Costco warehouses worldwide.

Membership: We will refund your membership fee in full at any time if you are dissatisfied.

Merchandise: We guarantee your satisfaction on every product we sell with a full refund. The following must be returned within 90 days of purchase for a refund: televisions, projectors, computers, cameras, camcorders, touch screen tablets, MP3 players and cellular phones.

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warranty@contactcostco.com

Summary of Customer Ratings & Reviews

Overall Rating ★★★★★  (out of 1 review)

[Review this product](#)

Share this Product:    

Product Reviews

Rating: ★★★★★

Ocuvite

MacCorgi2

Date: November 29, 2013

Pros: positive results for me.

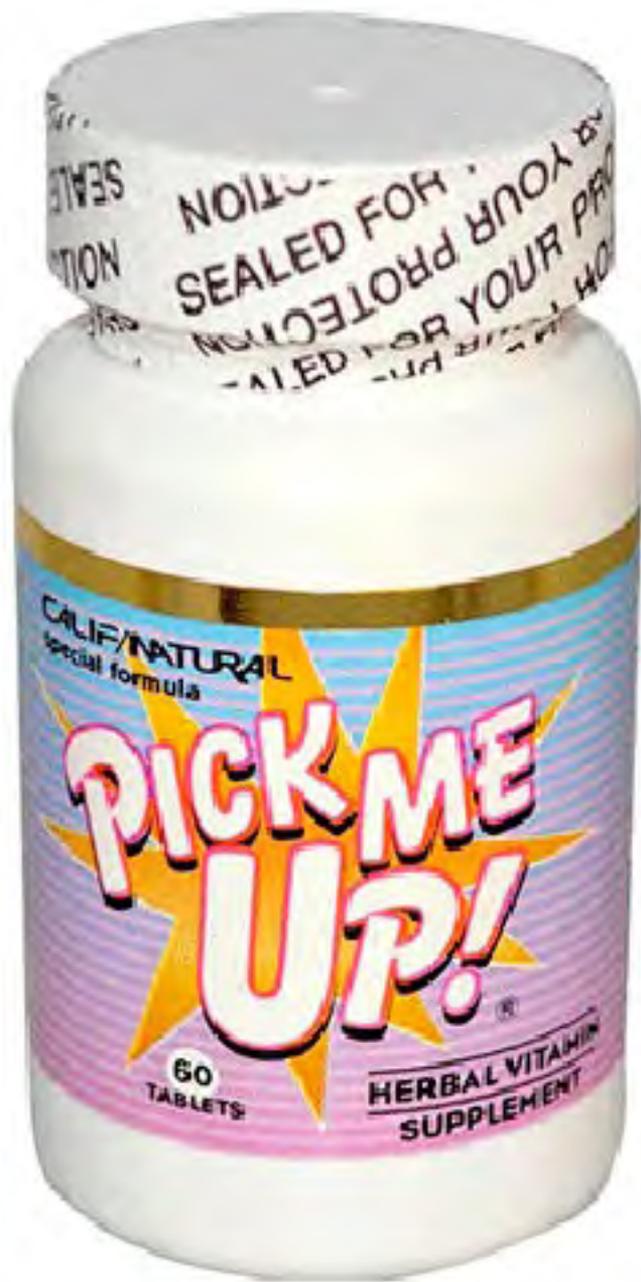
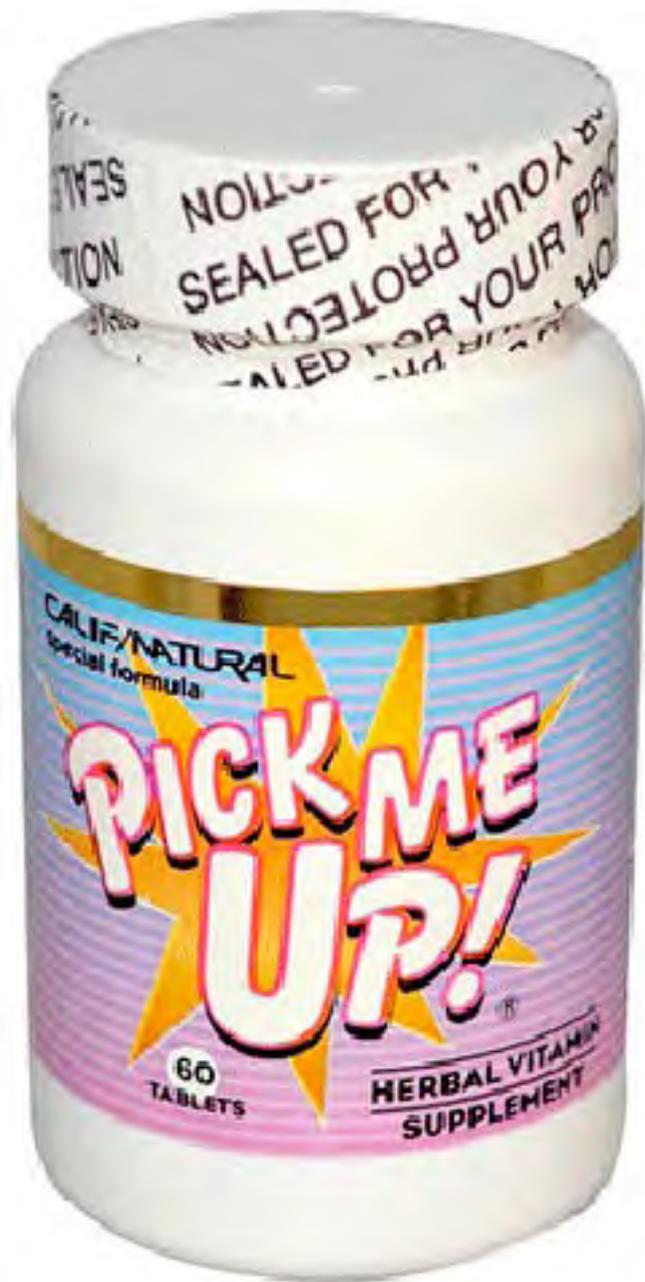
"I find this product better than the other two carried by Costco because you take fewer tablets. If you have AMD - then you have to take 10mg of Lutien a day which is two tablets.

With the other two you have to take 5 a day to get the same amount of lutien."

1 of 1 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    





\$28.99 After \$7 OFF

Qunol™ Mega CoQ10 100 mg Ubiquinol, 120 Softgels

Compare product

Rated ★★★★★ (out of 24 reviews)

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #573854

Features:
Super Absorption,
Advanced Water and
Fat Soluble

\$7 manufacturer's discount is valid 01/30/14 through 02/23/14. While supplies last.

Online Price **\$35.99**

Less **-\$7.00**

Your Price **\$28.99**

Shipping & Handling included *

QUANTITY

[Add to Cart](#)

This product is backordered.

[Add to Wish List](#)

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Members Also Viewed



Qunol™ Liquid CoQ10 100 mg., 20 Ounces

★★★★★ (21)

\$30.99

\$23.99 After \$7 OFF



Nature Made® CoQ10 200 mg., 120 Softgels

★★★★★ (3)

\$36.99

[Product Details](#) | [Specifications](#) | [Shipping & Terms](#) | [Returns/Warranty](#) | [Reviews \(24\)](#)

[What is relevancy sort?](#)

Choose a sort order

Product details have been supplied by the Manufacturer, and are hosted by a third party.

Product Overview

Give your body the essential energy it needs with Qunol Mega CoQ10.

- 100 mg. Ubiquinol, the advanced form of CoQ10
- Essential for energy production
- Supports heart and vascular health
- Maintains healthy blood pressure levels in the normal range
- Powerful all-natural antioxidant
- Beneficial for statin drug users
- Patented water and fat soluble formula for superior absorption



Coenzyme Q10 (CoQ10) is a vitamin-like substance that is naturally present in every cell of your body. It helps your cells produce energy for health and vitality. It's also a powerful natural antioxidant that protects cell membranes against damage caused by free radicals. CoQ10 supports heart and vascular health and contributes to healthy blood pressure. Your body produces CoQ10 naturally, though your body's ability to convert it to an active form diminishes with age. And while CoQ10 can be found in many foods, it exists there in only small concentrations. That's why a CoQ10 supplement like Qunol Mega is beneficial. It helps your body maintain optimum levels of this important nutrient.†

A Powerful All-Natural Antioxidant - Qunol Mega contains Ubiquinol, the activated, antioxidant form of CoQ10 that neutralizes free radicals and helps protect cells against damage. Oxidation is a normal process both in nature and in the human body. We see it at work in nature when a sliced apple turns brown or when iron rusts. In the human body, oxidation damages and destroys cells. Our bodies are designed for this process and are constantly producing new cells to replace the old. However, as we age and are exposed to environmental toxins, the oxidation process can overwhelm the body's ability to cope with it. Cells that are damaged by oxidation turn into free radicals, unstable molecules that scour the body in search of stray electrons. These free radicals cause damage to cell membranes, tamper with DNA, and contribute to the aging process. Ubiquinol is a powerful tool in the fight against free radicals. This all-natural antioxidant sweeps up harmful oxidants and neutralizes them, allowing the body to make repairs and maintain health.†

Essential for Energy Production - The cells in our bodies are constantly producing energy in the form of a molecule called ATP. This molecule is made in the energy center of the cell, called the mitochondria. CoQ10 plays a vital role in this process. It works as an energy carrier, transporting electrons through the electron transport chain and promoting the production of ATP energy molecules. As our bodies age, there is a natural decrease in mitochondrial function and a decline in energy metabolism inside our cells. Some research suggests that declining levels of CoQ10 could be responsible. Replenishing CoQ10 levels with a supplement such as Qunol Mega can help support energy production.†



Supports Heart Health and Helps Maintain Healthy Blood Pressure - Qunol Mega CoQ10 is a safe and natural way to support heart health. Your heart, which needs a constant supply of energy, has the highest concentration of CoQ10 of all the tissues in your body. Supplementation with CoQ10 has been shown to improve oxygen utilization and energy production in heart muscle cells. CoQ10 may also support the health of vessel walls and can play a vital role in helping you to maintain a healthy blood pressure.**†

Beneficial for Statin Drug Users - Many people take statin medications for their effectiveness in lowering LDL ("bad") cholesterol and protecting against heart problems; however, these same drugs have also been shown to lower the levels of the beneficial coenzyme Q10. *** Regular supplementation with Qunol Mega CoQ10 can help statin drug users to maintain optimum levels of coenzyme Q10 for better heart health. Research also suggests that a regular regimen of CoQ10 supplementation may decrease muscle pain related to long-term statin drug use.†

Water and Fat Soluble Qunol, the Gold Standard in CoQ10

- The problem with some CoQ10 supplements is that they do not dissolve in water and dissolve poorly in fat, which may limit how well they are absorbed by the body. Qunol Mega is different it dissolves completely in both water and fat, for superior absorption.* That's why Qunol is the Gold Standard in CoQ10.



Ubiquinol -- the Advanced Form of CoQ10 - Studies show that when we are young, our bodies synthesize Coenzyme Q10 well, converting it readily to Ubiquinol. But as we get older, the body's ability to convert CoQ10 to Ubiquinol diminishes. This means that as we age, regular CoQ10

- **Brand:** Qunol

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Overall Rating ★★★★★ (out of 24 reviews)

[Review this product](#)

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Product Reviews

1 2 next >>

Rating: ★★★★★

Great value, great product

LivingHealthy
Location: Michigan
Date: August 23, 2011

Pros: i have more energy since i began taking it, my periodontal health has improved too.

Cons: don't know if the discounted price will continue.

"Being over 50 I know how important it is for me to have the ubiquinol form of CoQ10. But because of how expensive it is I had been putting off adding it to my dietary supplements. This price is great and in addition I know I am helping my heart health, my oral health and I have more energy too. The price is better than I have found anywhere else including other online discount sites."

14 of 14 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review: [f](#) [t](#) [p](#) [+](#)

Rating: ★★★★★

Love it!

Citygirl407
Location: Orlando, FL
Date: March 26, 2012

Pros: easy to swallow, price, taste (i give it a little bite)

"Before I purchased this bottle, I researched and spoke to many people regading CoQ10. I found this product to be of high quality because it it NOT made from tobacco leaves like other cheaper versions out there. I have even bitten into these

and love the orange flavor that it contains. I am in my mid 30's and have a family history of heart disease, hypertension, etc. I feel this product has worked for me because I feel more energy, focused, and just an overall good feeling. Some reviewers have mentioned that this product is too expensive but I think that it is actually less expensive than those other nutrition stores. Qunol cost approx. 27 cents per softgel. I THINK IT'S GREAT!"

8 of 8 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review: [f](#) [t](#) [p](#) [+](#)

Rating: ★★★★★

Excellent product

WRS1

Location: Cleveland, OH

Date: October 25, 2011

"I first noticed the Qunol product about a month and a half ago at my local Costco warehouse. I did not order then as I had about half of my previous order (from another source) to go through first.

The information on the label does a great job of explaining the product and who should be using it.

Older people (let's say 50+) should be using ubiquinol as opposed to CoQ10 as it gets absorbed into the blood stream faster.

Another significant factor is cost. By being a Costco member, you cannot buy anywhere else at close to what you can purchase it from at Costco."

6 of 6 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review: [f](#) [t](#) [p](#) [+](#)

Rating: ★★★★★

Made a difference

CTWife

Location: CT

Date: March 8, 2012

Pros: improves metabolism, pure form, high absorption rate, excellent for statin users, excellent for diabetics, great for people 40+

Cons: not optimal dose, pricey, large capsule

"This product made a measurable difference.

Hubby is a 50 year old type 2 diabetic and so he takes Natures Made diabetic vitamin pack. I read that diabetics can benefit from CoQ10 so I added Costcos CoQ10 200 mg to his vitamin regiment for about a week with no noted difference on his test monitor or his overall feeling of well being. So I did more research and changed him to Qunol 100mg as a daily dose. His test strip readings dropped 15 points immediately. And have remained so.

So, it appears it DOES ramp up your metabolism. I just wish it came in the 150mg recommended dosage that research touts as the optimal dose."

5 of 5 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

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1 2 next >>



Dietary Supplement

MENO Support

- Known to relieve common symptoms of menopause**
- A traditional Chinese herbal supplement
- All natural ingredients
- Made in the U.S.A.

60 Capsules





\$12.49 After \$4 OFF

Slo-Niacin® 500 mg, 175 Tablets

Compare product

Rated ★★★★★ (out of 1 review)

Share this Product: [f](#) [t](#) [p](#) [x](#)

Item #795954

Features:
POLYGEL® Controlled-Release Niacin

\$4 manufacturer's discount is valid 01/30/14 through 02/23/14. While supplies last.

Online Price	\$16.49
Less	-\$4.00
Your Price	\$12.49

Shipping & Handling included *

QUANTITY

Add to Cart

The estimated delivery time will be approximately 3 - 5 business days from the time of order.

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Members Also Viewed



Natrol® Biotin 5,000 mcg, 250 Fast Dissolve Tablets

\$13.99

\$10.49 After \$3.50 OFF



Nature Made® Super B-Complex, 460 Tablets

★★★★★ (7)

\$16.49

[Product Details](#) | [Specifications](#) | [Shipping & Terms](#) | [Returns/Warranty](#) | [Reviews \(1\)](#)

Slo-Niacin® Tablets support a healthy heart[†]

- Slo-Niacin® is a niacin supplement with nicotinic acid that is clinically proven to support good cholesterol (HDL)[†]
- Slo-Niacin® can help maintain good cholesterol (HDL) within the normal range[†]
- Slo-Niacin has been trusted by healthcare professionals for over 20 years

Polygel® system designed to minimize flushing.

Slo-Niacin® Tablets can help maintain good cholesterol (HDL) within the normal range.[†] With a unique polygel® controlled-release system, Slo-Niacin® Tablets gradually deliver nicotinic acid into the body and are designed to help reduce the incidence of flushing that is sometimes associated with niacin use.

[†]This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.

[^]Data on file. Upsher Smith Laboratories, Inc.

Directions:

Adults: one Slo-Niacin® Tablet morning or evening, or as directed by a physician.
Before using 500 mg daily or more, consult a physician.

Note: Slo-Niacin® Tablets may be broken on the score line, but should not be crushed or chewed. The inactive matrix of the tablet is not absorbed and may be excreted intact in the stool.

Supplement Facts:

Serving Size: 1 Tablet

Amount Per Serving - % Daily Value:

Niacin, USP (nicotinic acid) 500 mg - 2500%.

Other Ingredients:

Hypromellose, Hydrogenated Vegetable Oil, Silicon Dioxide, Magnesium Stearate, Glycerol Behenate, Red 40.

Caution:

Niacin may cause temporary flushing, itching and tingling, feelings of warmth and headache, particularly when beginning, increasing amount or changing brand of niacin. These effects seldom require discontinuing niacin use. Skin rash, upset stomach, and low blood pressure when standing are less common symptoms; if they persist, contact a physician.

Warnings:

Slo-Niacin® Tablets should not be used by persons with a known sensitivity or allergy to niacin.

Persons with heart disease, particularly those who have recurrent chest pain (angina) or who recently suffered a heart attack, should take niacin only under the supervision of a physician.

Persons taking high blood pressure or cholesterol-lowering drugs should contact a physician before taking niacin because of possible interactions. Case reports of myopathy (unexplained muscle related complaints, including discomfort, weakness, or tenderness) have been documented with the use of HMG-CoA Reductase Inhibitors in combination with lipid-altering doses of niacin therapy (greater than or equal to 1 gram of niacin per day).

Do not take niacin unless recommended by and taken under the supervision of a physician if you have any of the following conditions: gallbladder disease, gout, arterial bleeding, glaucoma, diabetes, impaired liver function, peptic ulcer, pregnancy or lactating women. Increased uric acid and glucose levels and abnormal liver function tests have been reported in persons taking daily doses of 500 mg or more of niacin.

Discontinue use and consult a physician immediately if any of the following symptoms occur: persistent flu-like symptoms (nausea, vomiting, a general "not well" feeling); loss of appetite; a decrease in urine output associated with dark colored urine; muscle discomfort such as tender, swollen muscles or muscle weakness; irregular heartbeat; or cloudy or blurry vision.

Keep out of reach of children.

- **Brand:** Slo-Niacin

** State law may require sales tax to be charged on the pre-discounted price if the product is subject to sales tax.

Standard shipping via UPS Ground is included in the quoted price. **The estimated delivery time will be approximately 3 - 5 business days from the time of order.**

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Summary of Customer Ratings & Reviews

Overall Rating ★★★★★  (out of 1 review)

[Review this product](#)

Share this Product:    

Product Reviews

Rating: ★★★★★ **Great Price for a great product.**

Dancer4Ever

Location: San Francisco, CA

Date: November 18, 2013

Pros: price

Cons: none

"I had a lot of problems with taking Niacin before due to the flush. But, I have no problems with this one.. I also love the great price."

1 of 1 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    



Health and Nutrition



trunature® Astaxanthin 6 mg., 100 Softgels

Compare product

Be the first to [write a review](#).

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #832881

Features:
With Clinically Tested
AstaREAL®

Your Price **\$24.99**

Shipping & Handling included *

QUANTITY

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The estimated delivery time will be approximately 3 - 5 business days from the time of order.

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Members With Similar Interests Bought



trunature® Liver Health Complex 1000mg with Milk Thistle, 180 Tablets

★★★★★ (20)
\$19.99



Nature Made® Cholest-Off® Plus, 450 mg, 200 Softgels

★★★★★ (4)
\$24.99

Product details have been supplied by the Manufacturer, and are hosted by a third party.

Product Overview

trunature® Astaxanthin

Astaxanthin is a natural occurring pigment found in microalgae often referred to as the "king of carotenoids" and has many health benefits.† trunature® Astaxanthin provides 6 mg. of astaxanthin per softgel.

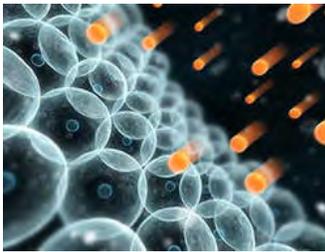


Astaxanthin:

- Enhances Skin Elasticity, Moisture, Texture, and Tone†
- Helps Protect Eyes and Skin from UV Rays†
- Helps Reduce Oxidative Stress in Our Bodies†
- Reduces Inflammation, which Promotes Joint Health†

A Potent Antioxidant

Astaxanthin is a potent fat-soluble antioxidant from red marine microalgae that protects cell membranes from free radical damage. Astaxanthin is one of the most potent antioxidants found in the carotene or xanthophyll family.¹ Astaxanthin gives wild salmon and shrimp their color because they consume red algae for food. The 6 mg of Astaxanthin in each softgel is equivalent to the Astaxanthin in two pounds of Atlantic salmon.



Antioxidants are molecules that neutralize free radicals, different molecules which can damage living cells. It has been shown that oxidative stress contributes to the way our body ages.† Free radicals result from oxidation, a natural process which occurs when we digest food, exercise, or simply breathe in and out. Living in environments with pollution, radiation, cigarette smoke and herbicides also increases free radical production. The more free radicals in the body, the more opportunity there is for illness and premature aging to occur. By neutralizing free radicals in the body, antioxidants keep the body in a healthier, more balanced state.†

Support of Healthy Skin Appearance

Astaxanthin supports healthy skin texture, elasticity, hydration and protects against water loss.†² Astaxanthin may improve the appearance of wrinkles and age spots to contribute to the appearance of healthy-looking skin.† By reducing inflammation, astaxanthin can also suppress excess redness and swelling.† Additionally, astaxanthin reduces rough skin and oiliness in both men and women and supports healthy collagen fiber levels.†

Promotion of Healthy Vision

Astaxanthin crosses into eye tissue where it offers protection from light-induced damage. It protects the nerve cells in the eye and preserves healthy eye function.†³



Support of Joint Health

Astaxanthin has been studied in a variety of inflammatory reactions and it supports healthy immune function, joint, brain, vision and cardiovascular health.†⁴ It supports healthy joint cartilage thickness by lowering levels of inflammatory cytokines which attack cartilage in joints.†

Contains AstaREAL® Astaxanthin

AstaREAL® Has Superior Carotenoid and Antioxidant Power:

- 20 times stronger in free radical scavenging than synthetic Astaxanthin
- 40 times stronger than Beta-Carotene



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warranty@contactcostco.com.

This item has not been reviewed. Be the first to [write a review](#).



trunature® Plant Sourced Calcium 1000 mg, 300 Tablets

Compare product

Be the first to [write a review](#).

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #724095

Features:

Scientifically Shown to Strengthen Bones†, Better Absorbed than Typical Calcium Supplements†.

Your Price **\$15.99**

Shipping & Handling included *

QUANTITY

[Add to Cart](#)

The estimated delivery time will be approximately 3 - 5 business days from the time of order.

[Add to Wish List](#)

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Members Also Viewed



Kirkland Signature™ Calcium Citrate 500 mg, 500 Tablets

★★★★★ (8)

\$12.49

\$9.99 After \$2.50 OFF



Kirkland Signature™ Calcium 600 mg + D3, 500 Tablets

★★★★☆ (12)

\$8.59

trunature® Plant Sourced Calcium is sourced from sustainably harvested marine algae that grow in pristine, nutrient-rich North Atlantic waters. As a plant source, it is easier to digest. Many calcium supplements, which are typically produced from crushed limestone and shells, have a chalky taste and are less bioavailable.

trunature® Plant Sourced Calcium is:

- Scientifically shown to strengthen bones†
- Better absorbed than typical calcium supplements†
- Nutrient rich with 70 trace minerals such as magnesium, phosphorus, copper, selenium, and zinc.

Plus, it contains:

- 1000 mg of Calcium
- 70 mg of Magnesium
- 100% Daily Value of Vitamin D3

†These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

trunature® is a registered trademark of Costco Wholesale Inc. We guarantee the quality of each trunature® product offered online and in our warehouse locations. If you are not completely satisfied, your money will be refunded.

Suggested Use:

Adults - Take two tablets daily with food as a dietary supplement. For best results, take one tablet twice daily.

Supplement Facts:

Serving Size: 2 Tablets

Servings Per Container: 150

Each Tablet Contains - % Daily Value:

Vitamin D3 (as cholecalciferol) 400 IU - 100%, Calcium (from algae [*Lithothamnion calcareum*]) 1000 mg - 100%, Magnesium (from algae [*Lithothamnion calcareum*]) 70 mg - 18%.

Ingredients:

Algae (*Lithothamnion calcareum*), Citric Acid, Malic Acid, Croscarmellose Sodium, Stearic Acid, Coating (Hydroxypropyl Methylcellulose, Calcium Carbonate, Chlorella Algae Powder, Glycerin, Carnuba Wax), Silicon Dioxide, Cholecalciferol, Magnesium Stearate. May contain *dl*-alpha Tocopherol, Medium Chain Triglycerides, Modified Food Starch, Sodium Ascorbate, Sucrose.

Warning:

Pregnant or nursing women, individuals taking medication(s), or persons who have a health condition should consult their physician before using this product.

NO ARTIFICIAL COLORS OR FLAVORS, NO PRESERVATIVES ADDED, NO CHEMICAL SOLVENTS, NO WHEAT, NO LACTOSE.

Keep out of the reach of children.

Store at 15° to 30° C (59° to 86° F).

- **Brand:** TruNature

Standard shipping via UPS Ground is included in the quoted price. **The estimated delivery time will be approximately 3 - 5 business days from the time of order.**

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*Delivery is available to Alaska and Hawaii. An additional Shipping and Handling fee will apply to shipments going to Alaska or Hawaii. This fee will be quoted at checkout. Additional transit time may be required.

Delivery is not available to Puerto Rico.

Costco.com products can be returned to any of our more than 600 Costco warehouses worldwide.

Membership: We will refund your membership fee in full at any time if you are dissatisfied.

Merchandise: We guarantee your satisfaction on every product we sell with a full refund. The following must be returned within 90 days of purchase for a refund: televisions, projectors, computers, cameras, camcorders, touch screen tablets, MP3 players and cellular phones.

How to Return: For an immediate refund (including shipping and handling), simply return your purchase at any one of our Costco warehouses worldwide. If you are unable to return your order at one of our warehouses, please email customer service or call our customer service center at 1-800-955-2292 for assistance. To expedite the processing of your return, please reference your order number.

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If the item arrived to you in a box, it will need to be in a box at the time of pick up.

For information or a written copy of the manufacturer's warranty, please contact us at:

warranty@contactcostco.com.

This item has not been reviewed. Be the first to [write a review](#).



trunature® Vision Complex Lutein & Zeaxanthin, 140 Softgels

Compare product

Rated ★★★★★ (out of 5 reviews)

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #681272

Features:
Larger Count, Contains Lutemax™ 20/20, May help improve visual acuity.†

[Product Video](#)

Your Price **\$19.99**

Shipping & Handling included *

QUANTITY

Add to Cart

The estimated delivery time will be approximately 3 - 5 business days from the time of order.

[Add to Wish List](#)

[Print this Page](#)

[Product Details](#) | [Specifications](#) | [Shipping & Terms](#) | [Returns/Warranty](#) | [Reviews \(5\)](#)



Members Also Viewed



trunature® Omega-3 CoQ10 with Plant Sterols , 200 Softgels

★★★★★ (4)

\$19.99



youtheory™ Collagen Advanced Formula, 390 Tablets

★★★★★ (41)

\$19.99

Now with 20 more tablets!

[What is relevancy sort?](#)

Choose a sort order

As we age, our bodies cannot restore Lutein and Zeaxanthin in the macula, therefore daily supplementation is necessary. Taking trunature® Lutein and Zeaxanthin helps to replace these powerful antioxidants, which may help support healthy eyes and vision.†

Lutein and Zeaxanthin are carotenoids found in vegetables and fruits. They act as antioxidants, protecting cells against the damaging effects of free radicals and help support healthy eyes and vision. The normal diet delivers a 5:1 ratio of Lutein and Zeaxanthin to the body. Our product contains Lutemax™ 20/20 which matches that normal balance.†

- Lutein and Zeaxanthin are naturally found in the macula of the eye.
- These carotenoids are clinically proven for healthy vision.†
- May act as a filter from potentially damaging ultra-violet light.†
- Powerful antioxidants.†
- May help improve visual acuity.†

†These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.

trunature® is a registered trademark of Costco Wholesale Inc. We guarantee the quality of each trunature® product offered online and in our warehouse locations. If you are not completely satisfied, your money will be refunded.

Lutemax™ is a registered trademark of Omni Active Health Technologies, LTD.

Suggested Use:

Take one softgel daily, preferably with a meal.

Supplement Facts:

Serving Size: 1 Softgel

Servings Per Container: 140

Each Softgel Contains - % Daily Value:

Lutein 25 mg - *, Zeaxanthin Isomers 5 mg - *.

*Daily Value not established.

Ingredients:

Sunflower Oil, Lutein (marigold) containing Zeaxanthin Isomers, Gelatin, Glycerin, Yellow Beeswax, Purified Water USP, Lecithin, Annatto Oil, Titanium Dioxide.

CONTAINS: SOY

Warning:

Pregnant or nursing women and individuals currently taking any medication or who have an underlying health condition should consult their physician before using this product. Keep out of the reach of children.

- **Brand:** TruNature

Standard shipping via UPS Ground is included in the quoted price. **The estimated delivery time will be approximately 3 - 5 business days from the time of order.**

Express shipping is via UPS. **The estimated delivery time will be approximately 1 - 2 business days from the time of order.**

Please choose your shipping method at checkout.

An additional Shipping and Handling fee will apply to express shipments. This fee will be quoted at checkout.

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If the item arrived to you in a box, it will need to be in a box at the time of pick up.

For information or a written copy of the manufacturer's warranty, please contact us at: warranty@contactcostco.com.

Summary of Customer Ratings & Reviews

Overall Rating ★★★★★ (out of 5 reviews)

[Review this product](#)

Share this Product:    

Product Reviews

1 2 next >>

Rating: ★★★★★

Eye test

Geocash
Location: Elverta, CA
Date: November 13, 2013

Pros: what could be better than saving your eyesight
Cons: none
"By using this product, my macula health has improved. This according to tests my eye doctor has taken."

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

Rating: ★★★★★

Excellent all around

BoulderBarry
Location: Boulder, CO
Date: January 22, 2013

"I was buying a similar product from an online retailer, but switched to Costco's trunature product because the cost per mg of active ingredient was much lower."

3 of 4 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

Rating: ★★★★★

Good product can be improved

ebert
Location: SF, CA
Date: August 19, 2013

Pros: the high conc and ratio of lutein to zeaxanthin
Cons: recent research has shown that titanium dioxide, once believed to be inert does have negative, effects as the nano particles pass into, cells.
"The product is an excellent value with high concentrations of lutein and zeaxanthin. However I would prefer that the mfgr would not add titanium dioxide."

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

Rating: ★☆☆☆☆

Doubtful benefit

AMLM
Date: May 17, 2013

"I have used this product for one year. Neither my ophthalmologist nor I have found any objective or subjective evidence of any benefit. You are on your own when you use a health product if it has not been evaluated by the FDA."

2 of 6 people found this review helpful.

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

1 2 next >>



trunature® Vitamin D3 5000 IU, 500 Softgels

Compare product

Rated ★★★★★ (out of 4 reviews)

Share this Product: [f](#) [t](#) [p](#) [+](#)

Item #550586

Features:
Extra-strength

Your Price **\$11.99**

Shipping & Handling included *

QUANTITY

[Add to Cart](#)

The estimated delivery time will be approximately 3 - 5 business days from the time of order.

[Add to Wish List](#)
[Print this Page](#)

[Product Details](#) | [Specifications](#) | [Shipping & Terms](#) | [Returns/Warranty](#) | [Reviews \(4\)](#)

trunature® Extra Strength Vitamin D3

Supports:
• Bone Strength



Members Also Viewed



Kirkland Signature™ Vitamin D3 2000 IU, 600 Softgels

★★★★★ (23)

\$11.99



Schiff® Mega - D3™ 5000 IU, 300 Softgels

★★★★★ (1)

\$12.97

\$9.97 After \$3 OFF

- Immune Health†
- Colon Health†
- Muscle Health†
- Breast Health†

[What is relevancy sort?](#)

Choose a sort order

trunature® Vitamin D3 (Cholecalciferol) also known as the "sunshine vitamin" is important for strong bones and teeth.† Vitamin D plays an important role in the immune system and may be helpful in the maintenance of breast and colon health. When combined with adequate calcium, Vitamin D also supports muscle function.† Vitamin D may be helpful for those with limited sun exposure.†

†These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

trunature® is a registered trademark of Costco Wholesale Inc. We guarantee the quality of each trunature® product offered online and in our warehouse locations. If you are not completely satisfied, your money will be refunded.

Suggested Use:

1 softgel daily or as directed by a physician. Keep out of reach of children. Store at room temperature, tightly closed. Avoid excessive heat.

Supplement Facts:

Serving Size: 1 Softgel

Amount Per Serving - % Daily Value:*

Vitamin D3 (as Cholecalciferol) 5000 IU - 1,250%, Organic Flax Oil 200 mg - **.

*Percent Daily Value based on 2,000 calorie diet.

**Daily Value not established.

Other Ingredients:

Softgel Capsule (Gelatin, Glycerin, Purified Water), Medium Chain Triglycerides (Coconut), Soy Lecithin.

Model: Vitamin D

- **Brand:** TruNature

Standard shipping via UPS Ground is included in the quoted price. **The estimated delivery time will be approximately 3 - 5 business days from the time of order.**

Express shipping is via UPS. **The estimated delivery time will be approximately 1 - 2 business days from the time of order.**

Please choose your shipping method at checkout.

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Membership: We will refund your membership fee in full at any time if you are dissatisfied.

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For information or a written copy of the manufacturer's warranty, please contact us at:

warranty@contactcostco.com.

Summary of Customer Ratings & Reviews

Overall Rating ★★★★★  (out of 4 reviews)

[Review this product](#)

Share this Product:    

Product Reviews

Rating: ★★★★★

D3 great value, not in clubs?

jelmiusa
Location: Detroit, MI
Date: January 26, 2011

Pros: price/value
Cons: only online
"MUCH research (check for yourself) is showing the VIT D3 may be superior to VIT-D2 (more common). Rumor is that the D3 is more expensive so there is resistance to switch or educate consumers. D3 500iu typically costs 2X-5X times more expensive than this one. I have osteoperosis and have seen IMPROVEMENT in bone density over in just 3 years just taking Calicum/D & Vit-D script & suppliments. I take a script D2 50,000iu, and now add this 5000iu D3 to my regiment. (no conflict I found) I just wish that since this one is the BEST VALUE of the VIT-D that Costco sells, it was available in clubs too. I am a tiny bit concerned that it is much lower than like items elsewhere, but...heay, it's Costco afterall. More & more reasearch points to VIT-D (types 2&3) as being linked to multiple general health issues. Thanks for the great value/price Trunature & Costco!"

31 of 32 people found this review helpful.
Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

Rating: ★★★★★

Great Value

ar1939
Location: San Leandro, CA
Date: January 25, 2013

"This is a very high quality product. I have purchased trunature® Vitamin D3 5000 IU, 500 Softgels before and highly recommend it. It is helping me to stay healthy."

1 of 1 people found this review helpful.
Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

Rating: ★★★★★

best price I've found

1977
Location: NJ
Date: July 31, 2012

Pros: best price for d3
Cons: not available in stores
"This is a great product and the best price I've found on 5000 IU of D3. The only drawback is it is not offered in the stores."

1 of 1 people found this review helpful.
Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

Rating: ★★★★★☆

Will Continue To Purchase

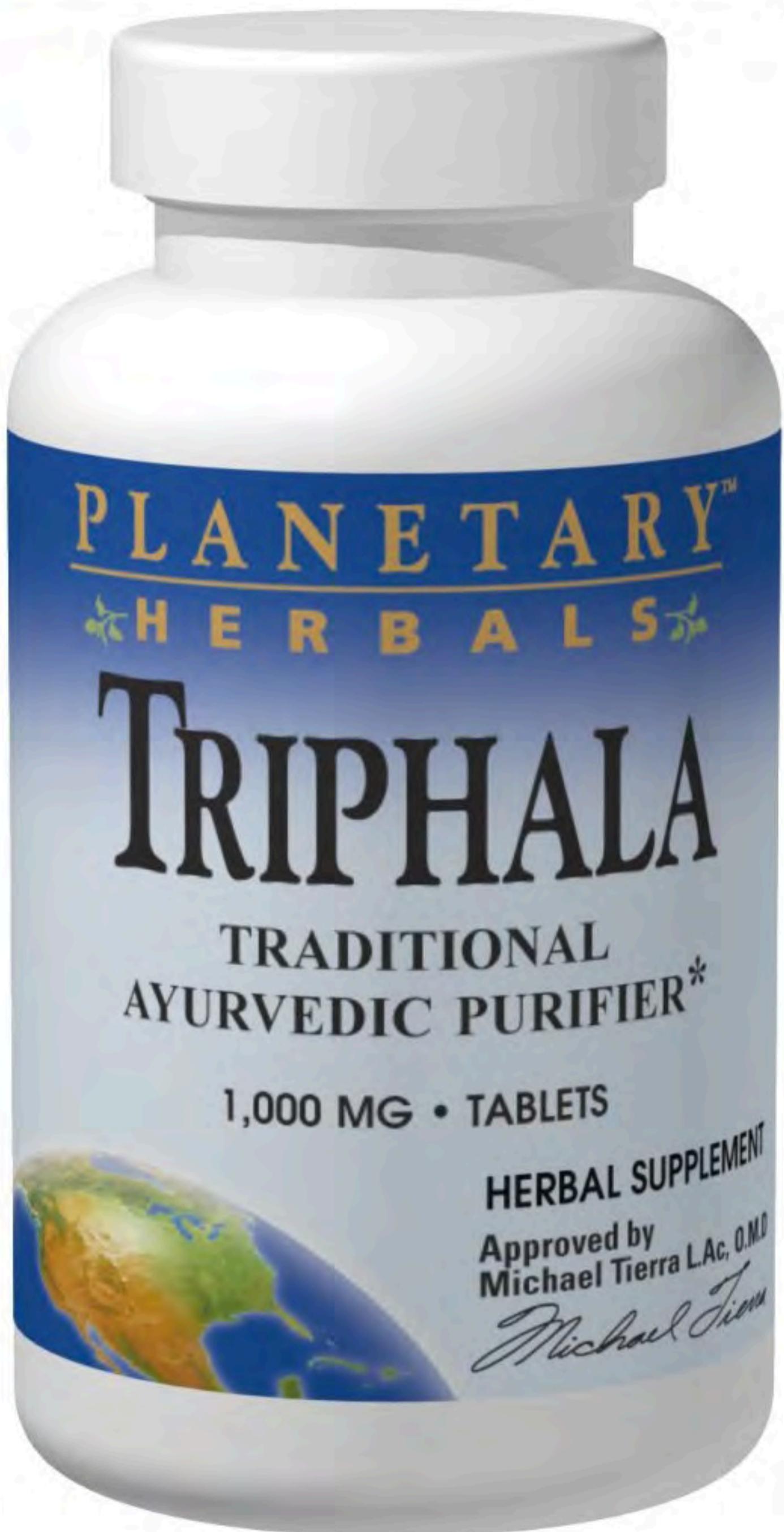
Susan6414
Location: Seattle
Date: May 18, 2012

Pros: great value great product
Cons: nothing i can think of
"I am very pleased with this product and will continue to purchase again. You won't find better pricing for this vitamin for the strength of the gels."

Was this review helpful to you? [Yes](#) [No](#) ([Report Inappropriate Review](#))

Share this Review:    

EXHIBIT F



PLANETARY™
HERBALS

TRIPHALA

**TRADITIONAL
AYURVEDIC PURIFIER***

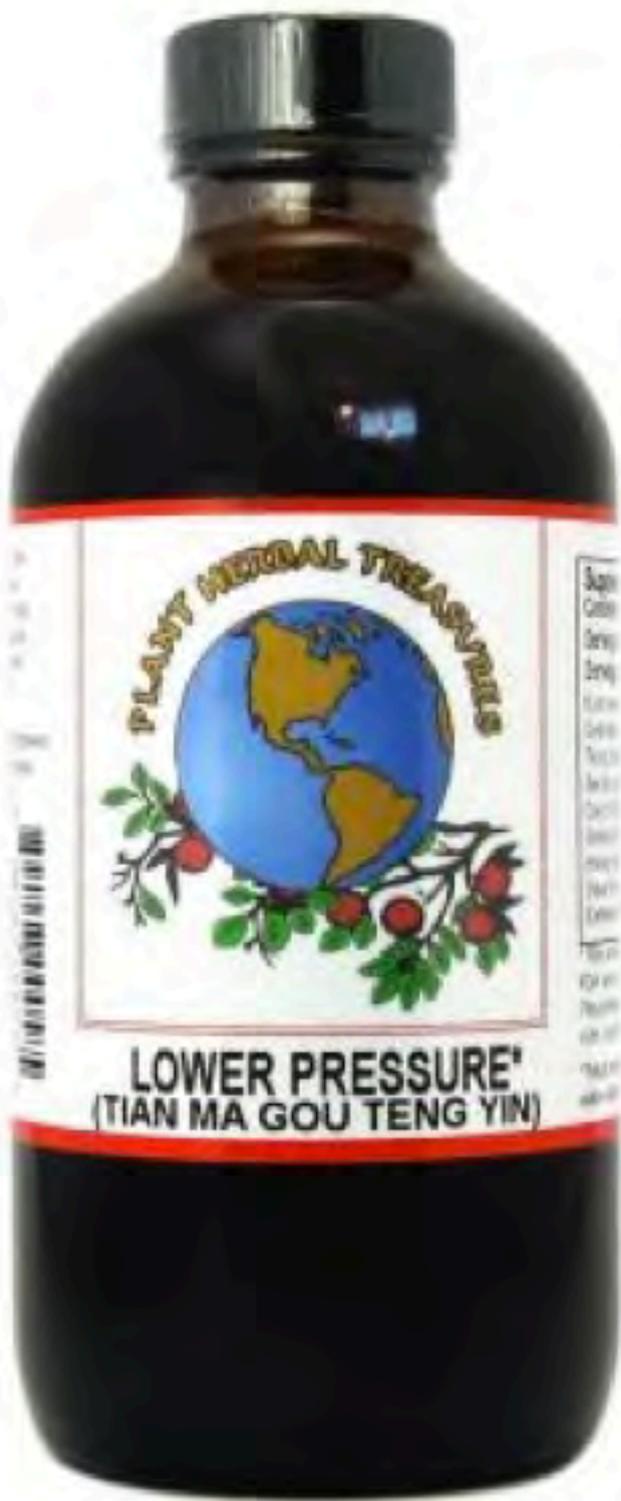
1,000 MG • TABLETS

HERBAL SUPPLEMENT

Approved by
Michael Tierra L.Ac, O.M.D.

Michael Tierra

EXHIBIT G



PLANT MEDICAL TREASURES



LOWER PRESSURE*
(TIAN MA GOU TENG YIN)

天馬狗藤引

天馬狗藤引

EXHIBIT H

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

In the Matter of Trademark Application Serial Number: 85/396,136

Mark: PLANT HERBAL TREASURES

Filed: August 12, 2011

Published: January 31, 2012

<p>THRESHOLD ENTERPRISES, Ltd.,</p> <p>Opposer</p> <p>v.</p> <p>ROBERT CAMPBELL, An Individual,</p> <p>Applicant.</p>	<p>Opposition No. 91204124</p>
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Commissioner of Trademarks
PO Box 1451
Alexandria, CA. 22313-1451

**APPLICANT’S MOTION FOR SUMMARY JUDGMENT
AND SUPPORTING MEMORANDUM OF LAW**

Applicant Robert Campbell (“Applicant”), by and through its undersigned attorney, hereby moves for summary judgment pursuant to Fed.R.Civ.P. 56(c) and 37 C.F.R. §2.127 on the grounds that, based on facts presented herein, there are no genuine issues of material fact to be tried, and as a matter of law, Applicant’s mark PLANT HERBAL TREASURES is not confusingly similar in appearance, sound, meaning or commercial impression to the mark(s) PLANETARY and/or PLANETARY FORUMLAS, owned by Opposer, Threshold Enterprises (“Opposer”) and that this Opposition must be dismissed with prejudice.

I. THE APPLICABLE STANDARD FOR SUMMARY JUDGMENT

Summary judgment is an appropriate method for disposing of cases in which there are no genuine issues of material fact in dispute, thus leaving the case to be resolved as a matter of law. *See* Fed. R. Civ. P. 56(c). The purpose of summary judgment is to avoid unnecessary trial where additional evidence would not reasonably be expected to change the outcome. *See Pure Gold, Inc., v. Syntex (U.S.A.), Inc.*, 739 F.2d 624, 222 USPQ 741 (Fed. Cir. 1984). Applicant, as the party moving for summary judgment, has the burden of demonstrating the absence of any genuine issue of material fact and that it is entitled to summary judgment as a matter of law. *See Celotex Corp. v. Catrett*, 477 U.S. 317 (1986); and *Sweats Fashions Inc. v. Pannill Knitting Co. Inc.*, 833 F.2d 1560, 4 USPQ2d 1793 (Fed. Cir. 1987). However the nonmoving party may not rest on mere denials of conclusory assertions, but rather must proffer countering evidence, by affidavit or as otherwise provided in Fed. R. Civ. P. 56, showing that there is a genuine factual dispute for trial. *See* TBMP § 528.01 (noting summary judgment is “a salutary method of disposition”).

II. BACKGROUND

Applicant seeks to register PLANT HERBAL TREASURES for “dietary herbal supplements, vitamins, and nutritional supplements” in International Class 005, Serial No. 85/396,136. Opposer has challenged this application due to its alleged confusing similarity to Opposer's mark(s) for PLANETARY FORMULAS, for “dietary herbal supplements and nutritional supplements” in International Class 005, Reg. No. 3,370,447, and PLANETARY, for “vitamins, dietary herbal supplements and nutritional supplements” in International Class 005, Reg. No. 3,370,447.

For purposes of this Motion, Applicant will concede to relatedness of its products to Opposer's products, and that Opposer has priority in interstate commerce. Thus, the sole ground for this Motion is the significant dissimilarity of the marks themselves.

Opposer's entire contention as to the marks' alleged similarities is given in Paragraph 8 of its Notice of Opposition:

Applicant's mark so resembles Threshold Enterprises' PLANETARY and PLANETARY FORMULAS marks that it is likely to cause confusion, or to cause mistake or deceive within the meaning of Section 2(d) of the Trademark (Lanham) Act of 1946, 15 U.S.C. § 1052(d); and more particularly, applicant's mark and use thereof are likely to cause confusion in, or to cause mistake by, or to deceive the trade and purchasing public into believing that the goods/services in Serial No. 85/396,136 originate with or are affiliated with Threshold Enterprises, or otherwise are authorized, licensed or sponsored by Threshold Enterprises.

Opposer's argument is fallacious, for the following reasons:

III. ARGUMENT

A. The Only Common Element of Opposer's Marks and Applicant's Mark are the first four letters in the words PLANT and PLANETARY, namely, "PLAN"

The only common element of Opposer's marks and Applicant's mark are the consecutive four letters in the words PLANT and PLANETARY, namely, "PLAN"; the marks do not share any other similar features. Furthermore, the four consecutive letters "PLAN" appear in literally hundreds of registered and live marks, including registered and live marks for goods that are identical or similar to those of Opposer.

The attached Exhibit 1 consists of a PDF download from morewords.com. This PDF establishes that the letters "PLAN" are the first four letters in 113 words in the

English language, and are also used consecutively in another 223 words, many of which include words used to describe types of vegetation or plant life. It is therefore not surprising to find hundreds of registered and live vitamin and dietary supplement marks featuring the four consecutive letters “PLAN”, whether they are introductory, in the middle, or used at the end. As shown in the attached Exhibit 2, a trademark search conducted on the Trademark Electronic Search System (TESS) on November 25, 2013 retrieved over 232 such marks that are either registered or live, and which use the consecutive letters “PLAN” (and/or phonetic and foreign equivalents) in their trademarks.

In the attached Exhibit 3, Applicant has enclosed printouts from the PTO’s TARR system showing a number of these consecutive “PLAN” lettered registrations. All of them cover vitamin/dietary supplement and/or goods that are identical or closely related to those covered by Opposer’s registrations. Thus, Exhibit 3 contains, inter alia, printouts of the registered vitamin and/or dietary herbal supplement and nutritional supplement marks **PLANT FORCE**, **VITAMIN PLANET**, **PLANTCAPS**, **PLANTFUSION**, **THEWPLANET**, **PEACEFUL PLANET**, **PLANT-PURE DHA**, **PLANT-PURE**, **PLANT PURE OMEGA-3**, **AMAZON PLANET**, **PLANET EARTH**, and **GREEN PLANET**.

In short, vitamin, dietary herbal supplement, and nutritional supplement marks using the four consecutive letters “PLAN” either as introductory, in the middle, or at the end of the marks appear on hundreds of registered and live marks with the United States Patent and Trademark Office, mostly for products that are identical or substantially

similar to Opposer's goods. Neither Opposer nor any other maker of vitamins, dietary herbal supplements, and nutritional supplements can monopolize this common element.

B. Opposer's Marks and Applicant's Mark are Dissimilar in Appearance, Sound, Meaning or connotation, and Commercial Impression

The respective first terms of Opposer's marks (PLANETARY FORMULAS and PLANETARY) and Applicant's mark ("PLANT"), and indeed the respective marks in their entireties, PLANT HERBAL TREASURES, PLANETARY FORMULAS, and PLANETARY, taken as a whole, are overwhelmingly different in appearance, sound, meaning or connotation, and commercial impression. *See Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin*, 396 F.3d 1369, 1371-72 (CAFC 2005) (the legal test for similarity is based on the marks' appearance, sound, meaning and commercial impression; "commercial impression" is sometimes used as a proxy for the ultimate conclusion of dissimilarity based on appearance, sound and meaning). It should be noted that since the term "FORMULAS" in Opposer's mark, and the terms "PLANT" and "HERBAL" in Applicant's mark have been disclaimed due to their descriptive or generic nature, the respective dominant portions of the at issue marks are "PLANETARY" and "TREASURES". Although there is no mechanical test to select a "dominant" element of a compound word mark, consumers would be more likely to perceive a fanciful or arbitrary term rather than a descriptive or generic term as the source-indicating feature of the mark. TMEP 1207.01(b)(viii).

Furthermore, it is well established that in comparing two trademarks for confusing similarity, the Board must compare the marks for resemblances in appearance and meaning or connotation. *In re E.I. DuPont de Nemours & Co.*, 476 F.2d 1357, 177 U.S.P.Q. 563 (C.C.P.A. 1973). Similarity of the marks in one respect – sight, sound, or

meaning – will not automatically result in a finding of likelihood of confusion, even if the services are identical or closely related. TMEP §1207.01(b)(i). It is also accepted that the use of identical, even dominant, words in common does not necessarily mean that two marks are similar. *See General Mills, Inc. v. KelloggCo.*, 824 F.2d 622, 687 (8th Cir. 1987) (holding defendant's OATMEAL RAISIN CRISP did not infringe plaintiff's APPLE RAISIN CRISP trademark). This is because marks must be considered in their entirety. *See, e.g.*, TMEP §1207.01.

The Board is required to look at the overall impression created by the marks, rather than merely comparing individual features. *Mead Data Cent., Inc. v. Toyota Motor Sales, U.S.A., Inc.*, 875 F.2d 1026, 1029, 10 USPQ2d 1961 (2d Cir. 1989). In this respect, the Board must determine whether the total effect conveyed by the two marks is confusingly similar, not simply whether the marks sound alike or look alike. *First Savings Bank F.S.B. v. First Bank System Inc.*, 101 F.3d at 645, 653, 40 USPQ2d 1865, 1870 (10th Cir. 1996) (recognizing that while the dominant portion of a mark is given greater weight, each mark still must be considered as a whole) (citing *Universal Money Centers, Inc. v. American Tel. & Tel. Co.*, 22 F.3d 1527, 1531, 30 USPQ2d 1930 (10th Cir. 1994)). Even the use of identical dominant words or terms does not automatically mean that two marks are similar. Also, in *First Savings Bank F.S.B. v. First bank System Inc.*, 101 F.3d at 645, 653, 40 USPQ2d 1865, 1874 (10th Cit. 1996), marks for "FirstBank" and for "First Bank Kansas" were found not to be confusingly similar. Furthermore, in *Luigino's Inc. v. Stouffer Corp.*, 50 USPQ2d 1047, the mark "Lean Cuisine" was found not be confusingly similar to "Michelina's Lean 'N Tasty" even

though both marks use the word "Lean" and are in the same class of goods, namely, low-fat frozen food.

i. APPEARANCE

In *Estate of P.D. Beckwith, Inc. v. Commissioner of Patents*, 252 U.S. 538, the Supreme Court laid down the **Anti-Dissection Rule** and held that composite conflicting marks are to be compared by looking at them as a whole rather than breaking the marks up into their component parts for comparison. The rationale of this rule is that the commercial impression of a composite trademark on an ordinary prospective buyer (customer) is created by the mark as a whole, not by its component parts.

Applicant respectfully submits that, when applicant's mark, viewed as a whole, there is no likelihood of confusion with the Opposer's listed registrations in its Notice of Opposition. As a general rule, "the basic principal in determining confusion between marks is that the marks must be compared in their entireties... [and a] likelihood of confusion cannot be predicated on dissection of a mark." *In re National Data Corporation*, 753 F.2d 1056 (Fed. Cir. 1985). However, there is "nothing improper in stating that . . . more or less weight has been given to a particular feature of a mark." *Id.* Accordingly, when viewed in its entirety, Applicant's mark is not confusingly similar to Opposer's marks.

Applying present jurisprudence, a visual examination of the literal elements reveals clear differentiations between the marks. Applicant's mark consists of the words "PLANT", "HERBAL", and "TREASURES" and is used in commerce as "PLANT HERBAL TREASURES", while Opposer's marks are "PLANETARY FORMULAS" and "PLANETARY". Opposer's marks do not use or feature the words "PLANT",

“HERBAL”, “TREASURES”, or any similar words or elements, except for the four consecutive letters “PLAN”. In addition, Applicant’s mark consists of twenty (20) letters whereas Opposer’s marks consist of either eight (8) or sixteen (16) letters. Consumers will notice such a stark difference between the marks just based upon a cursory visual glance.

Further, analyzing the visual impression alone shows that Applicant's mark has three words, whereas Opposer uses either one or two words, none of which contain the same or even similar meaning words. As a result, the visual impact of the marks is considerably different. When considered in their entirety, the difference in literal elements of Applicant’s mark so distinguishes it from Opposer’s marks as to render confusion unlikely.

Applicant’s Mark: PLANT HERBAL TREASURES

Opposer’s Marks: PLANETARY FORMULAS, and
PLANETARY

In short, except for the ordinary consecutive letters “PLAN”, there are no commonalities whatsoever in Opposer’s marks and Applicant’s mark. The marks are therefore predominantly different in appearance.

ii. SOUND

In the present case, phonetic differences in the marks should also be taken into account. Opposer alleges that Applicant's mark PLANT HERBAL TREASURES is similar to Opposer’s marks PLANETARY FORMULAS and PLANETARY. However, given each party's usage of completely different words, Opposer’s marks and Applicant’s mark are significantly different in pronunciation. To use phonetic spellings, Opposer’s

marks are pronounced PLAE-NE-TER-EE and PLAE-NE-TER-EE FORM-JULAS while Applicant's mark is pronounced PLANT 'ERBAL 'TRE-ZERS.

Additionally, it has been held that even where two marks are phonetically similar, no likelihood of confusion exists if other differentiating factors can be established. *See National Distillers & Chemical Corporation v. William Grant and Sons, Inc.*, 505 F.2d 719 (finding that DUVET and DUET did not raise likelihood of confusion where other differentiating factors existed; including fact that while DUET was a familiar word, DUVET was not). Ultimately, as outlined in *DuPont* and other jurisprudence above, an ultimate determination on likelihood of confusion must be made taking into account all the various factors. (See also *In re National Data Corp.*, 753 F.2d 1056, 1058, 224 USPQ 749, 750-51 (Fed. Cir. 1985) (“The basic principle in determining confusion between marks is that marks must be compared in their entireties and must be considered in connection with the particular goods or services for which they are used (citations omitted).”).

Although Opposer and Applicant's marks use the same four consecutive letters “PLAN”, the marks are not phonetically similar. This is also true of, e.g., the above mentioned registered marks **PLANT FORCE**, **VITAMIN PLANET**, **PLANTCAPS**, **PLANTFUSION**, **THEWPLANET**, **PEACEFUL PLANET**, **PLANT-PURE DHA**, **PLANT-PURE**, **PLANT PURE OMEGA-3**, **AMAZON PLANET**, **PLANET EARTH**, and **GREEN PLANET**, *see* Exhibit 3; and many other registered and live marks in class 005 for the same or substantially similar goods as Opposer such as **HEALTHY PLANET NUTRITION**, **HAPPY PLANET**, **POWER PLANT**, **PLANTRAMIN**, **SUPERPLANET**, **ULTRA PLAN**, and **PLANTIZYME**, attached here to as Exhibit 4.

As stated above, the audible differences between Applicant's mark and Opposer's marks present explicit differences refuting a claim of likelihood of confusion.

Furthermore, as will be discussed below, the connotation/commercial impression of the marks, disclaimed portions of the marks, sophistication of the consumer, the lack of actual confusion, the number and nature of similar marks in use on similar goods or services, and additional supporting case law will confirm a finding that likelihood of confusion does not exist between Applicant's mark and Opposer's marks.

iii. CONNOTATION/COMMERCIAL IMPRESSION

An important factor in determining whether likelihood of confusion exists is the meaning or connotation of the marks at issue. Even where marks share similar appearances and sound, the connotation and/or commercial impression derived from the marks may be sufficiently different enough where the likelihood of confusion is not established. *See, e.g., In re Sears, Roebuck and Co.*, 2 U.S.P.Q.2d 1312 (TTAB 1987) (finding that CROSS-OVER when applied to bras carried different connotation and/or commercial impression from CROSSOVER as applied to women's sport wear); *In re British Bulldog, Ltd.*, 224 U.S.P.Q. 854 (TTAB 1984) (finding that PLAYERS for men's underwear carried different connotation and/or commercial impression from PLAYERS for shoes); *In re Sydel Lingerie Co., Inc.*, 197 U.S.P.Q 629 (TTAB 1977) (finding that BOTTOMS UP for ladies' and children's underwear held a different connotation and/or commercial impression from BOTTOMS UP for men's clothing). Furthermore, such connotation and/or significance can be determined based upon a mark holder's current use in commerce. *In re Nationwide Industries*, 6 USPQ2d 1882, 1884 (TTA B 1984) ("Thus it is settled that evidence of the context in which a mark is used on labels,

packaging, advertising, etc., is probative of the significance which the mark is likely to project to Ser. No. 764198257 purchasers”).

The American-English translations of the individual elements of Opposer's mark, PLANETARY and FORMULAS are: PLANETARY: a) of or having to do with a planet or the planets, b) terrestrial; global, c) wandering; erratic, d) moving in an orbit, like a planet, e) designating or of an epicyclic train of gears, as in an automobile transmission, f) under the influence of a planet; FORMULA(S): a) a fixed form of words, b) a rule or method for doing something, c) an exact statement or religious faith or doctrine, d) directions for preparing a medicine, a paint, a baby's food, e) a set of algebraic symbols expressing a mathematical fact, principle, rule, f) an expression of the composition of a compound by a combination of symbols and figures to show the constituents; whereas the American-English translations of the individual elements of Applicant's mark, PLANT, HERBAL, and TREASURES are: PLANT: a) any of a kingdom of eukaryotes generally characterized by the ability to carry on photosynthesis in its cells which contain chloroplasts and have cellulose in the cell wall, including all thallophytes and embryophytes, b) a young tree, shrub, or herb, ready to put into other soil for growth to maturity; a slip, cutting, or set, c) an herb, as distinguished from a tree or shrub, d) the tools, machinery, buildings, grounds, etc. of a factory or business, e) the equipment, buildings, etc. of any institution, as a hospital, school, etc., f) the apparatus or equipment for some particular mechanical operation or process, g) a person placed, or thing planned or used, to trick, mislead, or trap; HERBAL: a) of herbs; TREASURES: a) accumulated or stored wealth, esp. in the form of money, precious metal, jewels, etc., b) any person or thing considered very valuable; *See Exhibit 5.*

As is evident from their respective American-English translations, Opposer and Applicant's marks are entirely different in meaning and connotation. Opposer's marks carry the connotation of planets, the globe or space, or ingredients for a formula sourced from the Earth. In fact, Opposer has admitted that it views the phrase PLANETARY FORMULAS“ as a representation of its efforts to source the best of the world's herbal ingredients and remedies”, attached hereto as Exhibit 6 – See Page 5 Response to Interrogatory 44, meet and confer letter dated November 5, 2013. In contrast, Applicant's mark carries the connotation of wealth through health when consuming Applicant's goods.

Consequently, taking the prior mark in its totality pursuant to the **Anti-Dissection Rule** above, there would be no consumer confusion as to the source or origin of either party's goods based not only on their respective visual and phonetic differences, but also the differing commercial connotation and impression derived from each mark.

iv. **DISCLAIMED PORTIONS OF MARKS**

Even if veering away from the **Anti-Dissection Rule** an examination of the marks' component parts still shows entirely differing appearances, sounds, connotations, and commercial impressions.

As discussed above, the words PLANT and PLANETARY in the respective marks not only have completely different meanings, they also carry differing commercial impressions. But, even if this was not the case, when the dominant portion of a mark has been disclaimed for being descriptive or generic, the disclaimed portion will be awarded much less weight if any at all. As a matter of fact, the sixth circuit has “found the existence of a disclaimer very informative and [it] held that there was no likelihood of

confusion, partly on that basis.” *Taubman Co. v. Webfeats*, 319 F.3d 770,65 USPQ2d 1834, 1839 (6th Cir. 2003), citing, *In Holiday Inns, Inc. v. 800 Reservation, Inc.*, 86 F.3d 619, 39 USPQ2d 1181 (6th Cir. 1996). Also, when certain terms are clearly descriptive and/or generic when used in connection with the goods and services provided by registrant, they will have no source identifying value. Thus, such terms are subordinate to the dominant portion. *In re Infinity Broadcasting Corporation of Dallas*, Serial No. 75/689,077 (TTAB 2001). In *In re Infinity Broadcasting Corporation of Dallas*, the board found that the terms “TV” and “FM” in the marks TV KING and FM KING were descriptive and the registrant’s mark was dominated by the term “KING”, therefore rendering the two descriptive terms as subordinate to the dominant portion. *Id.* Further, “Regarding descriptive terms this court noted that the descriptive component of a mark may be given little weight in reaching a conclusion on the likelihood of confusion.” *Cunningham*, 55 USPQ2d at 1846, quoting, *In re national Data Corp.*, 753 F.2d 1056, 224 USPQ 749, 752 (Fed. Cir. 1985).

Therefore, the literal element “FORMULAS” in Opposer’s mark, and “PLANT” and “HERBAL” in Applicant’s mark bear no significant value in a determination of likelihood of confusion with the respective marks. The terms “FORMULAS”, “PLANT”, and “HERBAL” were disclaimed in Opposer and Applicant’s applications due to their descriptive and/or generic nature. *See* Exhibits 7 and 8. Further, since the terms “FORMULAS”, “PLANT”, and “HERBAL” are subordinate, by virtue of their respective disclaimers, to the remaining elements of the marks, the dominant portions in determining likelihood of confusion are Applicant’s literal element “TREASURES” and Opposer’s literal element “PLANETARY”. From a visual, phonetic, connotation, and

commercial impression standpoint, the marks, once again, share absolutely no similarities warranting a finding of likelihood of confusion.

v. SOPHISTICATION OF THE CONSUMER

As analyzed in *DuPont, supra*: to the extent that a customer is likely to exercise a high degree of care and/or sophistication when selecting goods or services, the less chance that confusion, mistake, or deception will occur between two or more competing marks. *See also TCPIP Holding Co., Inc. v. Haar Communications, Inc.*, 244 F.3d 88, 102 (2d Cir.2001) ("The more sophisticated the consumers, the less likely they are to be misled by similarity in marks."); *Cadbury Beverages, Inc. v. Cott Corp.*, 73 F.3d 474, 480 (2d Cir.1996) ("The sophistication factor recognizes that the likelihood of confusion between the products at issue depends in part on the sophistication of the relevant purchasers."). Furthermore, the degree of care factor plays a significant role in minimizing potential confusion where the subject goods fail to constitute "impulse" goods. *See, e.g., Astra Pharm. Prods. Inc. v. Beckman Instruments, Inc.*, 718 F.2d 1201, 1206 (1st Cir. 1983) (finding that blood analyzers that cost between \$35,000 to \$60,000 require careful consideration likely to result in added consumer scrutiny and examination).

In addition, while the fact that purchasers are sophisticated or knowledgeable in a particular field does not necessarily mean that they are immune from source confusion, circumstances suggesting care in purchasing may tend to minimize the likelihood of confusion. TMEP § 1207.01(vii). Here, Applicant and Opposer's goods are not "impulse" goods as discussed in *Astra Pharm*, because in today's marketplace, consumers are health conscious and are vigilant about almost everything they consume, including

but not limited to the manufacturer of a product, the amount of calories, the sugar level, and the overall quality of the ingredients. These goods are not offered for mere dollars, and due to their medicinal nature, consumers will be especially vigilant. The respective goods offered by both parties involve, amongst other things, the body, the mind, sexual drive, disease prevention, pain and stress relief, and are to be consumed. The fact that the quality of goods offered by Opposer and Applicant could have potentially serious side effects, consumers will research and spend additional time as to the quality of the source of the goods, and the potential benefits and pitfalls behind each brand.

Even using a least knowledgeable general consumer standard, it is unlikely that source confusion will take place. Where Applicant's services carry no express or implied association with Opposer's marks, consumers should easily be able to differentiate Applicant's mark as a unique source identifier. In addition, the lack of association between the marks reinforces the likelihood that the existence of Applicant's mark is unlikely to cause any negative impact to Opposer's marks

vi. LACK OF ACTUAL CONFUSION

When determining whether there exists a likelihood of confusion, weight is given to the number and extent of instances of actual confusion. *Al-Site Corp. v. VSI Int'l. Inc.*, 174 F.3d 1308, 50 U.S.P.Q.2d 1161 (Fed. Cir. 1999). This is because “evidence of actual confusion is undoubtedly the best evidence of likelihood of confusion.” *Thompson v. Haynes*, 305 F.3d 1369, 64 U.S.P.Q.2d 1650 (Fed. Cir. 2002). Accordingly, the absence of actual confusion has been considered an important factor. *David Sherman Corp. v. Heublein, Inc.*, 340 F.2d 377, 380; 144 USPQ 249 (8th Cir. 1965).

Opposer has not provided a single piece of evidence demonstrating actual confusion amongst the relevant consuming public. To the contrary, Opposer has admitted that “it is currently not aware of an instance of actual confusion”, attached hereto as Exhibit 6 – See Page 4 Response to Interrogatory Nos. 24 & 33, meet and confer letter dated November 5, 2013. It can thus be inferred that there is no actual instances of confusion. In addition, Applicant is also not aware of any instances of actual confusion as between the goods or services offered in connection with Applicant’s mark and the goods or services offered in connection with Opposer’s marks. Moreover Applicant has used the PLANT HERBAL TREASURES mark in commerce since at least as early as August 11, 2011 and has coexisted with Opposer’s marks without confusion for nearly two and a half years, again suggesting that confusion is highly unlikely as between the marks, should Applicant’s mark be permitted to register.

vii. THE NUMBER AND NATURE OF SIMILAR MARKS IN USE ON SIMILAR GOODS OR SERVICES

A vital consideration must be made in determining “strong” or “weak” marks in order to determine the scope of protection to be accorded. Strong marks are widely protected, as contrasted to weak marks. *Amstar Corp. v. Domino’s Pizza Inc.*, 615 F.2d 252, 259 (C.A.C. 1980). If the registered mark is not a coined word, or is not purely fanciful, it is not to be accorded the same degree of protection given to such coined and fanciful terms as “Kodak” or “Xerox.” *Id.* at 260. A weak mark is a mark that is a meaningful word in common usage or is merely a suggestive or descriptive trademark. A strong mark is entitled to a greater degree of protection than is a weak one, because of its unique usage. *Alpha Indus., Inc. v. Alpha Tube & Shapes, Inc.*, 616 F.2d 440, 445-46 (9th Cir.1980).

Moreover, extensive third-party use is relevant in showing pre-existing dilution of the mark because "[t]hird-party uses of a mark on similar goods are relevant for the purposes of showing a 'crowded field' and that the mark is therefore weak." *Lexington Management Corp. v. Lexington Capital Partners*, 10 F.Supp.2d 271, 281 (S.D.N.Y. 1998). In *Michael Caruso and Co., Inc. v. Estefan Enterprises, Inc.*, 994 F.Supp. 1454, 1458 (S.D. Fla.1998), the court held that a clothing manufacturer's "Bongo" mark was weakened by extensive third party use of the term. The primary indicator of trademark strength measures logical correlation between name and product; if seller of product or service would naturally use a particular name, it is weakly protected. *Caruso, supra* at 1458.

Where the primary term is considered a weak mark, minor alterations could effectively negate any confusingly similarity between the two. *Freedom Sav. & Loan Ass'n*, 757 F.2d 1176, 1183 (C.A.11 Fla.1985). The mere fact that two marks incorporate a form of a common identifying word does not render the marks too similar. *See, e.g., Freedom Sav. & Loan Ass'n*, 757 F.2d at 1183 ("Freedom Savings and Loan" and "Freedom Realty" marks "lack ... confusing similarity"); *Sun Banks of Florida, Inc. v. Sun Federal Sav. and Loan Ass'n* , 651 F.2d 311, 316 ("Sun Federal and Savings Loan Association" not confusingly similar to "Sun Banks"); *Amstar*, 615 F.2d at 260 ("Domino's Pizza" not similar to "Domino sugar"); *Bell Laboratories, Inc. v. Colonial Prods., Inc.*, 644 F.Supp. 542, 547 (S.D.Fla.1986) ("Final flip" and "Flip" marks for same product are "ultimately different and different sounding"); *In re Hearst Corp.*, 982 F.2d 493, 494 (Fed.Cir.1992) ("Varga girl" and "Vargas" are "sufficiently different in sound, appearance, connotation, and commercial impression, to negate likelihood of

confusion"); *Mr. Hero Sandwich Sys., Inc. v. Roman Meal Co.*, 781 F.2d 884, 888 (Fed.Cir.1986) ("Romanburger" and "Roman" marks for food products "are not similar in appearance"); *Little Caesar Enterprises*, 834 F.2d 568, 571 ("Pizza Caesar U.S.A." not similar to "Little Caesar's"); *Conde Nast Pubs., Inc. v. Miss. Quality, Inc.*, 507 F.2d 1404, 1407 (CCPA 1975) ("Country Vogues" and "Vogue" publications "do not look or sound alike"); *Pacquin-Lester Co. v. Charmaceuticals, Inc.*, 484 F.2d 1384 (CCPA 1973) ("Silk 'n' Satin" beauty and bath lotion and oil not similar to "Silk" face cream). Ultimately whether an addition is sufficient to prevent confusion in a particular instance depends upon the strength of the main part of the mark and the distinctiveness of the additional feature. *Bell Laboratories, supra*, at 548.

The four consecutive letters PLAN, and the words PLANT, PLANET, and FORMULA (and their respective foreign and phonetic equivalents thereof) are commonly used in connection with goods and services in International Class 005 for the same or substantially similar goods offered by Opposer and Applicant. *See* Exhibit 9. As such, Registrant's mark should be considered a weak mark and Applicant's mark should be considered a strong mark.

The widespread usage of the consecutive letters "PLAN" and the words "PLANT", "PLANET", and "FORMULA" is acknowledged by the USPTO, whose database currently lists 126 live and registered marks which incorporate the word "PLANT" in their name within International Class 005 in connection with the same or substantially similar goods offered by Opposer and Applicant; 54 live and registered marks incorporating the word "PLANET" in their name within International Class 005 in connection with the same or substantially similar goods offered by Opposer and

Applicant; 435 live and registered marks incorporating the word “FORMULA” in their name within International Class 005 in connection with the same or substantially similar goods offered by Opposer and Applicant; and 232 live and registered marks which incorporate the four consecutive letters “PLAN” in their name within International Class 005 in connection with the same or substantially similar goods offered by Opposer and Applicant. *Id.* Given such widespread use of the four consecutive letters “PLAN”, consumers are more likely to acknowledge slight variances in the uses of that term.

As such, it is submitted that these differences between the marks referenced herein create a separate and distinctive commercial impression. This analysis, however, is not submitted in a vacuum with respect to these applications. If other registrations appear that are owned by more than one registrant, the dilution of those terms indicates that there is no likelihood of confusion as between the applied-for and cite prior registered marks. *See* TMEP §1207.01(d)(x).

In this regard, Applicant respectfully submits Exhibits 10 – 30, which display 21 registered marks incorporating the four consecutive letters “PLAN” or phonetic equivalents thereof, which are in related classes to those of Applicant and Opposer. These marks have all coexisted with Opposer without any confusion and thus should weigh in favor of a finding that there is no likelihood of confusion between Applicant and Opposer’s marks. The marks are as follows:

1. PLANT FORCE, U.S. REG. NO. 4423078, owned by Gaia Herbs, Inc., used in connection with “Herbal, nutritional and dietary supplements” in International Class 005. *See* Exhibit 10.
2. PLANTCAPS, U.S. REG. NO. 4311553, owned by Capsugel Belgium NV, used in connection with “Empty plant-based capsules for pharmaceutical products,

- dietary and nutritional supplements, herbal supplements, vitamins and mineral supplements” in International class 005. *See* Exhibit 11.
3. PLANTIZYME, U.S. REG. NO. 4145919, owned by Thorne Research, Inc., used in connection with “Nutritional supplements containing plant-based enzymes for digestive support” in International Class 005. *See* Exhibit 12.
 4. PLAN 30 DIAS, U.S. REG. NO. 4097312, owned by Laboratorio Y Herboristeria Santa Margarita, S.A., used in connection with “Medicinal herbal infusions for dietetic purposes” in International Class 005. *See* Exhibit 13.
 5. PLANTFUSION, U.S. REG. NO. 3919591, owned by Reliance Vitamin Company, Inc., used in connection with “Amino acids for nutritional purposes; Dietary and nutritional supplements; Dietary food supplements; Dietary supplemental drinks; Dietary supplements; Dietary supplements for human consumption; Food supplements; Nutritional supplements; Powdered nutritional supplement drink mix” in International class 005. *See* Exhibit 14.
 6. PLANKTON-EEZE, U.S. REG. NO. 3403594, owned by Zoolife Inc., used in connection with, amongst other things, “Food supplements; Dietary supplements; Mineral supplements; Nutritional supplements; vitamins” in International Class 005. *See* Exhibit 15.
 7. PLANTOPIA, U.S. REG. NO. 2799330, owned by Plantopia Inc., used in connection with “Herbal products, namely, aroma therapy packs containing herbs used for aromatherapy and medicated bath salts” in International Class 005. *See* Exhibit 16.
 8. PLANT-PURE, U.S. REG. NO. 4257941, owned by Lang Naturals, Inc., used in connection with “Dietary and nutritional supplements” in International Class 005. *See* Exhibit 17.
 9. PLAMTIMEX, U.S. REG. NO. 3962696, owned by Salvador Alvarez, used in connection with, amongst other things, “Dietary and nutritional supplements; Vitamin supplements” in International Class 005. *See* Exhibit 18.
 10. PLANET PRO, U.S. REG. NO. 3842557, owned by Tasti D-Lite LLC, used in connection with “Meal replacement drink mix” in International Class 005. *See* Exhibit 19.

11. PLANT PURE OMEGA-3, U.S. REG. NO. 3955330, owned by Lang Naturals Inc., used in connection with “Dietary and nutritional supplements containing omega-3” in International Class 005. *See Exhibit 20.*
12. PLANT ADVANTAGE, U.S. REG. NO. 3898830, owned by Jake Molgaard, used in connection with “Natural Supplements; whey protein supplements; herbal teas for medicinal purposes” in International Class 005. *See Exhibit 21.*
13. PLANTOKINE, U.S. REG. NO. 3920738, owned by Plantokines, Inc., used in connection with “Nutritional supplements; food and dietary supplements” in International Class 005. *See Exhibit 22.*
14. PLANT INTELLIGENCE, U.S. REG. NO. 3874609, owned by Gaia Herbs, Inc., used in connection with “Herbal, nutritional and dietary supplements” in International Class 005. *See Exhibit 23.*
15. PLANET EARTH, U.S. REG. NO. 3894574, owned by Nutricap Labs, LLC, used in connection with “Nutritional Supplements” in International Class 005. *See Exhibit 24.*
16. PLANTIVA, U.S. REG. NO. 3516097, owned by Plantiva LLC, used in connection with, amongst other things, “Dietary and nutritional supplements; Dietary supplements for human consumption” in International Class 005. *See Exhibit 25.*
17. PLANTE SYSTEM COMPLEXE VEGETAL P.E.S., U.S. REG. NO. 3518935, owned by Laboratoires Arkopharma, used in connection with “Nutritional supplements; pharmaceutical preparations, namely, antidepressants, antitussive cold preparations, diet capsules, diet pills, dietary drinks mix for use as a meal replacement, nutritional drink mix for use as a meal replacement, appetite suppressants; dietary supplements” in International Class 005. *See Exhibit 26.*
18. PLANT SPIRITS APOTHECARY, U.S. REG. NO. 3612971, owned by Texas Medicinals, LLC, used in connection with “Plant extracts for medical, veterinary and pharmaceutical purposes; Medicinal herb extracts” in International Class 005. *See Exhibit 27.*
19. PLANTBIOTIC, U.S. REG. NO. 2454073, owned by Bio-Botanica, Inc., used in connection with “Dietary food supplements and pharmaceutical preparations for relief of arthritis” in International Class 005. *See Exhibit 28.*

20. PLANTA MEDICA, U.S. REG. NO. 2307475, owned by Donald L. Dennison, used in connection with “Dietary food supplements for medical purposes; herbal teas for medicinal purposes; laxatives; medicinal herbs; medicinal infusions made of medicinal herbs; medicinal oils; medicinal roots; mineral food supplements; sedatives; medicinal tonics made of natural herbs; and vitamin preparations” in International class 005. *See* Exhibit 29.
21. PLANTI-OXIDANTS, U.S. REG. NO. 2158963, owned by Thorne Research, Inc., used in connection with “Nutritional Supplements” in International Class 005. *See* Exhibit 30.

viii. ADDITIONAL CASE LAW

The Board and several courts have frequently held that marks which are no more alike than Opposer’s and Applicant’s marks are not confusingly similar as a matter of law, regardless of the identity of the goods. In many of these cases, the marks were even more alike than Opposer’s and Applicant’s yet no likelihood of confusion was found.

In *Keebler Company v. Murray Bakery Products*, 866 F.2nd 1386 (CAFC 1989), the Court affirmed the Board’s dismissal on summary judgment of an opposition by the owner of PECAN SANDIES to an application for registration of PECAN SHORTEES, even though both marks were used on cookies. Setting aside the descriptive word “PECAN”, the Court acknowledged that “both marks contain words that begin with an “s” sound and terminate in an “ees” sound...” Nevertheless the Court agreed with the Board that SANDIES and SHORTEES were dissimilar in appearance, pronunciation and meaning, and upheld the Board’s dismissal. Of course, in this case PLANT HERBAL TREASURES, PLANETARY, and PLANETARY FORMULAS are even more distinct than the marks in *Keebler Company*, since they neither end with the same sound nor do they share the same number of words with similar pronunciations nor the same number of letters. *See also Quaker Oats Co. vs. General Mills, Inc.*, 134 F.2nd 429 (7th Cir. 1943)

(OATIES not confusingly similar to the famous mark WHEATIES; the owner of WHEATIES could not appropriate the diminutive which was already used by other makers of similar products).

In the significant case of *Polaroid Corporation v. Oculens, Ltd.*, 196 USPQ 836 (TTAB 1977), the Board found no confusingly similarity between the registered mark POLAROID and the Applicant's mark FILTEROID, even though both marks were used for sunglasses, and even though the POLAROID mark was famous. The Board noted that the only similarity between the marks lay in the common suffix "OID", which had the standard dictionary meaning of "likeness" or "resemblance", and which appeared in a number of third-party registrations. The Board further held that the remaining portions of the marks, namely "FILTER-" and "POLAR-", did not look or sound alike or have the same connotation. In the instant case, the only similarities are the four consecutive letters "PLAN" that the at issue marks share. As discussed above, the remainder of the at issue marks, namely, "ETARY", "FORMULAS", "HERBAL" and "TREASURES" do not look alike, sound alike, or have the same connotation, especially considering that the four shared letters are each attached to additional letters resulting in completely different words aside from this minute similarity

In *Bulova Watch Company, Inc. v. Albert J. Miller*, 463 F.2nd 1376 (CCPA 1972), the Court affirmed the Board's ruling that ACCUTRON and UNITRON were not confusingly similar, even though both marks were used for watches. Adopting the Board's finding that the suffix "TRON" is a dictionary term that appears in third-party registration of watch marks, the Court observed that "As the Board said, UNITRON and ACCUTRON just do not look alike, sound alike or connotate alike." *A fortiori*, PLANT

HERBAL TREASURES just does not look, sound or share any connotation with PLANETARY, or PLANETARY FORMULAS. *See also Magnaflux Corp. vs. Sonoflux Corp.*, 231 F.2nd 669 (CCPA 1956) (upholding Board’s dismissal of cancellation action on the ground that MAGNAFLUX AND SONOFLUX are not confusingly similar, even though both were used on the same goods).

Similarly, in *Cutter Laboratories, Inc. v. Air Products and Chemicals*, 189 USPQ 108 (TTAB 1975), the Board found no likelihood of confusion between STERI-FLEX and RESIFLEX, even though both were used for similar medical products. The Board noted third-party registrations of marks containing the suffix “FLEX” for similar goods and determined that

“the inclusion in each mark of the term ‘FLEX’ may be an insufficient basis per se, upon which to predicate a holding of likelihood of confusion...[A]lthough the “STERI” portion of applicant’s mark contains the same letters as the “RESI” portion of Opposer’s mark, the rearrangement of these letters creates a term which is distinctly different in all respects from “RESI”; and these differences are sufficient to render the marks as a whole sufficiently distinguishable so as to preclude a likelihood of purchasers’ mistakenly assuming that the products sold thereunder emanate from a common source.”

Id. at 110-111. In this case, the marks only share four consecutive letters -“PLAN”, and do not share any other similarities and are even more distinguishable than the at issue terms in the *Cutter Laboratories* case. Specifically, Applicant’s mark utilizes three words, where Opposer’s marks utilize either one or two words, and none of the words in Applicant’s mark share the same meaning, connotation, sound, or visual impression with Opposer’s marks.

CONCLUSION

Opposer's argument for confusing similarity is both inaccurate and groundless. Applicant's PLANT HERBAL TREASURES and Opposer's PLANETARY and PLANETARY FORMULAS marks "just do not look alike, sound alike or connote alike." *Bulova Watch Company, Inc. Albert J. Millar, supra*. The single DuPont factor of the dissimilarity of the marks in their entireties substantially outweighs any other relevant factors and is dispositive of the issue of likelihood of confusion. *See Roederer S.A. v. Delicato Vineyards*, 148 F.3d 1373, 47 USPQ2d 1459 (Fed. Cir. 1998) and *Kellogg Co. v. Pack'em Enterprises, Inc.*, 14 USPQ 1545 (TTAB 1990), *aff'd*, 951 F.2d 330, 21 USPQ2d 1142 (Fed. Cir. 1991). Thus, Applicant submits that it has decisively established the absence of any genuine issue of material fact and that it is entitled to judgment as a matter of law. Other than the common four letters "PLAN", the marks are completely different in appearance, sound, meaning, and commercial impression. Applicant therefore respectfully requests that its Motion for Summary Judgment be granted and that Opposer's Notice of Opposition be dismissed with prejudice.

Dated: 11/27/2013

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CERTIFICATE OF MAILING AND SERVICE

The undersigned hereby certifies that on the date indicated below, a true and correct copy of this document entitled **APPLICANT’S MOTION FOR SUMMARY JUDGMENT AND SUPPORTING MEMORANDUM OF LAW** was served on counsel for Opposer Threshold Enterprises, Ltd., by depositing said copy with the United States Postal Service, postage prepaid, in an envelope addressed to:

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Attorneys for Opposer

November 27, 2013

/s/ Kuscha Hatami

Kuscha Hatami

Raj Abhyanker P.C.

EXHIBIT I



U.S. National Library of Medicine
NIH National Institutes of Health

Herbal Medicine

URL of this page: <http://www.nlm.nih.gov/medlineplus/herbalmedicine.html>

Also called: Botanicals, Phytotherapy

An herb is a plant or plant part used for its scent, flavor, or therapeutic properties. Herbal medicines are one type of dietary Supplement. They are sold as tablets, capsules, powders, teas, extracts, and fresh or dried plants. People use herbal medicines to try to maintain or improve their health.

Many people believe that products labeled "natural" are always safe and good for them. This is not necessarily true. Herbal medicines do not have to go through the testing that drugs do. Some herbs, such as comfrey and ephedra, can cause serious harm. Some herbs can interact with prescription or over-the-counter medicines.

If you are thinking about using an herbal medicine, first get information on it from reliable sources. Make sure to tell your health care provider about any herbal medicines you are taking.

NIH: National Center for Complementary and Alternative Medicine

Start Here

- Botanical Dietary Supplements: Background Information [<http://ods.od.nih.gov/factsheets/BotanicalBackground/>] **NIH** (National Institutes of Health, Office of Dietary Supplements)
- Herbal Products and Supplements [<http://familydoctor.org/familydoctor/en/drugs-procedures-devices/over-the-counter/herbal-products-and-supplements.printerview.all.html>] (American Academy of Family Physicians)
Also available in Spanish [<http://familydoctor.org/familydoctor/es/drugs-procedures-devices/over-the-counter/herbal-products-and-supplements.printerview.all.html>]

Overviews

- Dietary Supplement Label Database (DSLDB) [<http://www.dslid.nlm.nih.gov/dslid/>] **NIH** (National Institutes of Health, Office of Dietary Supplements)
- Herbal Supplements: What to Know Before You Buy [<http://www.mayoclinic.org/herbal-supplements/ART-20046714?p=1>] (Mayo Foundation for Medical Education and Research)
- Herbs at a Glance [<http://nccam.nih.gov/health/herbsataglace.htm>] **NIH** (National Center for Complementary and Alternative Medicine) - PDF
- MedlinePlus: Herbs and Supplements [http://www.nlm.nih.gov/medlineplus/druginfo/herb_All.html]
Also available in Spanish [http://www.nlm.nih.gov/medlineplus/spanish/druginfo/herb_All.html]
- Should You Take Dietary Supplements? [<http://newsinhealth.nih.gov/issue/Aug2013/Feature1>] **NIH** (National Institutes of Health)

Specific Conditions

- Acai [<http://nccam.nih.gov/health/acai/ataglace.htm>] **NIH** (National Center for Complementary and Alternative Medicine)
- Aloe Vera [<http://nccam.nih.gov/health/aloevera/>] **NIH** (National Center for Complementary and Alternative Medicine)

Alternative Medicine)

- Aristolochic Acids [http://www.niehs.nih.gov/health/materials/fact_sheet_aristolochic_acids.pdf] **NIH** (National Toxicology Program) - PDF
- Asian Ginseng [<http://nccam.nih.gov/health/asianginseng/ataglace.htm>] **NIH** (National Center for Complementary and Alternative Medicine)
- Astragalus [<http://nccam.nih.gov/health/astragalus>] **NIH** (National Center for Complementary and Alternative Medicine)
- Bilberry [<http://nccam.nih.gov/health/bilberry/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Bitter Orange [<http://nccam.nih.gov/health/bitterorange/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Black Cohosh [<http://nccam.nih.gov/health/blackcohossh/ataglace.htm>] **NIH** (National Center for Complementary and Alternative Medicine)
- Butterbur [<http://nccam.nih.gov/health/butterbur>] **NIH** (National Center for Complementary and Alternative Medicine)
- Cat's Claw [<http://nccam.nih.gov/health/catclaw/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Chamomile [<http://nccam.nih.gov/health/chamomile/ataglace.htm>] **NIH** (National Center for Complementary and Alternative Medicine)
- Chasteberry [<http://nccam.nih.gov/health/chasteberry/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Cinnamon [<http://nccam.nih.gov/health/cinnamon/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Cranberry [<http://nccam.nih.gov/health/cranberry>] **NIH** (National Center for Complementary and Alternative Medicine)
- Dandelion [<http://nccam.nih.gov/health/dandelion/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Echinacea [<http://nccam.nih.gov/health/echinacea/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Echinacea: What Should I Know about It? [<http://familydoctor.org/familydoctor/en/drugs-procedures-devices/over-the-counter/echinacea-what-should-i-know-about-it.printerview.all.html>] (American Academy of Family Physicians)
Also available in Spanish [<http://familydoctor.org/familydoctor/es/drugs-procedures-devices/over-the-counter/echinacea-what-should-i-know-about-it.printerview.all.html>]
- Ephedra [<http://nccam.nih.gov/health/ephedra/>] **NIH** (National Center for Complementary and Alternative Medicine)
- European Elder (Elderberry) [<http://nccam.nih.gov/health/euroelder/>] **NIH** (National Center for Complementary and Alternative Medicine)
- European Mistletoe [<http://nccam.nih.gov/health/mistletoe/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Evening Primrose Oil [<http://nccam.nih.gov/health/eveningprimrose/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Fenugreek [<http://nccam.nih.gov/health/fenugreek>] **NIH** (National Center for Complementary and Alternative Medicine)
- Feverfew [<http://nccam.nih.gov/health/feverfew>] **NIH** (National Center for Complementary and Alternative Medicine)
- Flaxseed and Flaxseed Oil [<http://nccam.nih.gov/health/flaxseed/ataglace.htm>] **NIH** (National Center for Complementary and Alternative Medicine)
- Garlic [<http://nccam.nih.gov/health/garlic/ataglace.htm>] **NIH** (National Center for Complementary and

Alternative Medicine)

- Ginger [<http://nccam.nih.gov/health/ginger>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Ginkgo [<http://nccam.nih.gov/health/ginkgo/ataglance.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Ginkgo [http://www.niehs.nih.gov/health/assets/docs_f_o/ntp_ginkgo.pdf] [NIH](#) (National Toxicology Program) - PDF
- Goldenseal [<http://nccam.nih.gov/health/goldenseal/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Grape Seed Extract [<http://nccam.nih.gov/health/grapeseed/ataglance.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Green Tea [<http://nccam.nih.gov/health/greentea/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Hawthorn [<http://nccam.nih.gov/health/hawthorn/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Hoodia [<http://nccam.nih.gov/health/hoodia/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Horse Chestnut [<http://nccam.nih.gov/health/horsechestnut/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Kava [<http://nccam.nih.gov/health/kava/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Lavender [<http://nccam.nih.gov/health/lavender/ataglance.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Licorice Root [<http://nccam.nih.gov/health/licoriceroot/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Milk Thistle [<http://nccam.nih.gov/health/milkthistle/ataglance.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Noni [<http://nccam.nih.gov/health/noni/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Passionflower: At a Glance [<http://nccam.nih.gov/health/passionflower>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Peppermint Oil [<http://nccam.nih.gov/health/peppermintoil/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Red Clover [<http://nccam.nih.gov/health/redclover/ataglance.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Red Yeast Rice: An Introduction [<http://nccam.nih.gov/health/redyeastrice>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Sage [<http://nccam.nih.gov/health/sage/>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Saw Palmetto [<http://nccam.nih.gov/health/palmetto/ataglance.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Soy [<http://nccam.nih.gov/health/soy/ataglance.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- St. John's Wort [<http://nccam.nih.gov/health/stjohnswort/ataglance.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Tea Tree Oil [<http://nccam.nih.gov/health/tea/treeoil.htm>] [NIH](#) (National Center for Complementary and Alternative Medicine)
- Thunder God Vine [<http://nccam.nih.gov/health/tgvine/>] [NIH](#) (National Center for Complementary and Alternative Medicine)

- Time to Talk: What You Should Know about 5 Popular Herbs (Evening Primrose Oil, St. John's Wort, Fenugreek, Echinacea, and Aloe Vera) [<http://nccam.nih.gov/health/tips/topsupplements>] **NIH** (National Center for Complementary and Alternative Medicine)
- Turmeric [<http://nccam.nih.gov/health/turmeric/atagance.htm>] **NIH** (National Center for Complementary and Alternative Medicine)
- Valerian [<http://nccam.nih.gov/health/valerian/>] **NIH** (National Center for Complementary and Alternative Medicine)
- What Are Chia Seeds? [<http://www.eatright.org/Public/content.aspx?id=6442472548>] (Academy of Nutrition and Dietetics)
- Yohimbe [<http://nccam.nih.gov/health/yohimbe/>] **NIH** (National Center for Complementary and Alternative Medicine)

Related Issues

- Alerts and Advisories [<http://nccam.nih.gov/news/alerts/>] **NIH** (National Center for Complementary and Alternative Medicine)
- Herbal Supplements May Not Mix with Heart Medicines [<http://www.mayoclinic.org/herbal-supplements/ART-20046488?p=1>] (Mayo Foundation for Medical Education and Research)
- St. John's Wort and Depression [<http://nccam.nih.gov/health/stjohnswort/sjw-and-depression.htm>] **NIH** (National Center for Complementary and Alternative Medicine)

Pictures & Photographs

- Medicinal Herb Garden [<http://nnlm.gov/pnr/uwmhg/>] **NIH** (National Network of Libraries of Medicine, Pacific Northwest Region)

Videos

- Herbal Dietary Supplements: Examples of Deceptive or Questionable Marketing Practices and Potentially Dangerous Advice [<http://www.gao.gov/products/GAO-10-662T>] (Government Accountability Office)

Clinical Trials

- ClinicalTrials.gov: Herbal Medicine [<http://clinicaltrials.gov/search/open/term=herbal+medicine>] **NIH** (National Institutes of Health)

Research

- Herbal Dietary Supplements: Examples of Deceptive or Questionable Marketing Practices and Potentially Dangerous Advice [<http://www.gao.gov/products/GAO-10-662T>]  (Government Accountability Office)
- NCCAM's 5 Most Searched-For Herbs of 2012: What the Science Says about Evening Primrose Oil, St. John's Wort, Fenugreek, Echinacea, and Aloe Vera [<http://nccam.nih.gov/health/providers/digest/topsupplements-science>] **NIH** (National Center for Complementary and Alternative Medicine)

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- Article: A prospective placebo-controlled study on the efficacy of onion extract... [<http://www.ncbi.nlm.nih.gov/pubmed/24428092?tool=MedlinePlus>]
- Article: Berries might lower heart risks. [<http://www.ncbi.nlm.nih.gov/pubmed/23885378?tool=MedlinePlus>]
- Article: Erythropoietic agents from natural sources. [<http://www.ncbi.nlm.nih.gov/pubmed>]

- [/24254039?tool=MedlinePlus](#)]
- Article: Herbal medicines for viral myocarditis. [<http://www.ncbi.nlm.nih.gov/pubmed/23986406?tool=MedlinePlus>]
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 - Article: Efficacy of rivastigmine in comparison to ginkgo for treating Alzheimer's... [<http://www.ncbi.nlm.nih.gov/pubmed/23866514?tool=MedlinePlus>]
 - Article: Randomized placebo-controlled adjunctive study of an extract of withania somnifera... [<http://www.ncbi.nlm.nih.gov/pubmed/24330893?tool=MedlinePlus>]
 - Article: Tripterygium wilfordii Hook F (a traditional Chinese medicine) for primary... [<http://www.ncbi.nlm.nih.gov/pubmed/23934958?tool=MedlinePlus>]
 - Article: A prospective placebo-controlled study on the efficacy of onion extract... [<http://www.ncbi.nlm.nih.gov/pubmed/24428092?tool=MedlinePlus>]
 - Article: Effect of "yang-warming and kidney essence-replenishing" herbal paste on cold-related... [<http://www.ncbi.nlm.nih.gov/pubmed/24187867?tool=MedlinePlus>]
 - Article: Erythropoietic agents from natural sources. [<http://www.ncbi.nlm.nih.gov/pubmed/24254039?tool=MedlinePlus>]
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 - Article: Accentuating the prodigious significance of Eclipta alba - an inestimable... [<http://www.ncbi.nlm.nih.gov/pubmed/24191336?tool=MedlinePlus>]
 - Article: Effect of reinforcing kidney-essence, removing phlegm, and promoting mental therapy... [<http://www.ncbi.nlm.nih.gov/pubmed/24187864?tool=MedlinePlus>]
 - Article: Persistent hyperkalemia? Maybe it's the Noni juice, not the orange... [<http://www.ncbi.nlm.nih.gov/pubmed/23855149?tool=MedlinePlus>]
 - Article: Randomized placebo-controlled adjunctive study of an extract of withania somnifera... [<http://www.ncbi.nlm.nih.gov/pubmed/24330893?tool=MedlinePlus>]
 - Herbal Medicine -- see more articles [[http://www.ncbi.nlm.nih.gov/pubmed?term=\(phytotherapy\[majr\]+OR+medicine,herbal\[majr\]+OR+plants,medicinal\[majr\]+OR+drugs,chinese+herbal\[majr\]\)+AND+humans\[mh\]+AND+english\[la\]+AND+\(patient+education+handout\[pt\]+OR+review\[pt\]+OR+guideline\[pt\]+OR+clinical+trial\[pt\]+OR+jsubsetk\[text\]+OR+jsubsetaim\[text\]+OR+jsubsetn\[text\]\)+NOT+\(letter\[pt\]+OR+editorial\[pt\]\)+AND+%22last+1+Year%22\[edat\]&tool=MedlinePlus](http://www.ncbi.nlm.nih.gov/pubmed?term=(phytotherapy[majr]+OR+medicine,herbal[majr]+OR+plants,medicinal[majr]+OR+drugs,chinese+herbal[majr])+AND+humans[mh]+AND+english[la]+AND+(patient+education+handout[pt]+OR+review[pt]+OR+guideline[pt]+OR+clinical+trial[pt]+OR+jsubsetk[text]+OR+jsubsetaim[text]+OR+jsubsetn[text])+NOT+(letter[pt]+OR+editorial[pt])+AND+%22last+1+Year%22[edat]&tool=MedlinePlus)]
 - Herb-drug interactions -- see more articles [[http://www.ncbi.nlm.nih.gov/pubmed?term=herb+drug+interactions\[mh\]+AND+\(humans\[mh\]+OR+clinical+trials\[mh\]\)+AND+english\[la\]+NOT+\(letter\[pt\]+OR+editorial\[pt\]\)+AND+%22last+1+Year%22\[edat\]&tool=MedlinePlus](http://www.ncbi.nlm.nih.gov/pubmed?term=herb+drug+interactions[mh]+AND+(humans[mh]+OR+clinical+trials[mh])+AND+english[la]+NOT+(letter[pt]+OR+editorial[pt])+AND+%22last+1+Year%22[edat]&tool=MedlinePlus)]

Organizations

- National Center for Complementary and Alternative Medicine [<http://nccam.nih.gov/>] **NIH**

Children

- Is the "Cinnamon Challenge" Dangerous? [<http://kidshealth.org/parent/positive/family/cinnamon-challenge.html>] (Nemours Foundation)
Also available in Spanish [http://kidshealth.org/parent/en_espanol/seguridad/cinnamon-challenge-esp.html]

Women

- Black Cohosh [<http://ods.od.nih.gov/factsheets/BlackCohosh/>] **NIH** (National Institutes of Health, Office of Dietary Supplements)

- Menopausal Symptoms and Complementary Health Practices [<http://nccam.nih.gov/health/menopause/menopausesymptoms>] **NIH** (National Center for Complementary and Alternative Medicine)

You may also be interested in these related MedlinePlus topics:

- Cancer Alternative Therapies [<http://www.nlm.nih.gov/medlineplus/canceralternativetherapies.html>]
- Complementary and Alternative Medicine [<http://www.nlm.nih.gov/medlineplus/complementaryandalternativemedicine.html>]
- Dietary Supplements [<http://www.nlm.nih.gov/medlineplus/dietarysupplements.html>]
- Complementary and Alternative Therapies [<http://www.nlm.nih.gov/medlineplus/complementaryandalternativetherapies.html>]
- Wellness and Lifestyle [<http://www.nlm.nih.gov/medlineplus/wellnessandlifestyle.html>]

The primary NIH organization for research on *Herbal Medicine* is the National Center for Complementary and Alternative Medicine [<http://nccam.nih.gov/>]

Herbal Medicine - Multiple Languages [<http://www.nlm.nih.gov/medlineplus/languages/herbalmedicine.html>]

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EXHIBIT J

Herbalism

From Wikipedia, the free encyclopedia

Herbalism ("**Herbology**" or "**Herbal Medicine**") is use of plants for medicinal purposes, and the study of such use. Plants have been the basis for medical treatments through much of human history, and such traditional medicine is still widely practiced today. Modern medicine recognizes herbalism as a form of alternative medicine, as the practice of herbalism is not strictly based on evidence gathered using the scientific method. Modern medicine, does, however, make use of many plant-derived compounds as the basis for evidence-tested pharmaceutical drugs, and phytotherapy works to apply modern standards of effectiveness testing to herbs and medicines that are derived from natural sources. The scope of herbal medicine is sometimes extended to include fungal and bee products, as well as minerals, shells and certain animal parts.

Contents

- 1 History
- 2 Modern herbal medicine
 - 2.1 Clinical tests
 - 2.2 Prevalence of use
 - 2.3 Herbal preparations
 - 2.4 Safety
 - 2.5 Practitioners
 - 2.6 Government regulations
- 3 Traditional herbal medicine systems
- 4 Herbal philosophy and spiritual practices
- 5 Uses of herbal medicines by animals
- 6 Extinction of medicinal plant species
- 7 See also
- 8 References
- 9 Further reading

History

Main article: History of herbalism

Archaeological evidence indicates that the use of medicinal plants dates at least to the Paleolithic, approximately 60,000 years ago. Written evidence of herbal remedies dates back over 5,000 years, to the Sumerians, who created lists of plants. A number of ancient cultures wrote on plants and their medical uses. In ancient Egypt, herbs are mentioned in Egyptian medical papyri, depicted in tomb illustrations, or on rare occasions found in medical jars containing trace amounts of herbs.^[1] The earliest known Greek herbals were those of Diocles of Carystus, written during the 3rd century B.C, and one by Krateuas from the 1st century B.C. Only a few fragments of these works have survived intact, but from

what remains scholars have noted that there is a large amount of overlap with the Egyptian herbals.^[2] Seeds likely used for herbalism have been found in the archaeological sites of Bronze Age China dating from the Shang Dynasty.^[3] Over a hundred of the 224 drugs mentioned in the *Huangdi Neijing*, an early Chinese medical text, are herbs.^[4] Herbs were also common in the medicine of ancient India, where the principal treatment for diseases was diet.^[5] *De Materia Medica* by Pedanius Dioscorides, a Roman physician, is a particularly important example of such writings.^[6] The documentation of herbs and their uses was a central part of both Western and Eastern medical scholarship through to the 1600s, and these works played an important role in the development of the science of botany.

Modern herbal medicine

Many of the pharmaceuticals currently available to physicians have a long history of use as herbal remedies, including opium, aspirin, digitalis, and quinine. The World Health Organization (WHO) estimates that 80 percent of the population of some Asian and African countries presently use herbal medicine for some aspect of primary health care.^[7] Pharmaceuticals are prohibitively expensive for most of the world's population, half of which lives on less than \$2 U.S. per day.^[8] In comparison, herbal medicines can be grown from seed or gathered from nature for little or no cost.

The use of, and search for, drugs and dietary supplements derived from plants have accelerated in recent years. Pharmacologists, microbiologists, botanists, and natural-products chemists are combing the Earth for phytochemicals and leads that could be developed for treatment of various diseases. In fact, according to the World Health Organisation, approximately 25% of modern drugs used in the United States have been derived from plants.^[9]

Among the 120 active compounds currently isolated from the higher plants and widely used in modern medicine today, 80 percent show a positive correlation between their modern therapeutic use and the traditional use of the plants from which they are derived.^[10] More than two thirds of the world's plant species—at least 35,000 of which are estimated to have medicinal value—come from the developing countries. At least 7,000 medical compounds in the modern pharmacopoeia are derived from plants^[11] In many medicinal and aromatic plants (MAPs) significant variations of plants characteristics have been ascertained with varying soil traits, and the selective recovery and subsequent release in food of certain elements have been demonstrated. Great attention must be paid to choose soil and cropping strategies, to obtain satisfactory yields of high quality and best-priced products, respecting their safety and nutritional value.^[12]

Clinical tests

In a 2010 survey of the most common 1000 plant-derived compounds, only 156 had clinical trials published. Preclinical studies (tissue-culture and animal studies) were reported for about one-half of the plant products, while 12% of the plants, although available in the Western market, had "no substantial studies" of their properties. Strong evidence was found that 5 were toxic or allergenic, so that their use ought to be discouraged or forbidden. Nine plants had considerable evidence of therapeutic effect.^[13]

According to Cancer Research UK, "there is currently no strong evidence from studies in people that herbal remedies can treat, prevent or cure cancer".^[14]

The U.S. National Center for Complementary and Alternative Medicine of the National Institutes of Health funds clinical trials of the effectiveness of herbal medicines and provides "fact sheets" summarizing the effectiveness and side effects of many plant-derived preparations.^[15]

Prevalence of use

A survey released in May 2004 by the National Center for Complementary and Alternative Medicine focused on who used complementary and alternative medicines (CAM), what was used, and why it was used. The survey was limited to adults, aged 18 years and over during 2002, living in the United States. According to this survey, herbal therapy, or use of natural products other than vitamins and minerals, was the most commonly used CAM therapy (18.9%) when all use of prayer was excluded.^{[16][17]}

Herbal remedies are very common in Europe. In Germany, herbal medications are dispensed by apothecaries (e.g., Apotheke). Prescription drugs are sold alongside essential oils, herbal extracts, or tisanes. Herbal remedies are seen by some as a treatment to be preferred to pure medical compounds which have been industrially produced.^[18]

In India, the herbal remedy is so popular that the Government of India has created a separate department - AYUSH - under the Ministry of Health & Family Welfare. The National Medicinal Plants Board was also established in 2000 by the Govt. of India in order to deal with the herbal medical system.^[19]

Avid public interest in herbalism in the UK has been recently confirmed by the popularity of the topic in mainstream media, such as the prime-time hit TV series BBC's *Grow Your Own Drugs*, which demonstrated how to grow and prepare herbal remedies at home.

Herbal preparations

There are many forms in which herbs can be administered, the most common of which is in the form of a liquid that is drunk by the patient—either a tisane or a (possibly diluted) plant extract.^[20] Whole herb consumption is also practiced either fresh, in dried form or as fresh juice.^[citation needed]

Several methods of standardization may be determining the amount of herbs used. One is the ratio of raw materials to solvent. However different specimens of even the same plant species may vary in chemical content. For this reason, thin layer chromatography is sometimes used by growers to assess the



The bark of the cinchona tree contains quinine, which today is a widely prescribed treatment for malaria, especially in countries that cannot afford to purchase the more expensive anti-malarial drugs produced by the pharmaceutical industry.

content of their products before use. Another method is standardization on a signal chemical.^[21]

Tisanes, or "herbal teas", are the resultant liquid of extracting herbs into water, though they are made in a few different ways. Infusions are hot water extracts of herbs, such as chamomile or mint, through steeping. Decoctions are the long-term boiled extracts, usually of harder substances like roots or bark. Maceration is the old infusion of plants with high mucilage-content, such as sage, thyme, etc. To make macerates, plants are chopped and added to cold water. They are then left to stand for 7 to 12 hours (depending on herb used). For most macerates 10 hours is used.^[22]

Tinctures are alcoholic extracts of herbs, which are generally stronger than tisanes.^[23] Usually obtained by combining 100% pure ethanol (or a mixture of 100% ethanol with water) with the herb. A completed tincture has an ethanol percentage of at least 25% (sometimes up to 90%).^[22] Herbal wine and elixirs are alcoholic extract of herbs; usually with an ethanol percentage of 12-38%^[22] Herbal wine is a maceration of herbs in wine, while an elixir is a maceration of herbs in spirits (e.g., vodka, grappa, etc.)^[citation needed] Extracts include liquid extracts, dry extracts and nebulisates. Liquid extracts are liquids with a lower ethanol percentage than tinctures. They can (and are usually) made by vacuum distilling tinctures. Dry extracts are extracts of plant material which are evaporated into a dry mass. They can then be further refined to a capsule or tablet.^[22] A nebulisate is a dry extract created by freeze-drying.^[citation needed] Vinegars are prepared in the same way as tinctures, except using a solution of acetic acid as the solvent.^[citation needed] Syrups are extracts of herbs made with syrup or honey. Sixty-five parts of sugar are mixed with 35 parts of water and herb. The whole is then boiled and macerated for three weeks.^[22]

The exact composition of an herbal product is influenced by the method of extraction. A tea will be rich in polar components because water is a polar solvent. Oil on the other hand is a non-polar solvent and it will absorb non-polar compounds. Alcohol lies somewhere in between.^[20]

Many herbs are applied topically to the skin in a variety of forms. Essential oil extracts can be applied to the skin, usually diluted in a carrier oil (many essential oils can burn the skin or are simply too high dose used straight – diluting in olive oil or another food grade oil such as almond oil can allow these to be used safely as a topical).^[24] Salves, oils, balms, creams and lotions are other forms of topical delivery mechanisms. Most topical applications are oil extractions of herbs. Taking a food grade oil and soaking herbs in it for anywhere from weeks to months allows certain phytochemicals to be extracted into the oil. This oil can then be made into salves, creams, lotions, or simply used as an oil for topical application. Many massage oils, antibacterial salves and wound healing compounds are made this way. One can also make a poultice or compress using whole herb (or the appropriate part of the plant) usually crushed or dried and re-hydrated with a small amount of water and then applied directly in a bandage, cloth or just as is.^[citation needed]



Leaves of *Eucalyptus olida* being packed into a steam distillation unit to gather its essential oil.



An herb shop in the souk of Marrakesh, Morocco

Inhalation as in aromatherapy can be used as a mood changing treatment^{[25][26]} to fight a sinus infection or cough^{[27][*citation needed*]}, or to cleanse the skin on a deeper level (steam rather than direct inhalation here)^[*citation needed*]

Safety

A number of herbs are thought to be likely to cause adverse effects.^[28] Furthermore, "adulteration, inappropriate formulation, or lack of understanding of plant and drug interactions have led to adverse reactions that are sometimes life threatening or lethal.^[29]" Proper double-blind clinical trials are needed to determine the safety and efficacy of each plant before they can be recommended for medical use.^[30] Although many consumers believe that herbal medicines are safe because they are "natural", herbal medicines and synthetic drugs may interact, causing toxicity to the patient. Herbal remedies can also be dangerously contaminated, and herbal medicines without established efficacy, may unknowingly be used to replace medicines that do have corroborated efficacy.^[31]

Standardization of purity and dosage is not mandated in the United States, but even products made to the same specification may differ as a result of biochemical variations within a species of plant.^[32] Plants have chemical defense mechanisms against predators that can have adverse or lethal effects on humans. Examples of highly toxic herbs include poison hemlock and nightshade.^[33] They are not marketed to the public as herbs, because the risks are well known, partly due to a long and colorful history in Europe, associated with "sorcery", "magic" and intrigue.^[34] Although not frequent, adverse reactions have been reported for herbs in widespread use.^[35] On occasion serious untoward outcomes have been linked to herb consumption. A case of major potassium depletion has been attributed to chronic licorice ingestion,^[36] and consequently professional herbalists avoid the use of licorice where they recognize that this may be a risk. Black cohosh has been implicated in a case



Datura stramonium is a highly effective treatment for asthma symptoms when smoked, because it contains atropine, which acts as an antispasmodic in the lungs. However, datura is also an extremely powerful hallucinogen and overdoses of the tropane alkaloids in it can result in hospitalization or death.

of liver failure.^[37] Few studies are available on the safety of herbs for pregnant women,^{[38][39]} and one study found that use of complementary and alternative medicines are associated with a 30% lower ongoing pregnancy and live birth rate during fertility treatment.^[40] Examples of herbal treatments with likely cause-effect relationships with adverse events include aconite, which is often a legally restricted herb, ayurvedic remedies, broom, chaparral, Chinese herb mixtures, comfrey, herbs containing certain flavonoids, germander, guar gum, liquorice root, and pennyroyal.^[41] Examples of herbs where a high degree of confidence of a risk long term adverse effects can be asserted include ginseng, which is unpopular among herbalists for this reason, the endangered herb goldenseal, milk thistle, senna, against which herbalists generally advise and rarely use, aloe vera juice, buckthorn bark and berry, cascara sagrada bark, saw palmetto, valerian, kava, which is banned in the European Union, St. John's wort, Khat, Betel nut, the restricted herb Ephedra, and Guarana.^[29]

There is also concern with respect to the numerous well-established interactions of herbs and drugs.^[29] In consultation with a physician, usage of herbal remedies should be clarified, as some herbal remedies have the potential to cause adverse drug interactions when used in combination with various prescription and over-the-counter pharmaceuticals, just as a patient should inform an herbalist of their consumption of orthodox prescription and other medication.

For example, dangerously low blood pressure may result from the combination of an herbal remedy that lowers blood pressure together with prescription medicine that has the same effect. Some herbs may amplify the effects of anticoagulants.^[42] Certain herbs as well as common fruit interfere with cytochrome P450, an enzyme critical to much drug metabolism.^[43]

A 2013 study published in the journal BMC Medicine found that one-third of herbal supplements sampled contained no trace of the herb listed on the label. The study found products adulterated with filler including allergens such as soy, wheat, and black walnut. One bottle labeled as St. John's Wort was found to actually contain Alexandrian senna, a laxative.^[44]

Practitioners

An herbalist is:^{[45][46][47]}

1. A person whose life is dedicated to the economic or medicinal uses of plants.
2. One skilled in the harvesting and collection of medicinal plants (see wildcrafter).
3. Traditional Chinese herbalist: one who is trained or skilled in the dispensing of herbal prescriptions; traditional Chinese herb doctor. Similarly, Traditional Ayurvedic herbalist: one who is trained or skilled in the dispensing of herbal prescriptions in the Ayurvedic tradition.
4. One trained or skilled in the therapeutic use of medicinal plants.



An herbalist gathers the flower heads of *Arnica montana*

Herbalists must learn many skills, including the wildcrafting or cultivation of herbs, diagnosis and

treatment of conditions or dispensing herbal medication, and preparations of herbal medications. Education of herbalists varies considerably in different areas of the world. Lay herbalists and traditional indigenous medicine people generally rely upon apprenticeship and recognition from their communities in lieu of formal schooling.

In some countries formalized training and minimum education standards exist, although these are not necessarily uniform within or between countries. For example, in Australia the currently self-regulated status of the profession (as of April 2008) results in different associations setting different educational standards, and subsequently recognising an educational institution or course of training. The National Herbalists Association of Australia is generally recognised as having the most rigorous professional standard within Australia.^[48] In the United Kingdom, the training of medical herbalists is done by state funded Universities. For example, Bachelor of Science degrees in herbal medicine are offered at Universities such as University of East London, Middlesex University, University of Central Lancashire, University of Westminster, University of Lincoln and Napier University in Edinburgh at the present.
[citation needed]

Government regulations

The World Health Organization (WHO), the specialized agency of the United Nations (UN) that is concerned with international public health, published *Quality control methods for medicinal plant materials* in 1998 in order to support WHO Member States in establishing quality standards and specifications for herbal materials, within the overall context of quality assurance and control of herbal medicines.^[49]

In the European Union (EU), herbal medicines are now regulated under the European Directive on Traditional Herbal Medicinal Products.

In the United States, most herbal remedies are loosely regulated dietary supplements by the Food and Drug Administration.^[citation needed] Manufacturers of products falling into this category are not required to prove the safety or efficacy of their product, though the FDA may withdraw a product from sale should it prove harmful.^{[50][51]}

The National Nutritional Foods Association, the industry's largest trade association, has run a program since 2002, examining the products and factory conditions of member companies, giving them the right to display the GMP (Good Manufacturing Practices) seal of approval on their products.^[citation needed]

Some herbs, such as cannabis and coca, are outright banned in most countries though coca is legal in most of the South American countries where it is grown. The cannabis plant is used as a herbal medicine, and as such is legal in some parts of the world. Since 2004, the sales of ephedra as a dietary supplement is prohibited in the United States by the Food and Drug Administration,^[52] and subject to Schedule III restrictions in the United Kingdom.

Traditional herbal medicine systems

See also: Traditional medicine

Native Americans medicinally used about 2,500 of the approximately 20,000 plant species that are native to North America. With great accuracy, the plants they chose to use for medicine were in those families of plants that modern phytochemical studies show contain the most bioactive compounds.^[53]

Some researchers trained in both western and traditional Chinese medicine have attempted to deconstruct ancient medical texts in the light of modern science. One idea is that the yin-yang balance, at least with regard to herbs, corresponds to the pro-oxidant and anti-oxidant balance. This interpretation is supported by several investigations of the ORAC ratings of various yin and yang herbs.^{[54][55]}

In India, Ayurvedic medicine has quite complex formulas with 30 or more ingredients, including a sizable number of ingredients that have undergone "alchemical processing", chosen to balance "Vata", "Pitta" or "Kapha".^{[56][57]}

In Ladakh, Lahul-Spiti and Tibet, the Tibetan Medical System is prevalent, also called the 'Amichi Medical System'. Over 337 species of medicinal plants have been documented by C.P. Kala. Those are used by Amchis, the practitioners of this medical system.^{[58][59]}

In Tamil Nadu, Tamils have their own medicinal system now popularly called Siddha medicine. The Siddha system is entirely in the Tamil language. It contains roughly 300,000 verses covering diverse aspects of medicine. This work includes herbal, mineral and metallic compositions used as medicine. Ayurveda is in Sanskrit, but Sanskrit was not generally used as a mother tongue and hence its medicines are mostly taken from Siddha and other local traditions.^[60]

Herbal philosophy and spiritual practices

As Eisenburg states in his book, *Encounters with Qi*: "The Chinese and Western medical models are like two frames of reference in which identical phenomena are studied. Neither frame of reference provides an unobstructed view of health and illness. Each is incomplete and in need of refinement." Specifically, the traditional Chinese medical model could effect change on the recognized, and expected, phenomena of detachment to patients as people and estrangement unique to the clinical and impersonal relationships between patient and physician of the Western school of medicine.^[61]

Four approaches to the use of plants as medicine include:^[62]

1. The magical/shamanic—Almost all societies, with the exception of cultures influenced by Western-style industrialization, recognize this kind of use. The practitioner is regarded as endowed with gifts or powers that allow him/her to use herbs in a way that is hidden from the average person, and the



Ready to drink macerated medicinal liquor with goji berry, tokay gecko, and ginseng, for sale at a traditional medicine market in Xi'an, China.

herbs are said to affect the spirit or soul of the person.

2. The energetic—This approach includes the major systems of Traditional Chinese Medicine, Ayurveda, and Unani. Herbs are regarded as having actions in terms of their energies and affecting the energies of the body. The practitioner may have extensive training, and ideally be sensitive to energy, but need not have supernatural powers.

3. The functional dynamic—This approach was used by early physiomedical practitioners, whose doctrine forms the basis of contemporary practice in the UK. Herbs have a functional action, which is not necessarily linked to a physical compound, although often to a physiological function, but there is no explicit recourse to concepts involving energy.

4. The chemical—Modern practitioners - called Phytotherapists - attempt to explain herb actions in terms of their chemical constituents. It is generally assumed that the specific combination of secondary metabolites in the plant are responsible for the activity claimed or demonstrated, a concept called synergy.

Herbalists tend to use extracts from parts of plants, such as the roots or leaves but not isolate particular phytochemicals.^[63] Pharmaceutical medicine prefers single ingredients on the grounds that dosage can be more easily quantified. It is also possible to patent single compounds, and therefore generate income. Herbalists often reject the notion of a single active ingredient, arguing that the different phytochemicals present in many herbs will interact to enhance the therapeutic effects of the herb and dilute toxicity.^[64] Furthermore, they argue that a single ingredient may contribute to multiple effects. Herbalists deny that herbal synergism can be duplicated with synthetic chemicals. They argue that phytochemical interactions and trace components may alter the drug response in ways that cannot currently be replicated with a combination of a few putative active ingredients.^{[65][66]} Pharmaceutical researchers recognize the concept of drug synergism but note that clinical trials may be used to investigate the efficacy of a particular herbal preparation, provided the formulation of that herb is consistent.^[67]

In specific cases the claims of synergy^[68] and multifunctionality^[69] have been supported by science. The open question is how widely both can be generalized. Herbalists would argue that cases of synergy can be widely generalized, on the basis of their interpretation of evolutionary history, not necessarily shared by the pharmaceutical community. Plants are subject to similar selection pressures as humans and therefore they must develop resistance to threats such as radiation, reactive oxygen species and microbial attack in order to survive.^[70] Optimal chemical defences have been selected for and have thus developed over millions of years.^[71] Human diseases are multifactorial and may be treated by consuming the chemical defences that they believe to be present in herbs. Bacteria, inflammation, nutrition and ROS (reactive oxygen species) may all play a role in arterial disease.^[72] Herbalists claim a single herb may simultaneously address several of these factors. Likewise a factor such as ROS may underlie more than one condition.^[73] In short herbalists view their field as the study of a web of relationships rather than a quest for single cause and a single cure for a single condition.

In selecting herbal treatments herbalists may use forms of information that are not applicable to pharmacists. Because herbs can moonlight as vegetables, teas or spices they have a huge consumer base and large-scale epidemiological studies become feasible. Ethnobotanical studies are another source of

information.^[74] For example, when indigenous peoples from geographically dispersed areas use closely related herbs for the same purpose that is taken as supporting evidence for its efficacy.^[*citation needed*] Herbalists contend that historical medical records and herbals are underutilized resources.^[75] They favor the use of convergent information in assessing the medical value of plants. An example would be when in-vitro activity is consistent with traditional use.

Uses of herbal medicines by animals

Main article: Zoopharmacognosy

Indigenous healers often claim to have learned by observing that sick animals change their food preferences to nibble at bitter herbs they would normally reject.^[76] Field biologists have provided corroborating evidence based on observation of diverse species, such as chickens, sheep, butterflies, and chimpanzee. The habit has been shown to be a physical means of purging intestinal parasites. Lowland gorillas take 90% of their diet from the fruits of *Aframomum melegueta*, a relative of the ginger plant, that is a potent antimicrobial and apparently keeps shigellosis and similar infections at bay.^[77] Current research focuses on the possibility that this plants also protects gorillas from fibrosing cardiomyopathy which has a devastating effect on captive animals.^[78]

Sick animals tend to forage plants rich in secondary metabolites, such as tannins and alkaloids.^[79] Since these phytochemicals often have antiviral, antibacterial, antifungal and antihelminthic properties, a plausible case can be made for self-medication by animals in the wild.^[77]

Extinction of medicinal plant species

Because "over 50% of prescription drugs are derived from chemicals first identified in plants,"^[80] a 2008 report from the Botanic Gardens Conservation International (representing botanic gardens in 120 countries) warned that "cures for things such as cancer and HIV may become 'extinct before they are ever found'." They identified 400 medicinal plants at risk of extinction from over-collection and deforestation, threatening the discovery of future cures for disease. These included Yew trees (the bark is used for the cancer drug paclitaxel); Hoodia (from Namibia, a potential source of weight loss drugs); half of Magnolias (used as Chinese medicine for 5,000 years to fight cancer, dementia and heart disease); and Autumn crocus (for gout). Their report said that "five billion people still rely on traditional plant-based medicine as their primary form of health care."^[80]

See also

- Adaptogen
- Alternative medicine
- Ayurveda
- Chinese herbology
- Doctrine of signatures
- Ethnobotany

- Ethnomedicine
- European Directive on Traditional Herbal Medicinal Products
- Herb garden
- History of pharmacy
- Integrative medicine
- List of herbs with known adverse effects
- List of plants used in herbalism
- Medicinal mushrooms
- Naturopathic medicine
- Phytotherapy

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treasure ('trɛʒər)

Definitions

noun

- accumulated or stored wealth, esp. in the form of money, precious metals, jewels, etc.
- any person or thing considered very valuable

transitive verb

Word forms: **'treasured**, **'treasuring**

- to store away or save up (money, valuables, etc.) as for future use; hoard
- to value greatly; cherish

ap'preci,ate

Word Origin

ME *tresoure* < OFr *tresor* < L *thesaurus*: see [thesaurus](#)

Synonyms

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- = **riches**, **cash**, **fortune**, gold, jewels, **money**, **valuables**, **wealth**
- = **darling**, apple of one's eye, **gem**, **jewel**, nonpareil, **paragon**, pride and joy
- = **prize**, **adore**, **cherish**, **esteem**, hold dear, **idolize**, **love**, **revere**, **value**

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American English: [treasure](#) In stories, *treasure* is a collection of valuable old objects, such as gold coins and jewels....buried treasure. *treasures*

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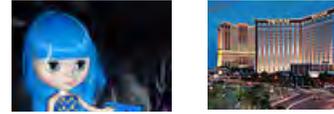
You find a treasure, any kind of treasure , you must turn it in to the government.
José Latour HAVANA BEST FRIENDS (2002)

During the opening weekend, families can play a treasure hunt game.
 CHICAGO SUN-TIMES (2002)

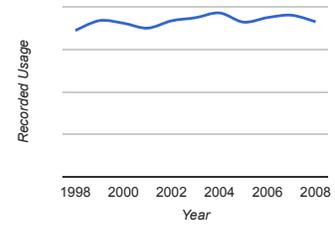
Rebecca Miller, whose "Personal Velocity" was a Sundance treasure.
 CHICAGO SUN-TIMES (2002)

On November 18, 1518, Cortés and a small army left Cuba to verify the stories of Mexico's treasure.
Divine, Robert A. (editor) & Breen, T. H & Frederickson, George M & Williams, R. Hal AMERICA PAST AND PRESENT (1995)

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RETIREMENT

What Comes First—Wealth or Health?

Workers increasingly see themselves as more physically fit than fiscally fit, suggesting that good health is their strategy for saving money in retirement. But until they get control of their finances, their health is at risk no matter how many laps they may swim.

By Dan Kadlec @dankadlec | June 18, 2012 | [Add a Comment](#)

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Most people get it: The key to happy and productive retirement years is staying healthy. Yet, it's not just about diet and exercise. How you manage your money often determines your level of stress, which if too high may lead to chronic health problems like heart diseases and diabetes.

So you'll have to do more than switch to whole wheat and start jogging around the block every day. Your health also depends on feeling good about and in control of your finances. Not a lot of people understand that—and relatively few are doing much about it.

In a survey, Principal Financial found that just 48% of American workers are monitoring their spending—down from 58% two years ago. Fewer are re-evaluating their investments, and while more are using a budget the rate is still low at just 28%. In other words, they aren't in control of their money.

(MORE: [Why \(Almost\) All of Us Cheat and Steal](#))

The vast majority of American workers see the link between wealth and health as one directional: Staying healthy is the ticket to saving on healthcare costs, which is the ticket to financial security in retirement. In the survey, 84% said being physically healthy is good for their financial future and 76% said if they spend time and money on their health now they will avoid major health costs later in life.

"The connection that people are starting to make is if they are healthy, they are more likely to be able to spend their money on things they enjoy versus spending it to deal with health issues," says Luke Vandermillen, vice president of retirement services for The Principal.

Yet it's not that simple. Good health comes with its own financial demands. Living healthy means living longer, which is wonderful. But without a traditional pension or other source of guaranteed lifetime income how will you pay for all those extra years? You'll need to save tens of thousands of dollars more than you may have figured in your lifetime—and still there is no guarantee you won't need costly, albeit delayed, end-of-life services.

None of this is to say that living longer and healthier isn't a boon, and probably even less a demand on your resources than developing chronic illness and passing away early. But the link between fiscal health and physical health goes both ways. In the survey, workers were far more likely to rate themselves physically healthy (53%) than financially healthy (31%), suggesting they see it as a one-way street: health leads to wealth. But it's also the case that feeling in control of your wealth—no matter how much you have—leads to better health.

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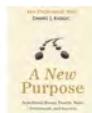


Japan's Booming Sex Niche: Elder Porn



Dan Kadlec @dankadlec

Dan Kadlec is a journalist who has written about personal finance for TIME and other outlets for 25 years. He is the author of three books, a leading voice in the global financial literacy movement, and strategic adviser to the National Financial Educators Council.



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EXHIBIT M

TRADEMARKS, CONSUMER PSYCHOLOGY, AND THE SOPHISTICATED CONSUMER

Thomas R. Lee^{*}
Glenn L. Christensen^{**}
Eric D. DeRosia^{***}

Trademark law rests on an amorphous foundation. The scope of protection afforded to the trademark holder turns on the psychology and behavior of the “ordinary” consumer —under the normally prevalent conditions of the market and giving the attention such purchasers usually give in buying that class of goods.”¹ In trademark law, “everything hinges upon whether there is a likelihood of confusion in the mind of an appreciable number of reasonably prudent“ buyers.”² Where the ordinary consumer is deemed sufficiently “sophisticated” to discern differences between two competing marks, the law forecloses protection for the senior trademark.³

Although the ordinary consumer’s mindset is central to trademark law and policy, neither courts nor commentators have made any serious attempt to develop a framework for understanding the conditions that may affect the attention that can be expected to be given to a particular purchase. Some of the classic judicial descriptions cast the ordinary consumer as “ignorant . . . unthinking and . . . credulous”⁴ or “hasty, heedless and easily deceived.”⁵ In other cases, the courts have bristled at the “claimed asininity” of the buying public,⁶ suggesting instead that the average buyer is “neither savant nor dolt,”

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¹ W.W.W. Pharmaceutical Co. v. Gillette Co., 984 F.2d 567, 575 (2d Cir. 1993).

² J. THOMAS MCCARTHY, MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION § 23:91 (4th ed. 2007).

³ *Id.*

⁴ Florence Mfg. Co. v. J.C. Dowd & Co., 178 F. 73, 75 (2d Cir. 1910).

⁵ Stix Prods., Inc. v. United Merchs. & Mfrs., Inc., 295 F. Supp. 479, 494 (S.D.N.Y. 1968).

⁶ Pocket Books, Inc. v. Dell Publ’g Co., 268 N.Y.S.2d 46, 47 (Sup. Ct. 1966).

but is one who ~~lacks~~ special competency with reference to the matter at hand but has and exercises a normal measure of the layman's common sense and judgment."⁷ For the most part, however, the debate is a vacuous war of words, uninformed by any careful theoretical modeling of consumer psychology or empirical study of consumer behavior.

The academic literature is marked by a similarly empty rift. On one hand, so-called ~~apologist~~" trademark commentary paints a picture of the consumer as the ~~fool~~"—one highly susceptible to even the slightest suggestion of a connection between two trademarks.⁸ So-called ~~restrictionist~~" commentary quarrels with the ~~conception~~ of a consumerate of presumptive idiots 'who are apparently befuddled by nearly everything.'"⁹ Scholars on the restrictionist side of the divide see the consumer as an informed ~~sovereign~~" who is ~~actually~~ habituated to ambiguity," such that ~~the~~ degree of confusion [she is] actually likely to suffer is less than might otherwise be thought."¹⁰

This fundamental disagreement is at the heart of a core theoretical divide in the trademark commentary. As Barton Beebe has noted,

The commentator proceeds from an initial assumption about the degree to which consumers act or are acted upon, about the degree to which they are creative subjects or the created objects of the trademark system The apologist commentator traditionally assumes that consumers act, the restrictionist, that consumers are

⁷ *United States v. 88 Cases, More or Less, Containing Bireley's Orange Beverage*, 187 F.2d 967, 971 (3d Cir. 1951) (rejecting ~~the~~ ignorant, the unthinking, and the credulous" standard as an ~~extraordinary~~ standard").

⁸ See Barton Beebe, *Search and Persuasion in Trademark Law*, 103 MICH. L. REV. 2020, 2042 (2005) (employing this terminology to describe the disagreement among trademark commentators and asserting that ~~apologists~~" argue ~~that~~ the average consumer possesses a low degree of search sophistication") (citing William M. Landes & Richard A. Posner, *Trademark Law: An Economic Perspective*, 30 J.L. & ECON. 265, 284 (1987)).

⁹ *Id.* at 2041 (quoting Robert J. Denicola, *Institutional Publicity Rights: An Analysis of the Merchandising of Famous Trade Symbols*, 62 N.C. L. REV. 603, 608–09 (1984)); see also Jessica Litman, *Breakfast with Batman: The Public Interest in the Advertising Age*, 108 YALE L.J. 1717, 1722 (1999) (noting that trademark owners extract exceedingly broad protection when they convince the court to ~~protect~~ fictional consumers who . . . [are] . . . gullible, careless, and easily deceived").

¹⁰ Rochelle Cooper Dreyfuss, *We Are Symbols and Inhabit Symbols, So Should We Be Paying Rent? Deconstructing the Lanham Act and Rights of Publicity*, 20 COLUM.-VLA J.L. & ARTS 123, 154 (1995); see also Ann Bartow, *Likelihood of Confusion*, 41 SAN DIEGO L. REV. 721, 723 (2004) (questioning the characterization in the case law of consumers as ~~astoundingly naïve, stunningly gullible, and frankly stupid~~"); Stephen L. Carter, *The Trouble with Trademark*, 99 YALE L.J. 759, 789 (1990) (~~Consumers may be more sophisticated than the Landes and Posner model assumes.~~").

acted upon. From these premises follow calls for more or less or at least different kinds of paternalism.¹¹

Although scholars offer strikingly different portrayals of the reasonably prudent purchaser, neither camp has attempted a comprehensive examination of the theoretical or empirical bases for their positions. Even Beebe, who makes a significant contribution in identifying some internal conflicts in each side's positions, openly declines to ~~take~~ sides in this debate,¹² while acknowledging that ~~trademark~~ law lacks a well-developed theory of the consumer, and, specifically, of consumer sophistication.¹³

This Article attempts to fill that void. We take seriously the oft-repeated—but seldom heeded—view that the fields of ~~cognitive~~ and consumer psychology” have ~~much~~ to offer those interested in trademark law.”¹⁴ Borrowing from scholarly literature in marketing and consumer psychology, we develop an extensive model of consumer sophistication. In the sections below, we first present a general summary of the relevant case law and then introduce the consumer behavior model that will serve as the core of our analysis. The model identifies two general antecedents to the exercise of consumer care (or ~~recognition~~,” as it is phrased in the literature) by a sophisticated consumer: a sufficient level of ~~motivation~~” for care and an adequate ~~ability~~” to be careful.¹⁵

After developing the motivation and ability elements in some detail, we employ the model to analyze a strand of case law that is at the heart of the

¹¹ Beebe, *supra* note 8, at 2069.

¹² *Id.* at 2025. This is not to denigrate Beebe's contribution. His essay draws an important distinction between ~~persuasion~~ sophistication” and ~~search~~ sophistication,” and ~~expose[s]~~ and analyze[s] the inconsistent uses that have been made of the sovereign and the fool in trademark advocacy and adjudication.” *Id.*

¹³ *Id.* See Bartow, *supra* note 10, at 772 (lamenting the judicial substitution of intuition and stereotype for ~~specific~~ and persuasive evidence about consumer behavior”); see also Barton Beebe, *An Empirical Study of the Multifactor Tests for Trademark Infringement*, 94 CAL. L. REV. 1581, 1581 (2006) (asserting that the various ~~multifactor~~ tests for the likelihood of confusion have long played a role of central importance in American trademark litigation, yet they have received little academic attention and no empirical analysis”).

¹⁴ Jacob Jacoby, *The Psychological Foundations of Trademark Law: Secondary Meaning, Genericism, Fame, Confusion and Dilution*, 91 TRADEMARK REP. 1013, 1014 (2001); see also *id.* at 1068 (asserting that trademark practitioners and judges should no longer ~~rely~~ on common sense or speculation regarding how the consumer's mind operates,” and that ~~new~~ findings regarding cognitive processes” can provide a ~~scientific~~ foundation[.]” for the law to replace ~~unreliable~~ intuition” and ~~junk~~ science”); Jerre B. Swann, *An Interdisciplinary Approach to Brand Strength*, 96 TRADEMARK REP. 943, 945 (2006) (asserting that recent advances in ~~marketing~~ and consumer psychology . . . possess untapped potential” in facilitating ~~more~~ predictable, accurate and consumer-beneficial outcomes in trademark conflicts”).

¹⁵ See *infra* Part II.

broader debate about the consumer mindset—cases that identify circumstances where the consumer is expected to be more, or less, “sophisticated.” The informed, rigorous view of the consumer that emerges is much more nuanced and complex than that of either fool or sovereign. We offer a positive framework for understanding the basic strands of the judicial conceptions of consumer sophistication and interject normative criticism in cases where we find fault with the jurisprudence. Lastly, we employ the model to take a broader look at the relevance (and relative significance) of consumer sophistication in trademark infringement cases.

Our methodology offers insights that can inform—and transform—a broad range of issues in a body of law that can no longer afford to ignore the field of consumer psychology. By moving beyond stereotypes and rhetorical flourishes about the validity *vel non* of the portrayal of the consumer as the “presumptive idiot,” our model opens analytical doors that account for the realities of consumer behavior and helps to resolve many of the conflicts and inconsistencies in trademark law.

I. THE LIKELIHOOD OF CONFUSION AND THE REASONABLY PRUDENT CONSUMER

The legal touchstone of trademark infringement is a showing of a likelihood of consumer confusion.¹⁶ In evaluating the likelihood of confusion, the standard focuses on the “ordinary” or “reasonably prudent” consumer.¹⁷ As noted above, the courts have expressed a range of different views as to the mindset of this “ordinary” or “reasonably prudent” consumer.¹⁸ To some degree, the cases leave room for the impression that courts may simply be adjusting their finding of whether the relevant consumer population is

¹⁶ See 15 U.S.C. § 1114(1) (2006) (establishing that a federally registered mark is infringed where the defendant’s use is “likely to cause confusion, or to cause mistake, or to deceive”).

¹⁷ See *Savin Corp. v. Savin Group*, 391 F.3d 439, 461 (2d Cir. 2004) (“[T]he pertinent question is whether ‘numerous ordinary prudent purchasers’ would likely ‘be misled or confused as to the source of the product in question because of the entrance in the marketplace of [Defendants’] mark.’”); *Dreamwerks Prod. Group, Inc. v. SKG Studio*, 142 F.3d 1127, 1129 (9th Cir. 1998) (“The test for likelihood of confusion is whether a reasonably prudent consumer in the marketplace is likely to be confused as to the origin of the good or service bearing one of the marks.”); see also MCCARTHY, *supra* note 2, § 23:93 (asserting and citing extensive cases for the proposition that “everything hinges upon whether there is a likelihood of confusion in the mind of an appreciable number of ‘reasonably prudent’ buyers”).

¹⁸ See sources cited *supra* note 17.

sophisticated or unsophisticated to conform to the result they wish to achieve.”¹⁹

Despite this cynical characterization, the courts have long evaluated the likelihood of confusion under a series of circumstantial factors. The seminal federal case under the Lanham Act is *Polaroid Corp. v. Polarad Electronics Corp.*,²⁰ which identified the following eight factors relevant to the likelihood of confusion:

[T]he strength of [the plaintiff’s] mark, the degree of similarity between the two marks, the [competitive] proximity of the products [or services], the likelihood that [the plaintiff] will bridge the gap [between two markets], [the existence of] actual confusion, and the reciprocal of defendant’s good faith in adopting its own mark, the quality of [the] defendant’s product, and the sophistication of the buyers.²¹

Since then, federal courts have offered some variations on these themes, but courts continue to focus primarily on the areas identified by the Second Circuit.²²

The eighth factor, referred to alternatively as the —consumer’s degree of care,”²³ or —consumer sophistication,”²⁴ encompasses several considerations that are thought by the courts to affect the attention consumers may pay to their purchases. Under this factor, the courts generally hold that if a consumer can be expected to exercise a high degree of care, she will be less likely to be confused by any connection between a senior and junior trademark.²⁵ A

¹⁹ Beebe, *supra* note 8, at 2040; *see also id.* at n.85 (—[A] cynic would say that . . . when the court wants to find no infringement, it says that the average buyer is cautious and careful . . . [b]ut if the judge thinks there is infringement, the judge sets the standard lower and says the average buyer is gullible and not so discerning.”) (quoting MCCARTHY, *supra* note 2, § 23:92).

²⁰ 287 F.2d 492 (2d Cir. 1961).

²¹ *Id.* at 495.

²² *See* MCCARTHY, *supra* note 2, at § 23:19 (comparing the *Polaroid* factors to those applied in other circuits and tracing the development of the test from factors identified in the first Restatement of Torts and Restatement (Third) of Unfair Competition). Of the eight *Polaroid* factors, the seventh (quality of the defendant’s product) is the one rogue factor that is not ordinarily adopted in other circuits. *See* Beebe, *supra* note 13, at 1644 (noting that this factor is —considered only by the Second and D.C. Circuits”). As Barton Beebe has noted, the various circuits do differ, to some degree, in the nature and wording of the factors they identify and, more importantly, in the weight they appear to give them. *See id.* at 1587–91 (identifying the points of convergence among the federal circuit courts); *id.* at 1621–22 (noting some of the variations in the courts’ —propensity to stampede the factors”).

²³ *E.g.*, *Sally Beauty Co. v. Beautyco, Inc.*, 304 F.3d 964, 975 (10th Cir. 2002).

²⁴ *E.g.*, *Bristol-Myers Squibb Co. v. McNeil-P.P.C., Inc.*, 973 F.2d 1033, 1047 (2d Cir. 1992).

²⁵ *E.g.*, *Sally Beauty Co.*, 304 F.3d at 975.

sophisticated consumer is expected to act not on ~~an~~ impulse,” but on the basis of ~~a~~ careful consideration of the reliability and dependability of the manufacturer and seller of the product.”²⁶ In other words, a sophisticated consumer is one who is apt to spend more time, attention, or care in making a purchasing decision—and who is thus deemed less likely to be confused as to the source or sponsorship of the trademarked products she buys.²⁷ Unsophisticated consumers, by contrast, are ~~the~~ ignorant, the unthinking[,] and the credulous, who, in making purchases, do not stop to analyze, but are governed by appearance and general impressions.”²⁸ The prototypical unsophisticated consumer is the man walking the supermarket aisle who ~~undergo[es]~~ . . . an experience not unlike that of hypnosis,”²⁹ in which purchases are made impulsively and thoughtlessly.

A key threshold question in the case law is how to distinguish the careful and sophisticated consumer from the unthinking and credulous one. Although the courts have not attempted to articulate any comprehensive theoretical framework for assessing consumer propensities toward care, a few consistent themes have emerged in the case law.³⁰ The principal strands of analysis in the case law, which are elaborated and evaluated in some detail below, include the assertion that consumer care or sophistication correlates positively with price,³¹ length and complexity of the purchase transaction,³² infrequency of purchase,³³

²⁶ *Astra Pharm. Prods., Inc. v. Beckman Instruments, Inc.*, 718 F.2d 1201, 1206 (1st Cir. 1983).

²⁷ *Search sophistication*, as formulated by Barton Beebe, ~~refers~~ to the consumer’s capacity to distinguish between similar trademark uses (i.e., to avoid identity confusion), and furthermore, to recognize that such uses designate different sources (i.e., to avoid inferential confusion).” Beebe, *supra* note 8, at 2035. This is the ~~sophistication~~” the law is generally concerned with as a factor relevant to the likelihood of confusion; it is distinct from ~~persuasion sophistication~~,” a concept Beebe describes as referring ~~to~~ a consumer’s ability to resist commercial persuasion attempts” ~~to~~ cope with marketplace persuasion” aimed at ~~delud[ing]~~” the consumer into purchasing a product or service on the basis of the ~~selling power~~” or ~~differential distinctiveness~~” of a trademark. *Id.* at 2047–50.

²⁸ *Florence Mfg. Co. v. J.C. Dowd & Co.* 178 F. 73, 75 (2d Cir. 1910).

²⁹ *Pikle-Rite Co. v. Chi. Pickle Co.*, 171 F. Supp. 671, 676 (N.D. Ill. 1959).

³⁰ Trademark law treatises provide a general overview of the case law addressing this factor, but not any comprehensive theoretical analysis. See RUDOLF CALLMANN, CALLMANN ON UNFAIR COMPETITION, TRADEMARKS AND MONOPOLIES § 21:10 (Louis Altman ed., 2003) (stating that the degree of consumer care ~~will~~ differ according to the ~~character~~ of the article, the use to which it is put, the kind of people who ask for it, and the manner in which it is ordered”); JEROME GILSON & ANNE GILSON LALONDE, TRADEMARK PROTECTION AND PRACTICE § 5.08 (2004) (asserting that ~~the~~ courts . . . classify purchasers into two types, ordinary purchasers and discriminating or sophisticated purchasers,” with the former having ~~no~~ special training or experience,” and the latter having either ~~special training~~” or ~~purchas[ing]~~ costly products”); MCCARTHY, *supra* note 2, at §§ 23:95–23:102 (identifying price, class of purchasers, and other factors relevant to the degree of consumer sophistication).

³¹ See *infra* text accompanying notes 139–81.

³² See *infra* text accompanying notes 183–216.

education, age, gender, and income;³⁴ and the notion that professional buyers,³⁵ avid hobbyists,³⁶ and (sometimes) women³⁷ are more sophisticated.

As explained in further detail below, the case law elaborating these considerations is based on an ad hoc, impressionistic conception of sophistication; the courts have never articulated anything approaching a rigorous, theoretical understanding of consumer care. Yet the perceived degree of sophistication can often be the factor that dictates the degree of protection afforded by law to a trademark holder. Some courts have gone so far as to suggest that a high degree of consumer sophistication in a target market may trump all other factors, virtually eliminating the likelihood of consumer confusion in the case of a professional or highly sophisticated buyer.³⁸ Other courts are much more measured in their assessment of the relative significance of this factor, suggesting that its “import” is “small indeed” (at least in cases where the junior and senior trademarks are “identical”).³⁹

In assessing the significance of consumer care or sophistication, at least one court has suggested a distinction between *source* confusion and confusion as to

³³ See *infra* text accompanying notes 217–20.

³⁴ See *infra* text accompanying notes 258–318.

³⁵ See *infra* text accompanying notes 222–56.

³⁶ See *id.*

³⁷ See *infra* text accompanying notes 319–30.

³⁸ *Sara Lee Corp. v. Kayser-Roth Corp.*, 81 F.3d 455, 467 (4th Cir. 1996) (holding that the “relative sophistication of the market may trump the presence or absence of any other factor”); see also *CALLMANN*, *supra* note 30, at § 21:12 (stating that a professional or sophisticated buyer’s “detailed knowledge of the product and careful examination with respect to its technical requirements are factors of greater significance than the trademarks used”).

³⁹ *Kiki Undies Corp. v. Promenade Hosiery Mills, Inc.*, 411 F.2d 1097, 1101 (2d Cir. 1969); see also *Habitat Design Holdings Ltd. v. Habitat, Inc.*, 436 F. Supp. 327, 332 (S.D.N.Y. 1977) (stating that “[t]he Second Circuit has noted that the importance of this criterion is minimal where the marks in question are identical”). As to the empirical question of whether (and to what extent) the sophistication factor actually does affect the outcomes of the cases, Professor Beebe has concluded that this is the only “non-core” factor that correlates significantly with judicial outcomes. Beebe, *supra* note 13, at 1612, 1642–43 (identifying as “non-core” factors “purchaser sophistication, similarity of advertising/marketing, similarity of sales facilities, and likelihood of bridging the gap”). Specifically, Beebe concludes that a “finding that the consumer sophistication factor disfavors a likelihood of confusion correlates fairly strongly with an overall finding of no likelihood of confusion,” *id.* at 1612, but that “the Second Circuit is significantly less likely than other circuits to find that the consumer sophistication factor disfavors a likelihood of confusion,” *id.* at 1643. Beebe’s study confirms the practical significance of this factor, while also indicating that its significance may vary by circuit. His data, however, say little about whether the sophistication factor *should* count in the likelihood of confusion inquiry, or, importantly, how its significance may vary depending on the relative strength of the parties’ proof on other factors. Our analysis does not offer any empirical answer to this important question, but we do offer some theoretical analysis *infra* Part IV.B.

sponsorship. In *King of the Mountain Sports, Inc. v. Chrysler Corp.*,⁴⁰ the Tenth Circuit asserted that consumer care “rarely reduces the risk of sponsorship confusion,” given that “[t]he care with which consumers select a product does not impact the association they may make regarding the sponsorship of an event.”⁴¹ The Sixth Circuit has staked out a similar position, holding that consumer care is of “minimal” significance in dispelling the likelihood of confusion as to affiliation or sponsorship.⁴²

Several courts have also called into question the significance of the consumer sophistication factor in cases involving actionable initial interest confusion.⁴³ In *Kopman A.S. v. Park Structures, Inc.*, for example, the Northern District of New York acknowledged that consumers of expensive playground equipment are “relatively sophisticated,” but held that such sophistication cannot protect [a junior trademark user] against initial confusion by consumers.⁴⁴ Thus, although sophisticated consumers are less likely to be confused at the point of sale, the court concluded that sophistication does not obviate the possibility that they may “mistakenly” find a “connection” with the senior trademark holder and “develop an interest . . . that [they] would not otherwise have had.”⁴⁵ The District of New Jersey reached a similar conclusion in a case involving sophisticated consumers of high-end security systems: “Because actual sales to the wrong party are not necessary for a finding of a likelihood of initial interest confusion,” the court

⁴⁰ 185 F.3d 1084 (10th Cir. 1999).

⁴¹ *Id.* at 1092.

⁴² *Therma-Scan, Inc. v. Thermoscan, Inc.*, 295 F.3d 623, 638 (6th Cir. 2002) (citing *Daddy’s Junky Music Stores v. Big Daddy’s Music Ctr.*, 109 F.3d 275, 285–86 (6th Cir. 1997)).

⁴³ See *Promatek Indus., Ltd. v. Equitrac Corp.*, 300 F.3d 808, 812 (7th Cir. 2002) (finding that use of a competitor’s trademark in internet metatag is likely to cause confusion even among sophisticated consumers and explaining that “[t]he degree of care exercised by consumers could lead to initial interest confusion . . . which is actionable under the Lanham Act”); *SecuraComm Consulting, Inc. v. SecuraCom Inc.*, 984 F. Supp. 286, 299 (D.N.J. 1997) (holding that initial interest confusion of customers of large scale security systems “defeats the sophisticated purchaser defense”); *Kopman A.S. v. Park Structures, Inc.*, 890 F. Supp. 1167, 1180 (N.D.N.Y. 1995) (finding that sophistication of consumers of expensive playground equipment could not avoid likelihood of initial interest confusion). For an extensive (albeit dated) review of the cases, see generally Charles E. Bruzga, *Sophisticated Purchaser Defense Avoided Where Pre-Sale Confusion is Harmful—A Brief Note*, 78 TRADEMARK REP. 659 (1988).

⁴⁴ *Kopman A.S.*, 890 F. Supp. at 1180; see *id.* (adopting defendant’s argument that even sophisticated consumers may “mistakenly” find a “connection” with the senior user and “develop an interest . . . that [they] would not otherwise have had”).

⁴⁵ *Id.*

concluded that such confusion typically defeats the sophisticated purchaser defense.⁴⁶

II. A CONSUMER BEHAVIOR MODEL OF “SOPHISTICATION”: MOTIVATION AND ABILITY AS FACTORS INFLUENCING COGNITIVE EFFORT

The legal touchstone of trademark infringement boils down to a fundamental matter of consumer psychology.⁴⁷ As such, this legal standard should be shaped by a careful, informed analysis of consumer behavior, not by stereotypes and generalizations about the informed “sovereign” or complete “fool.” Thus, a careful investigation of the literature in this field is warranted.

Firms often attempt to differentiate their products from the similar offerings of competitors.⁴⁸ For example, a firm selling gasoline to consumers may add proprietary detergents and performance enhancements to the gasoline in an attempt to differentiate it from other gasolines. Typically, a firm attempting to differentiate its product will “brand” the product with a trademark. When a consumer is faced with a variety of differentiated products in a marketplace, the consumer will try to discern which products would suit her needs better than others. If the consumer finds a familiar brand in the marketplace, the consumer can identify the source of the product and infer the product’s attributes and quality much more quickly than if the consumer laboriously investigates the product to determine its attributes and quality.⁴⁹ For example, a motorist seeking gasoline need not do an in-depth analysis of the quality of a gasoline if it is sold under a brand name the consumer knows and respects.

Before the consumer can use the brand as a shortcut for judging the attributes and quality of a product encountered in the marketplace, she must first identify the product’s brand. That is to say, the consumer must ascertain the identity of the source of the product (a judgment we refer to hereafter as the

⁴⁶ *SecuraComm Consulting, Inc.*, 984 F. Supp. at 299 (finding a likelihood of confusion in the junior’s use of the SECURACOM mark in competition with plaintiff’s SECURACOMM mark).

⁴⁷ See *Mishawaka v. S.S. Kresge*, 316 U.S. 203, 205 (1942) (“The protection of trade-marks is the law’s recognition of the psychological function of symbols.”); RICHARD L. KIRKPATRICK, *LIKELIHOOD OF CONFUSION IN TRADEMARK LAW*, at xx (2005) (asserting that “the question of trademark infringement is primarily one of the psychology—cognitive and behavioral—of consumers”).

⁴⁸ See Byron Sharp & John Dawes, *What Is Differentiation and How Does It Work?*, 17 J. MARKETING MGMT. 739, 739 (2001) (“Differentiation is an old concept and one that is very basic to modern views of markets and marketing . . .”).

⁴⁹ Jacoby, *supra* note 14, at 1025.

—source-identification judgment”).⁵⁰ The role of brands as shortcuts for evaluating quality when products are differentiated suggests that consumers will not always perform source-identification judgments. If the consumer believes competing products are undifferentiated, the brand’s identity does not add useful information to the consumer’s decision, so she is unlikely to perform the source-identification judgment. For example, a consumer who believes that “all ketchup is the same” is unlikely to bother making a source-identification judgment when purchasing ketchup. Furthermore, if the consumer believes that product quality can be fully and easily judged, a shortcut for product evaluation is not useful to the consumer, so she is unlikely to perform the source-identification judgment. For example, a consumer purchasing meat may consider USDA grading to be a sufficient indicator that the meat is safe to consume and accurately labeled, making brand irrelevant.

Arguably, brand name is relevant for the vast majority of consumer purchases. Even products that were once seen as undifferentiated (e.g., gasoline, ketchup, coffee, pickles, bath soap, and water) have been differentiated and branded.⁵¹ Furthermore, in the absence of a certification mark (e.g., USDA grading for meats, Underwriters Laboratories for portable electronic tools, U.S. Coast Guard for life jackets), consumers often find it difficult to fully evaluate product quality without thorough physical inspection, purchase, and consumption. Because brands are so often relevant to consumer purchases, consumers typically perform a source-identification judgment when they consider products.⁵²

⁵⁰ Under a longstanding rule of trademark law, the consumer’s “identification” of the source need not extend to an awareness of the actual name of the manufacturer or distributor of the products in question. See 15 U.S.C. § 1127 (2006) (defining a “trademark” as “any word, name, symbol, or device, or any combination thereof—(1) used by a person; or (2) which a person has a bona fide intention to use in commerce and applies to register on the principal register established by this chapter, to identify and distinguish his or her goods, including a unique product, from those manufactured or sold by others and to indicate the source of the goods, even if that source is unknown”) (emphasis added). Thus, when we speak of the source-identification judgment, we refer to the trademark law concept of the consumer concluding that products bearing the same trademark come from a common—even if anonymous—source. See MCCARTHY, *supra* note 2, § 3:7 (“However, the ‘identification’ function of marks does not mean that the consumer must know the identity of the manufacturer or distributor of the goods. Seeing the same mark on goods merely identifies to the buyer the fact that all such goods come from a common, even though anonymous, source.”).

⁵¹ KEVIN LANE KELLER, STRATEGIC BRAND MANAGEMENT: BUILDING, MEASURING, AND MANAGING BRAND EQUITY 11 (Prentice Hall 2003) (1998).

⁵² As Jack Jacoby has explained, “brand names serve as information ‘chunks,’” in that they “represent core nodes in memory around which other ‘associated’ information is connected and organized.” Jacoby, *supra* note 14, at 1024. Thus, “[g]iven only a familiar brand name, a host of relevant and important information can be efficiently called into consciousness.” *Id.* at 1024–25.

This is not to suggest that consumers always perform the source-identification judgment thoroughly and vigilantly.⁵³ According to the theories developed in the consumer behavior literature, a consumer attempting to avoid source confusion by making a source-identification judgment must perform a series of steps. First, the consumer must gather product information that she considers of potential relevance to the source-identification judgment.⁵⁴ Such information might include the trademark itself, trade dress, and the price at which the product is being offered. Second, the consumer must comprehend the information—that is, consider the information to determine its meaning.⁵⁵ Whereas some types of information (such as brief and simple written descriptions) are easily comprehended by most consumers, others (such as numeric⁵⁶ and technical⁵⁷ data) are more difficult for most consumers to comprehend. Third, the consumer must identify the implications of the environmental information and integrate the implications to form the source-identification judgment.⁵⁸ To perform the source-identification judgment thoroughly and vigilantly, the consumer will form an initial hypothesis (i.e., an initial judgment) concerning the source of the product and then will consider further information in an attempt to validate the initial hypothesis. If the initial hypothesis is not supported by the new information, the process is repeated until the consumer forms a source-identification in which she is sufficiently confident.

Each of the three steps of the source-identification judgment is a mental or cognitive process. That is, each step takes place in the mind of the consumer. One of the main tenets of the consumer psychology literature is that such

⁵³ Nor do we mean to imply that source-identification will be relevant to every consumer. As explained *infra* Part IV, not every consumer who is equally motivated to engage in effortful cognition can be expected to direct her cognitive resources at the source-identification judgment. Thus, although we adopt the simplifying assumption here that brand names will be relevant to most consumer purchases, we relax that assumption in our broader critique of the law *infra* Part IV.

⁵⁴ See Keller, *supra* note 51, at 9 (proposing brand identification within consumption choice situations constitutes a source-identity judgment); see also Joel B. Cohen & Kunal Basu, *Alternative Models of Categorization: Toward a Contingent Processing Framework*, 13 J. CONSUMER RES. 455, 455 (1987) (proposing that brand identification is a categorization judgment, which requires information search about the product at hand).

⁵⁵ See JAMES R. BETTMAN, AN INFORMATION PROCESSING THEORY OF CONSUMER CHOICE 29 (1979).

⁵⁶ Richard F. Yalch & Rebecca Elmore-Yalch, *The Effect of Numbers on the Route to Persuasion*, 11 J. CONSUMER RES. 522, 523 (1984).

⁵⁷ Rolph E. Anderson & Marvin A. Jolson, *Technical Wording in Advertising: Implications for Market Segmentation*, 44 J. MARKETING 57, 59–61 (1980).

⁵⁸ Cohen & Basu, *supra* note 54, at 456.

mental processes require cognitive effort.⁵⁹ Just as physical activity (e.g., climbing stairs) requires physical effort, so mental activity (e.g., searching the environment for information) requires cognitive effort.

Therefore, a consumer can make the source-identification judgment in a thorough and vigilant manner only by expending ample cognitive effort. If she fails to devote sufficient cognitive effort to the source-identification task, it can be expected that she will gather inadequate environmental information, will not attempt to comprehend information that is difficult to comprehend, and will perform the source-identification judgment in a haphazard and offhand way.

Presumably, if a consumer performs the source-identification judgment thoroughly and vigilantly, she is unlikely to suffer source confusion.⁶⁰ However, if she performs the judgment in a haphazard and thoughtless manner, she may not consider the differences between the junior and senior trademarks. As a result, she will be vulnerable to source confusion.⁶¹ Therefore, one determinant of an individual consumer's likelihood of confusion is the extent to which she expends cognitive effort while making the source-identification judgment.

Fortunately, consumer psychology researchers have given a great deal of research attention to identifying the antecedents of an individual consumer's exertion of cognitive effort. The first broad category of antecedents relates to the individual's *motivation* to expend cognitive effort. Just as people are typically reluctant to exert physical effort (e.g., people using escalators instead of climbing stairs) but will do so if they are sufficiently motivated, so people will exert cognitive effort only if they are sufficiently motivated. In effect, consumers act as cognitive misers⁶² who exert cognitive effort only when they

⁵⁹ Yalch & Elmore-Yalch, *supra* note 56, at 526; *see also* Ellen C. Garbarino & Julie A. Edell, *Cognitive Effort, Affect, and Choice*, 24 J. CONSUMER RES. 147, 147-48 (1997) (discussing two different studies examining the relationship between consumer psychology and cognitive effort).

⁶⁰ This is not to suggest that a consumer who performs the source-identification judgment thoroughly and vigilantly cannot be confused. If the junior and senior trademarks are identical, not even a thorough and vigilant inspection by the consumer will prevent source confusion. Furthermore, recent research findings suggest that if two trademarks have the same semantic meaning, consumers who exert a high degree of care may be more confused than consumers who exert a low degree of care. *See* Daniel J. Howard et al., *The Effects of Brand Name Similarity on Brand Source Confusion: Implications for Trademark Infringement*, 19 J. PUB. POL'Y & MARKETING 250, 261 (2000).

⁶¹ Jean-Noel Kapferer, *Brand Confusion: Empirical Study of a Legal Concept*, 12 PSYCHOL. & MARKETING 551, 554 (1995).

⁶² *See* Michael J. Houston et al., *Picture-Word Consistency and the Elaborative Processing of Advertisements*, 24 J. MARKETING RES. 359, 360 (1987) (showing the role of elaborative processing during advertising exposure); *see also* Alice H. Eagly & Shelly Chaiken, *Attitude Structure and Function*, in 1 THE

have sufficient incentive to do so.⁶³ The second broad category of antecedents is the individual's *ability* to exert cognitive effort.⁶⁴ Just as people may be inhibited in their ability to perform a physical task (e.g., the stairs are particularly steep or the climber has an arthritic knee), so customers can be restricted in their ability to exert cognitive effort as they perform the judgment at hand. Motivation and ability are each necessary but insufficient conditions for an individual to exert cognitive effort. That is, if either motivation or ability is lacking, the individual will exert little cognitive effort while performing a judgment task.

Thus, consumer behavior literature suggests that if a consumer is to perform the source-identification judgment in a meticulous and vigilant manner, she must be sufficiently motivated and able to exert the cognitive effort necessary to perform such a judgment.⁶⁵ In contrast, if an individual lacks either motivation or ability to expend cognitive effort while making the source-identification judgment, she will perform the task in a haphazard and offhand manner, resulting in an increased likelihood of confusion.

Viewed through this theoretical lens, the legal concept of the "degree of consumer care" considered by the courts is similar to the notion described in the consumer behavior literature as the level of exerted cognitive effort. The courts have generally held that if consumers exercise a low degree of care, likelihood of confusion in the marketplace will be increased.⁶⁶ Consumer psychology theory supports the same prediction: If an individual consumer

HANDBOOK OF SOCIAL PSYCHOLOGY 269, 292 (Daniel Todd Gilbert et al. eds., 4th ed. 1993) (describing the role of selective attention and perception processes in allocation of limited cognitive resources to salient environmental stimuli); James M. Olson & Mark P. Zanna, *Attitudes and Attitude Change*, 44 ANN. REV. PSYCHOL. 117, 135–36 (1993) (discussing research confirming that consumers engage in the minimum amount of deliberation necessary to provide themselves with sufficient judgmental confidence when making consumption choices).

⁶³ A pejorative reading (i.e., consumers are cognitively lazy and therefore corrupt and deficient) is unnecessary. By expending physical effort only when motivated to do so, humans conserve energy and thereby hold in reserve the energy to act when necessary. An individual who continually expends maximum physical effort at every possible opportunity would expend mostly unnecessary effort and would probably be unable to survive. The same can be said for cognitive effort; if the many judgments an individual makes during a typical day were made with maximum vigilance and thoroughness, the individual would be unable to function effectively.

⁶⁴ See Noel Capon & Roger Davis, *Basic Cognitive Ability Measures as Predictors of Consumer Information Processing Strategies*, 11 J. CONSUMER RES. 551, 552 (1984).

⁶⁵ See *supra* note 62.

⁶⁶ See *supra* notes 25–30.

exerts little cognitive effort while making the source-identification judgment, the individual is more likely to experience source confusion.⁶⁷

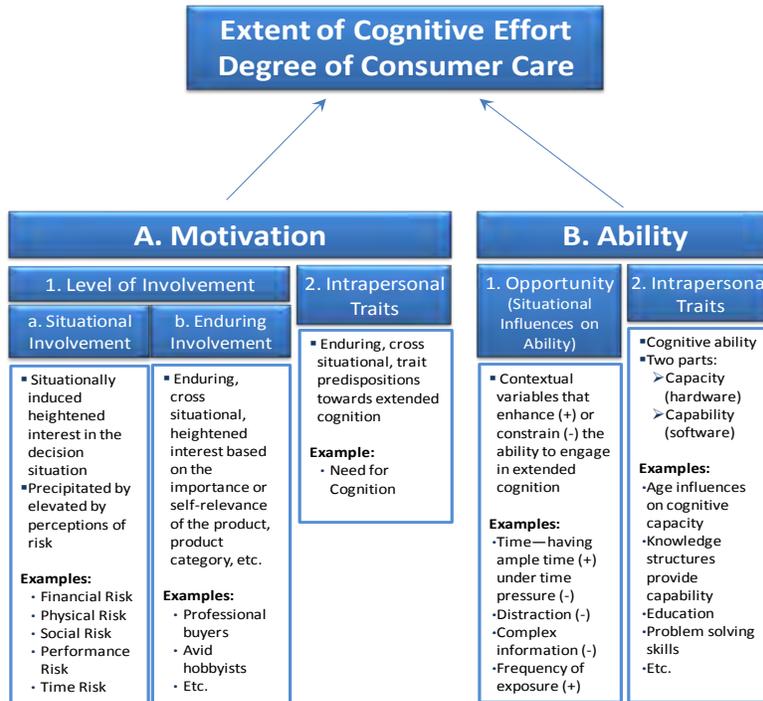
This analysis can be employed to refine the terminology employed in the case law. “Sophistication” and “consumer care” are used almost interchangeably by the courts,⁶⁸ but the terms are not precisely synonymous. Instead, sophistication is an antecedent of consumer care. Consumers can be said to be “sophisticated” when they have both the motivation and ability to exercise a high degree of consumer care when performing the source-identification judgment. Thus a “sophisticated” consumer emerges from the confluence of motivation and ability.

In the sub-sections below, we explain the considerations identified in the consumer behavior literature as relevant to consumer *motivation* and *ability* to process information carefully. For clarity of exposition here, the elements of the model are illustrated in Figure 1 below (with outline headings that correspond to the sub-sections that expand on these elements below).

⁶⁷ See Howard et al., *supra* note 60, at 261.

⁶⁸ See, e.g., Kellogg Co. v. Toucan Golf, Inc., 337 F.3d 616, 623 (6th Cir. 2003) (characterizing this factor as “the probable degree of purchaser care and sophistication”); Bristol-Myers Squibb Co. v. McNeil-P.P.C., Inc., 973 F.2d 1033, 1046 (2d Cir. 1992) (“[T]he more sophisticated and careful the average consumer of a product is, the less likely it is that similarities in trade dress or trade marks will result in confusion concerning the source or sponsorship of the product.”).

Figure 1: A Consumer Psychology Model of Sophistication Where Both Motivation and Ability are Antecedents to the Exercise of a High Degree of Care



A. Motivation to Exercise Consumer Care

We first turn our attention to motivation for consumer care. There are both situational and intrapersonal factors that work to increase or decrease consumer motivation to exercise care. One key antecedent of motivation is a consumer’s level of involvement with the purchase or consumption situation. Another component of motivation—referred to in the literature as —need for cognition”⁶⁹—is an enduring, intrapersonal trait that can directly influence a consumer’s motivation for care. We first detail the influence a consumer’s

⁶⁹ John T. Cacioppo & Richard E. Petty, *The Need for Cognition*, 42 J. PERSONALITY & SOC. PSYCHOL. 116, 116 (1982).

level of involvement has on motivation and then turn to a careful examination of —needdr cognition.”

1. *Involvement*

In consumer research, a consumer’s level of product involvement is a heavily researched construct directly related to the consumer’s motivation to expend cognitive effort.⁷⁰ The perception of personal relevance or salience is the essential characteristic of involvement.⁷¹ Consumers experience a psychological state of cognitive arousal referred to as high —felt” involvement when they perceive a connection between themselves and the product, the brand, the product category, the consumption activity, or the purchase situation.⁷² Highly involved consumers are highly motivated to exercise consumer care during the source-identification judgment. In contrast, many consumers perceive little connection between themselves and a product, which can be said to constitute a low level of involvement. Routine repurchases and impulse buys for low-cost items are prototypical examples of low-involvement situations. Low levels of felt involvement will not motivate a consumer to exercise consumer care. This does not suggest that consumers with low felt-involvement will *necessarily* have low motivation; other factors (as described below) can influence motivation. Thus, what can be said is that that high levels of felt involvement increase motivation and low levels of felt involvement fail to increase motivation.⁷³

As developed in the consumer behavior literature,⁷⁴ there are two types of felt involvement: enduring involvement and situational involvement. As described below, the two types of involvement differ in terms of their antecedents and their consequences.

⁷⁰ For an extensive review, see PIIRJO LAAKSONEN, *CONSUMER INVOLVEMENT: CONCEPTS AND RESEARCH* (1994).

⁷¹ Richard L. Celsi & Jerry C. Olson, *The Role of Involvement in Attention and Comprehension Processes*, 15 J. CONSUMER RES. 210, 211 (1988).

⁷² Herbert E. Krugman, *The Impact of Television Advertising: Learning Without Involvement*, 24 PUB. OPINION Q. 161, 161 (1965). Krugman was the first to research consumer involvement. He showed that consumers were more involved with television advertising when there is a high —number of conscious —bridging experiences, —connections or personal references per minute that the viewer makes between his own life and the stimulus.” *Id.*

⁷³ Celsi & Olson, *supra* note 71, at 212.

⁷⁴ See Michael J. Houston & Michael L. Rothschild, *Conceptual and Methodological Perspectives on Involvement*, in *RESEARCHING FRONTIERS IN MARKETING: DIALOGUES AND DIRECTIONS* 184, 184 (Subhash C. Jain ed., 1978) (introducing the bifurcated situational/enduring involvement framework).

a. *Enduring Involvement*

A consumer is said to have *enduring* involvement in a product that she is simply “into”—whether by way of a hobby, an occupation, or some other enduring interest.⁷⁵ Such enduring involvement transcends any one specific encounter with the product (such as the purchase situation) and motivates consumers across multiple product experiences and interactions. To give one example, Harley Davidson customers often have high enduring involvement—to the extent that their fixation and interest in the product and brand is based on their trans-situational interest in the product and its associated lifestyle. For such customers, Harley Davidson is a brand closely related to their personal identity and sense of self⁷⁶ and, as such, acts as an intrinsic source of personal relevance⁷⁷ that predisposes them to the experience of felt involvement across time and in varied contexts.⁷⁸ The expected universe of products for which any given consumer has high enduring involvement is relatively small.⁷⁹

b. *Situational Involvement and Perceived Risk*

In contrast to enduring involvement, *situational* involvement is cued by the purchase situation, including those elements of the situation that are directly related to the perceived risk of purchasing and consuming the product.⁸⁰ *Ceteris paribus*, as a consumer perceives higher levels of risk in a purchase, she experiences higher levels of situational involvement⁸¹ and is, therefore, motivated to exercise greater consumer care during the source-identification judgment.

⁷⁵ See Celsi & Olson, *supra* note 71, at 212.

⁷⁶ See John W. Schouten & James H. McAlexander, *Subcultures of Consumption: An Ethnography of the New Bikers*, 22 J. CONSUMER RES. 43, 55 (1995).

⁷⁷ See Celsi & Olson, *supra* note 71, at 212.

⁷⁸ See Robin A. Higie & Lawrence F. Feick, *Enduring Involvement: Conceptual and Measurement Issues*, in 16 ADVANCES IN CONSUMER RESEARCH 690, 693 (Thomas K. Srull ed., 1989) (noting that two distinct components of involvement over time are hedonism and self-expression).

⁷⁹ See LAAKSONEN, *supra* note 70, at 172.

⁸⁰ See Peter H. Bloch & Marsha L. Richins, *A Theoretical Model for the Study of Product Importance Perceptions*, 47 J. MARKETING 69, 70 (1983); see also Utpal M. Dholakia, *A Motivational Process Model of Product Involvement and Consumer Risk Perception*, 35 EUROPEAN J. MARKETING 1340, 1342 (2001) (showing that the personal salience of a situation is predicted on differing kinds of perceived risk to the consumer in that context).

⁸¹ Sharon E. Beatty & Scott M. Smith, *External Search Effort: An Investigation Across Several Product Categories*, 14 J. CONSUMER RES. 83, 83–95 (1987); see also Peter H. Bloch et al., *Consumer Search: An Extended Framework*, 13 J. CONSUMER RES. 119, 120 (1986) (showing that consumers engage in greater and more careful product search when involvement is high).

An important distinction must be made between perceived risk and objective risk. All that is necessary to bring about situational involvement is for the consumer to perceive risk.⁸² Whether the consumer's risk perceptions are objectively correct is irrelevant. For example, if most consumers perceive little or no physical risk associated with the purchase and use of a new outdoor grill, expert testimony indicating that injuries related to outdoor grills are, in fact, commonplace would be irrelevant to situational involvement. For the same reason, commonly experienced consumer fears lead to perceptions of risk, even if those fears are irrational or objectively unfounded.

Several types of perceived risk have been identified in the literature as impacting situational involvement.⁸³ For example, situational involvement increases when consumers perceive a heightened *physical* risk (i.e., risk of bodily harm) in either the purchase or use of a product or service.⁸⁴ Additionally, perceptions of *performance risk* increase when there is greater uncertainty about whether a product will perform as expected.⁸⁵ Such perceptions are often related to product quality considerations. When a product is relatively expensive (a perception that depends on the relationship between the price and the customer's available funds), consumers' perceptions of *financial risk* increase. Thus, consumers buying an automobile typically perceive financial risk because the purchase is a large percentage of their households' disposable income. *Time risk* reflects the expected duration of the purchase process and the perceived length of ownership.⁸⁶ As the perceptions of the time horizon of ownership expands, so too does the perceived risk associated with the purchase situation. Thus, for most people, buying a durable good, such as a dishwasher, is situationally involving not only because it is relatively expensive, but also because consumers expect to live with the product for several years. Finally, *social risk* relates to the possible negative reactions of other people if the consumer purchases or consumes the product.⁸⁷ Because a gift-giver is typically trying to please another person, gift-giving inherently carries high social risk. Likewise, if a consumer judges that harm

⁸² See Vincent-Wayne Mitchell, *Consumer Perceived Risk: Conceptualizations & Models*, 33 EUROPEAN J. MARKETING, 163, 163-95 (1995) (discussing the relationship between perceived risk and the level of consumer involvement and trust, as well as the various models used to measure this relationship).

⁸³ See Jacob Jacoby & Leon Kaplan, *The Components of Perceived Risk*, in 3 ADVANCES IN CONSUMER RESEARCH, 382, 383 (M. Venkatesan ed., 1972); Ted Roselius, *Consumer Rankings of Risk Reduction Methods*, 35 J. MARKETING 56, 58 (1971).

⁸⁴ Jacoby & Kaplan, *supra* note 83, at 383.

⁸⁵ *Id.*

⁸⁶ Roselius, *supra* note 83, at 58.

⁸⁷ Jacoby & Kaplan, *supra* note 83, at 383.

will come to her social standing if the wrong product is chosen (e.g., if she buys eyeglasses that are long out of style), then social risk is said to be high. In general, when the purchase or consumption of goods or services is interpersonally open to display, perceptions of social risk increase.⁸⁸ A high level of any of these five perceived risks causes consumers to be situationally involved and, therefore, motivated to exercise consumer care while making product judgments. In effect, the consumer carefully deliberates product judgments in the hope that the perceived risks of the buying situation will be mitigated.

2. *Intrapersonal Trait Influences on Motivation*

The consumer psychology literature also suggests that consumers have traits that consistently impact motivation to exert cognitive effort across a variety of situations. For example, some consumers just enjoy thinking more than others. It is part of who they are. Research has identified among such consumers a high —need for cognition.”⁸⁹ Consumers with a high need for cognition enjoy thinking deeply. They derive —intrinsic enjoyment” from —engaging in effortful information processing.”⁹⁰ They tend to exert cognitive effort to carefully consider consumer problems (e.g., carefully considering the attributes and benefits of a product before purchasing it).⁹¹ On the other hand, consumers with a low need for cognition do not enjoy exerting cognitive effort and tend to avoid exerting such effort whenever possible, preferring instead to rely on their intuitions and emotions as their guides. It must be emphasized that need for cognition is a motivational variable, not an ability variable. It is not necessarily the case that consumers in high need for cognition are more intelligent⁹² than their low need for cognition counterparts.⁹³ Consumers high

⁸⁸ See, e.g., Cornelia Pechmann et al., *What to Convey in Antismoking Advertisements for Adolescents: The Use of Protective Motivation Theory to Identify Effective Message Themes*, 67 J. MARKETING 1, 1–18 (2003) (showing that anti-smoking advertisements showing severe social disapproval of smoking are more effective in curbing underage smoking than those that do not).

⁸⁹ Cacioppo & Petty, *supra* note 69, at 116.

⁹⁰ John T. Cacioppo et al., *Central and Peripheral Routes to Persuasion: An Individual Difference Perspective*, 51 J. PERSONALITY & SOC. PSYCHOL. 1032, 1033 (1986).

⁹¹ Curtis P. Haugtvedt et al., *Need for Cognition and Advertising: Understanding the Role of Personality Variables in Consumer Behavior*, 1 J. CONSUMER PSYCHOL. 239, 247 (1992).

⁹² Intelligence, as will be discussed in a subsequent section, relates to *ability* to exert consumer care. See *infra* text accompanying notes 101–37.

⁹³ See John T. Cacioppo et al., *Dispositional Differences in Cognitive Motivation: The Life and Times of Individuals Varying in Need for Cognition*, 119 PSYCHOL. BULL. 197, 207 (1996) (noting that correlations between the need for cognition and measures of intellectual ability have proved to be quite low, ranging from -0.03 to 0.32).

in need for cognition do, however, enjoy cognition and thus are relatively more motivated to engage in extended thought.

Relating the need for cognition to the idea of cognitive misers discussed previously,⁹⁴ it can be said that individuals who are high in need for cognition are less miserly in their exertion of cognitive effort than individuals who are low in need for cognition. Need for cognition is a stable intrapersonal trait variable that has a reliable influence on a person's motivation to allocate cognitive effort.

Research suggests that as compared to consumers who are low in need for cognition, those who are high in need for cognition engage more thoroughly in information search⁹⁵ regarding potential purchases and respond differently to advertising and other persuasive campaigns.⁹⁶ Consumers high in need for cognition tend to focus on substantive message components in advertisements and ignore extraneous information, such as attractive photographs, humor, and celebrity spokespeople.⁹⁷ Thus, a consumer's need for cognition is an enduring trait predisposition that likely correlates in general terms with Barton Beebe's notion of "search" sophistication.⁹⁸ Consumers high in need for cognition search for information more extensively and process the information they find more carefully.⁹⁹

Need for cognition is of legal relevance because consumers differing in their need for cognition can be expected to have differing product interests. For example, consumers high in need for cognition may gravitate toward products and consumption experiences that provide opportunities for the exertion of cognitive effort, such as chess, strategy games, educational experiences and television shows like *Jeopardy*.¹⁰⁰ Because a high need for cognition is likely commonplace among consumers of such products, motivation for care will be relatively higher in markets of such product categories, thus reducing (*ceteris paribus*) the likelihood of confusion.

⁹⁴ See *supra* text accompanying note 62.

⁹⁵ Bas Verplanken et al., *Need for Cognition and External Information Search Effort*, 26 J. RES. PERSONALITY 128, 129 (1992).

⁹⁶ John T. Cacioppo et al., *Effects of Need for Cognition on Message Evaluation, Recall, and Persuasion*, 45 J. PERSONALITY & SOC. PSYCHOL. 805, 809 (1983).

⁹⁷ See David W. Schumann et al., *Predicting the Effectiveness of Different Strategies of Advertising Variation: A Test of the Repetition-Variation Hypotheses*, 17 J. CONSUMER RES. 192, 201 (1990).

⁹⁸ See Beebe, *supra* note 8, at 2035 (2005).

⁹⁹ See generally Cacioppo et al., *supra* note 93.

¹⁰⁰ See WAYNE D. HOYER & DEBORAH J. MACINNIS, CONSUMER BEHAVIOR 381 (4th ed. 2007).

B. *Ability to Exercise Consumer Care*

As noted above, high motivation is a necessary but insufficient condition for a consumer to exercise a high degree of care when performing the source-identification judgment. The other necessary but insufficient condition is the consumer's *ability* to exercise consumer care. As with the motivational construct, and as presented in *Figure 1*, both situational and intrapersonal factors influence a consumer's ability to exercise consumer care and thereby influence the likelihood that an individual consumer will suffer from source confusion. Situational influences on ability are discussed under the rubric of "opportunity," whereas intrapersonal trait influences on ability are denominated "capacity" and "capability."

Ability is generally defined in the consumer behavior literature as the extent to which the consumer has available the cognitive resources requisite to exercise consumer care during information processing and decision making.¹⁰¹ To claim that the consumer's ability is high is to assert that when making the source-identification judgment, the consumer is capable of gathering whatever information is desired, capable of comprehending and considering the information, and capable of exerting the cognitive effort necessary to systematically and thoroughly make the source-identification judgment. If the consumer's ability is low, she will be inhibited in her ability to exercise consumer care while making the source-identification judgment.¹⁰²

1. *Situational Influences on Ability: Opportunity*

Situational factors that constrain the ability of consumers to engage in extended cognition, and thus exercise consumer care, include distracting environments, limited information, limited opportunities for comparison, incomprehensible information, and restrictions on time.¹⁰³ Concomitantly, multiple exposures to relevant information across decision experiences can enhance consumers' opportunities to exercise consumer care while making the source-identification judgment.¹⁰⁴

¹⁰¹ See, e.g., Deborah J. MacInnis & Bernard J. Jaworski, *Information Processing from Advertisements: Toward an Integrative Framework*, 53 J. MARKETING 1, 6-7 (1989).

¹⁰² *Id.* at 7.

¹⁰³ *Id.*

¹⁰⁴ *Id.*

a. Distracting Environments

Distraction is any aspect of the purchase environment that diverts cognitive resources and attention away from pertinent information.¹⁰⁵ Background music can act as a distraction that inhibits opportunity to engage in extended thought.¹⁰⁶ For example, as a consumer at a bar attempts to choose from a long list of lagers, she may be distracted by the bar's loud music. Similarly, loud noise and physical discomfort, such as illness, misbehaving children, and scents in the air,¹⁰⁷ can all act as distractions in a purchasing environment. Also, aggressive salespeople often distract consumers from the opportunity for thought afforded by a self-paced information search and deliberation by interrupting with questions and conversation.¹⁰⁸ The result of such distractions is that consumers have less opportunity to exercise consumer care during the source-identification judgment, thereby increasing the likelihood of source confusion.¹⁰⁹

b. Limited Information

Purchase environments may also limit the opportunity of consumers to gather information that would be relevant to the source-identification judgment, thereby reducing the opportunity to effectively perform the judgment.¹¹⁰ For example, when making in-home purchases (e.g., as with e-commerce), buyers cannot physically inspect the item before purchase. Similarly, some types of retail display cases inhibit physical inspection.¹¹¹ Physical inspection is the primary way of obtaining information for products

¹⁰⁵ Scott B. Mackenzie, *The Role of Attention in Mediating the Effect of Advertising on Attribute Importance*, 13 J. CONSUMER RES. 174, 178–79 (1986).

¹⁰⁶ See Deborah J. MacInnis & C. Whan Park, *The Differential Role of Characteristics of Music on High- and Low-Involvement Consumers' Processing of Ads*, 18 J. CONSUMER RES. 161, 163 (1991) (examining a music's fit and ties to past emotion-laden experiences on low- and high-involvement consumers' ad processing).

¹⁰⁷ Paula Fitzgerald Bone & Pam Scholder Ellen, *Scents in the Marketplace: Explaining a Fraction of Olfaction*, 75 J. RETAILING 243, 251–52 (1999).

¹⁰⁸ See Gloria Penn Thomas, *The Influence of Processing Conversational Information on Inference, Argument Elaboration, and Memory*, 19 J. CONSUMER RES. 83, 83–92 (1992); see also Stephen B. Castleberry & C. David Shepherd, *Effective Interpersonal Listening and Personal Selling*, 13 J. PERSONAL SELLING & SALES MGMT. 35, 36 (1993) (describing effective salespeople as those who exhibit good listening skills, including an avoidance of interrupting customers).

¹⁰⁹ See MacInnis & Jaworski, *supra* note 101, at 7.

¹¹⁰ See *id.*

¹¹¹ Joann Peck & Terry L. Childers, *To Have and to Hold: The Influence of Haptic Information on Product Judgments*, 67 J. MARKETING 35, 36 (2003).

that vary in terms of material properties, such as texture and weight.¹¹² For example, the scent of perfume and the weight balance of running shoes are physical attributes best evaluated by the consumer's physical examination of the product. Such physical information may strongly indicate source identity, so preventing the gathering of such information can inhibit consumers from effectively making the source-identification judgment.

c. Limited Opportunity to Compare Information

Consumers may also be inhibited in their opportunity to *compare* information about the junior and senior trademarks. Limited retail distribution makes such inhibition commonplace.¹¹³ If a retailer offers for sale items bearing both the junior and senior trademark, shoppers will have ample opportunity to compare the items —~~is~~ “side by side,” while making a source-identification judgment. If, however, the retailer offers for sale only the junior trademark, shoppers are inhibited in their opportunity to compare the junior and senior trademarks, thus reducing shoppers' opportunity to exercise care when making the source-identification judgment. For example, if a consumer shops at a retailer that offers for sale Converz shoes, but not Converse shoes, the consumer will be less able to compare information about the junior and the senior trademarks and will, therefore, be less able to exert consumer care (as compared to a consumer shopping at a retailer that sells both Converz and Converse shoes).

d. Incomprehensible Information

Even if product information is readily available, consumers will be inhibited in their opportunity to process the information if it is presented in a way that is difficult to comprehend.¹¹⁴ For example, even if the product labeling on the junior trademark explicitly describes differences between it and

¹¹² See Joann Peck & Jennifer Wiggins, *It Just Feels Good: Customers' Affective Response to Touch and Its Influence on Persuasion*, 70 J. MARKETING 56, 56–57 (2006) (describing the important role physical characteristics of the product play in communicating salient information about the product such as the gel finger-grip on the Paper Mate Dynagrip pen).

¹¹³ See MacInnis & Jaworski, *supra* note 101, at 3, 7 (describing the essential role of opportunity in product evaluation); see also Beatty & Smith, *supra* note 81, at 84 (showing that greater retail distribution enhances opportunity information search and comparative evaluation while limited retail distribution impedes opportunity); Guliz Ger, Richard Belk & Dana-Nicoleta Lascu, *The Development of Consumer Desire in Marketing and Developing Economies*, 20 ADVANCES IN CONSUMER RES. 102, 107 (1993) (describing that when products and brands are scarcely distributed, information is limited and opportunity for processing is inhibited).

¹¹⁴ MacInnis & Jaworski, *supra* note 101, at 7.

the senior trademark, if the label contains obscure technical jargon (common with products such as home theater equipment), numeric data (common with products such as dietary supplements),¹¹⁵ or a foreign language (common with products such as French perfumes), the consumer will have reduced opportunity to perform the source-identification judgment.

e. Restrictions on Time

Harried consumers under time pressure will have limited opportunity to carefully consider product information.¹¹⁶ Consumer research has shown that time-pressured consumers use shallow, heuristic processing and consider a more limited array of product information.¹¹⁷ Opportunity is also limited by time when information is presented in short bursts and limited-duration windows,¹¹⁸ and when consumers cannot control their own rate of exposure to information (as with ads playing on radio and television).¹¹⁹

f. Frequency of Exposure

In contrast to the many situational factors that can act to inhibit opportunity,¹²⁰ one situational factor acts to increase opportunity: multiple exposures to relevant information.¹²¹ For example, seeing an advertisement or a retail display multiple times increases the opportunity for the information to be considered while the consumer performs the source-identification judgment. Also, if there are many overt steps required to enact a purchase, the opportunity for exposure to relevant information is increased. For example, if a consumer desires to purchase a prescription drug after viewing a direct-to-consumer advertisement sponsored by a pharmaceutical company, the

¹¹⁵ Richard F. Yalch & Rebecca Elmore-Yalch, *supra* note 56, at 522–27.

¹¹⁶ See Peter Wright, *The Harassed Decision Maker: Time Pressures, Distractions, and the Use of Evidence*, 59 J. APPLIED PSYCHOL. 555, 555 (1974).

¹¹⁷ Bas Verplanken et al., *Need for Cognition and External Information Search: Responses to Time Pressure During Decision-Making*, 27 J. RES. PERSONALITY 238, 241 (1993); see Rajneesh Suri & Kent B. Monroe, *The Effects of Time Constraints on Consumers' Judgments of Prices and Products*, 30 J. CONSUMER RES. 92, 93–94 (2003) (reviewing the literature that suggests that time pressure reduces the ability of a consumer to process information).

¹¹⁸ Danny L. Moore et al., *Time Compression, Response Opportunity, and Persuasion*, 13 J. CONSUMER RES. 85, 87 (1986).

¹¹⁹ Shelly Chaiken & Alice H. Eagly, *Communication Modality as a Determinant of Message Persuasiveness and Message Comprehensibility*, 34 J. PERSONALITY & SOC. PSYCHOL. 605, 605 (1976); see Moore et al., *supra* note 118, at 85–99.

¹²⁰ See *supra* text accompanying notes 105–19.

¹²¹ MacInnis & Jaworski, *supra* note 101, at 7.

consumer must consult a physician and then visit a pharmacist to have the prescription filled. Each step in the purchase process gives the consumer more opportunity to make (and refine) a source-identification judgment.

2. *Intrapersonal Influences on Ability: Capacity and Capability*

Beyond situational influences on consumers' ability to exercise consumer care, a customer comes to a purchase situation with traits that can either enable or inhibit her ability. This intrapersonal, enduring cognitive ability can be bifurcated in an important way: *capacity* and *capability* to exercise consumer care. To understand these distinctions more clearly, it is useful to think of capacity as a "hardware" aspect of cognition and capability as "software."¹²² The "hardware" aspect, like a computer, refers to the state or capacity "of the machine"—how much processing power or ability does the consumer bring to a purchase situation?¹²³ Some computers simply have faster hardware than others. The "software" aspect, as the metaphor suggests, refers to the existence of past experience, knowledge structures, memories, and expertise available to the consumer when exerting cognitive effort as part of mental processes.¹²⁴ In this sense, capability as "software" refers to the memory structures the mind can use to compare, contrast, counter argue, confirm, integrate, and, in other ways, elaborate upon during the consumer decisionmaking process.¹²⁵

a. *Capacity for Exercising Consumer Care: "Hardware"*

Consumer behavior studies suggest that intelligence, education, and age are all directly related to a person's capacity to exercise consumer care. Higher levels of intelligence endow the consumer with greater processing capacity.¹²⁶ Further, much like an upgrade in hardware processing power, greater educational attainment is shown to advance intelligence by improving processing strategies, problem-solving skills, and the ability to parse and apprehend complex information.¹²⁷

¹²² Arie W. Kruglanski et al., *Separate or Equal?: Bimodal Notions of Persuasion and a Single Process "Unimodel,"* in DUAL-PROCESS THEORIES IN SOCIAL PSYCHOLOGY 293, 298–99 (Shelly Chaiken & Yaacov Trope eds., 1999).

¹²³ *Id.* at 299.

¹²⁴ *Id.* at 298.

¹²⁵ *Id.*

¹²⁶ See Rolph E. Anderson & Marvin A. Jolson, *Technical Wording in Advertising: Implications for Market Segmentation*, 44 J. MARKETING 57, 63–64 (1980).

¹²⁷ See Nancy Lampert, *Critical Thinking Dispositions as an Outcome of Undergraduate Education*, 56 J. GEN. EDUC., 17, 17–18 (2007).

Age has also been correlated with cognitive capacity, but in a non-monotonic way. The consumer behavior literature suggests that cognitive capacity increases from childhood to adulthood, but eventually declines due to the effects of aging.¹²⁸ Graphically, the relationship can be expressed in an “inverted U-curve” as cognitive capacity for elaborative processing is plotted against cognitive development. The cognitive abilities of young children are still developing, giving them reduced capacity to apprehend and consider market information.¹²⁹ Furthermore, elderly consumers have been shown to commonly experience diminished cognitive skills and thus a reduced capacity to process market information.¹³⁰

b. Capability for Exercising Consumer Care: “Software”

Continuing the metaphor introduced earlier, the “software” aspects of innate cognitive skill relate to a consumer’s capability to exercise consumer care. “Capability refers to the knower’s possession of active cognitive structures (i.e., knowledge structures available in memory) wherein the reasoning process from evidence to conclusion may be carried out.”¹³¹ Thus, having relatively more extensive knowledge of a particular product or product category (i.e., greater consumer expertise¹³²) provides an individual’s processing-ability “hardware” something to relate to the information in the environment.¹³³ In fact, having previous experience with and knowledge of a product and its product category facilitates the acquisition of new information regarding that product and category, while also increasing the efficiency¹³⁴ and accuracy¹³⁵ of the information search.

¹²⁸ See, e.g., Yany Gregoire, *The Impact of Aging on Consumer Responses: What Do We Know?*, 30 ADVANCES IN CONSUMER RES. 19, 22 (2003).

¹²⁹ *Id.* at 19.

¹³⁰ Catherine A. Cole & Gary J. Gaeth, *Cognitive and Age-Related Differences in the Ability to Use Nutritional Information in a Complex Environment*, 27 J. MARKETING RES. 175, 175–84 (1990).

¹³¹ Kruglanski et al., *supra* note 122, at 298.

¹³² Joseph W. Alba & J. Wesley Hutchinson, *Dimensions of Consumer Expertise*, 13 J. CONSUMER RES. 411, 411 (1987).

¹³³ Durairaj Maheswaran & Brian Sternthal, *The Effects of Knowledge, Motivation, and Type of Message on Ad Processing and Product Judgments*, 17 J. CONSUMER RES. 66, 66 (1990).

¹³⁴ See Merrie Brucks, *The Effects of Product Class Knowledge on Information Search Behavior*, 12 J. CONSUMER RES. 1, 1–16 (1985); Jacoby, *supra* note 14, at 1023–28.

¹³⁵ See Cynthia Huffman & Michael J. Houston, *Goal-Oriented Experiences and the Development of Knowledge*, 20 J. CONSUMER RES. 190, 190–207 (1993).

Individuals develop more elaborate knowledge structures around what they experience more frequently.¹³⁶ On this point, the situational influence of repeated encounters with relevant market information (e.g., during consumer decisions that require multiple steps to complete) interacts with the development of knowledge structures to facilitate the performance of the source-identification judgment. Thus, consumers who purchase the same product frequently have greater knowledge in that category, which amounts to an increase in capability. Similarly, consumers exposed to repeated advertising are more likely to develop richer product knowledge structures that are facilitative of consumer care.¹³⁷

In sum, the consumer behavior literature suggests that if an individual lacks either motivation or ability to expend cognitive effort while making the source-identification judgment, she will perform the judgment in a haphazard and offhand manner, resulting in an increased likelihood of confusion. A consumer may be motivated to exercise a high degree of care by any one of a number of factors: enduring involvement, situational involvement (precipitated by risk perceptions), or need for cognition. A consumer's ability to exercise a high degree of care may be inhibited by distractions in the shopping environment, limited availability of information, limited opportunity to compare the junior and senior trademarks, incomprehensible information, and restrictions on time. Conversely, a consumer's ability can be increased through multiple exposures to product information and a multiple-step purchase process. As described in the next Part, these principles allow detailed predictions regarding the circumstances in which consumers can be expected to experience source confusion.

III. THE CONSUMER BEHAVIOR MODEL AS A CONSTRUCT FOR EVALUATING JUDICIAL CONCEPTIONS OF CONSUMER SOPHISTICATION AND CARE

The judicial evaluation of consumer —care” and —sophistication” has not, as yet, tapped into the insights of the consumer behavior literature. Instead, the case law in this field has unfolded in an unsystematic, ad hoc manner, with the courts being guided by intuition and (eventually) precedent, and not by any comprehensive theoretical principles. Thus, there is a fundamental disconnect between a field of law that is premised on assumptions about consumer behavior and a well-developed body of literature studying those very

¹³⁶ C. Whan Park et al., *Consumer Knowledge Assessment*, 21 J. CONSUMER RES. 71, 71 (1994).

¹³⁷ See Alba & Hutchinson, *supra* note 132, at 415–17.

assumptions. This is unfortunate, as the consumer behavior model provides powerful theoretical tools for understanding and analyzing judicial intimations about consumer sophistication.

We seek to remedy this disconnect here. In the sections below, we evaluate some of the principal strands of the consumer sophistication case law through the lens of the consumer behavior model. The discussion proceeds on two levels. On some points, we offer a —~~positive~~” analysis of the case law, which, though built on intuition and without any comprehensive theoretical foundation, turns out in many respects to find support in the consumer behavior model. To this extent, the contribution of our model is to provide a sound framework for understanding the existing case law and thus to facilitate its evolution and development over time. Second, in other instances, we find the case law’s intuitive assessments to be faulty, or at least shortsighted, and to this extent we offer a —~~normative~~” analysis. On these issues, we propose a change in the direction of the current case law—a change that is necessary where sound theoretical principles contradict ad hoc judicial intuition.

The sections below address several lines of cases in which the courts have evaluated the degree of consumer care or sophistication. Specifically, we consider cases in which the courts have identified price, length and complexity of the purchase transaction, frequency of purchase, education, age, and income as factors relevant to the expected degree of consumer care, as well as cases in which the target market consists of professional buyers or avid hobbyists. Our analysis of these cases demonstrates that the consumer is neither the —~~fool~~,” as the apologist commentator would have it, nor the informed —~~sovereign~~,” as the restrictionists posit. Instead, the consumer exhibits characteristics of both, depending on the circumstances. She devotes extensive cognitive energy to the source-identification judgment only where she is motivated and able to do so; where either or both of these preconditions are absent, her involvement in source-identification will be limited—not because she is a —~~fool~~” or a —~~presumptive idiot~~,” but because she is following the same human tendencies that we all possess.¹³⁸

¹³⁸ See generally, Adam Benforado & Jon Hanson, *The Great Attributional Divide: How Divergent Views of Human Behavior Are Shaping Legal Policy*, 57 EMORY L.J. 311 (2008) (Discussing the causes and effects of these tendencies).

A. Price

The courts have long embraced the notion that consumer care is affected by price. Where “goods or services are relatively expensive,” the courts anticipate that “more care is taken” at the point of purchase and that “buyers are less likely to be confused as to source or affiliation.”¹³⁹ As one court put it, “the average purchaser of an automobile will no doubt devote more attention to examining different products and determining the manufacturer or source than will the average purchaser of a ball of twine.”¹⁴⁰ Examples of expensive items thought to indicate high consumer involvement include boats,¹⁴¹ cameras,¹⁴² high-end home exercise equipment,¹⁴³ guitars,¹⁴⁴ sound design services,¹⁴⁵ trade association memberships,¹⁴⁶ cruise ship tickets,¹⁴⁷ waste-water treatment devices,¹⁴⁸ mortgages,¹⁴⁹ golf club memberships,¹⁵⁰ and real estate.¹⁵¹

Conversely, where the “products are relatively low-priced and subject to impulse buying, the risk of likelihood of confusion is increased.”¹⁵² For example, “inexpensive snack foods” are expected to be “purchased with little care” under circumstances where consumer confusion is likely.¹⁵³ By the same token, “the ordinary purchaser of bread and margarine is a casual buyer,”

¹³⁹ Checkpoint Sys., Inc. v. Check Point Software Techs., Inc., 269 F.3d 270, 284 (3d Cir. 2001) (citing MCCARTHY, *supra* note 2, § 23:95).

¹⁴⁰ McGregor-Doniger Inc. v. Drizzle Inc., 599 F.2d 1126, 1137 (2d Cir. 1979).

¹⁴¹ See AMF Inc. v. Sleekcraft Boats, 599 F.2d 341, 354 (9th Cir. 1979); HBP, Inc. v. Am. Marine Holdings, Inc., 290 F. Supp. 2d 1320, 1335–36 (M.D. Fla. 2003).

¹⁴² See Omega Importing Corp. v. Petri-Kine Camera Co., 451 F.2d 1190, 1195 (2d Cir. 1971).

¹⁴³ See Nautilus Group, Inc. v. Savvier, Inc., 427 F. Supp. 2d 990, 998–99 (W.D. Wash. 2006); Nautilus Group, Inc. v. Icon Health & Fitness, Inc., 308 F. Supp. 2d 1208, 1212 (W.D. Wash. 2003).

¹⁴⁴ See Switchmusic.com, Inc. v. U.S. Music Corp., 416 F. Supp. 2d 812, 824–25 (C.D. Cal. 2006).

¹⁴⁵ See Mach. Head v. Dewey Global Holdings, Inc., 61 U.S.P.Q.2d 1313, 1320–21 (N.D. Cal. 2001).

¹⁴⁶ See Self-Ins. Inst. of Am., Inc. v. Software & Info. Indus. Ass’n, 208 F. Supp. 2d 1058, 1073 (C.D. Cal. 2000).

¹⁴⁷ See Carnival Corp. v. SeaEscape Casino Cruises, Inc., 74 F. Supp. 2d 1261, 1267 (S.D. Fla. 1999).

¹⁴⁸ See Jet, Inc. v. Sewage Aeration Sys., 165 F.3d 419, 422–23 (6th Cir. 1999).

¹⁴⁹ See First Franklin Fin. Corp. v. Franklin First Fin., Ltd., 356 F. Supp. 2d 1048, 1052 (N.D. Cal. 2005).

¹⁵⁰ See Champions Golf Club, Inc. v. The Champions Golf Club, Ltd. 78 F.3d 1111, 1120–21 (6th Cir. 1996).

¹⁵¹ See Homeowners Group, Inc. v. Home Mktg. Specialists, Inc., 931 F.2d 1100, 1111 (6th Cir. 1991) (finding that “in this case it appears that the buyers of both Homeowners’ and Specialists’ [two real-estate brokers] services are likely to exercise a high degree of care”).

¹⁵² Recot, Inc. v. M.C. Becton, 214 F.3d 1322, 1329 (Fed. Cir. 2000); see also Patsy’s Brand, Inc. v. I.O.B. Realty, Inc., 317 F.3d 209, 219 (2d Cir. 2003) (finding that consumer sophistication and degree of care exercised is low when purchasing cheaper products sold in grocery stores).

¹⁵³ Beer Nuts, Inc., v. Clover Club Foods Co., 805 F.2d 920, 926–27 (10th Cir. 1986); see also *id.* at 926 (“[A] secondary trademark on a small, inexpensive item such as a package of nuts does not eliminate the possibility of confusion because consumers exercise little care in purchasing these products.”).

particularly in the bustling, self-service atmosphere of a typical supermarket.”¹⁵⁴ Other examples of inexpensive purchases that correlate with lower consumer care include sporting goods,¹⁵⁵ over-the-counter sleep medicine,¹⁵⁶ business training programs,¹⁵⁷ some kinds of wine,¹⁵⁸ kitchen accessories,¹⁵⁹ air fresheners,¹⁶⁰ t-shirts,¹⁶¹ and magazines.¹⁶²

The basic relationship between price and consumer care finds theoretical support in the *motivation* element of the consumer behavior model. According to this model, price is correlated positively with perceived financial risk. Thus, holding all other factors constant, as price increases so does situational involvement—an antecedent of the consumer’s motivation to exert consumer care while making the source-identification judgment. To this extent, the courts’ intuitive assessment of the relevance of price rests on sound theoretical footing.

That is not to say that the consumer behavior model supports the notion of designating price as a dispositive factor. While higher prices generally are thought to heighten perceptions of financial risk for most consumers, consumer behavior theory reveals that the level of involvement is not intrinsic to the product, but is relative to the consumer as the perceiver. In other words, involvement is in the eye of the consumer and not intrinsic to product or service per se. It is a bit of a misnomer to call an expensive good a “high-involvement product.”

Thus, the consumer behavior model suggests an important adjustment to the courts’ treatment of price as a proxy for consumer sophistication. Under our model, price may correlate with the level of care exercised by the consumer, but only to the extent that the financial risk-factor identified in the involvement construct outweighs any other relevant involvement factors that may point in the other direction. In some cases, certain factors other than price

¹⁵⁴ *Lever Bros. Co. v. Am. Bakeries Co.*, 693 F.2d 251, 259 (2d Cir. 1982) (implying that self-service markets’ low prices and bustling atmosphere leave room for high likelihood of confusion).

¹⁵⁵ *See Sports Auth., Inc. v. Prime Hospitality Corp.*, 89 F.3d 955, 965 (2d Cir. 1996).

¹⁵⁶ *See Bristol-Myers Squibb Co. v. McNeil-P.P.C., Inc.*, 973 F.2d 1033, 1046–47 (2d Cir. 1992).

¹⁵⁷ *See Forum Corp. of N. Am. v. Forum, Ltd.*, 903 F.2d 434, 442 (7th Cir. 1990).

¹⁵⁸ *See Vigneron Partners, LLC v. Woop Woop Wines Pty Ltd.*, 2006 WL 1214859, at *7–8 (N.D. Cal. May 5, 2006).

¹⁵⁹ *See Keystone Mfg. Co., Inc. v. Jaccard Corp.*, 394 F. Supp. 2d 543, 559 (W.D.N.Y. 2005).

¹⁶⁰ *See Car-Freshner Corp. v. Big Lots Stores, Inc.*, 314 F. Supp. 2d 145, 152 (N.D.N.Y. 2004).

¹⁶¹ *See World Wrestling Fed’n Entm’t Inc. v. Big Dog Holdings, Inc.*, 280 F. Supp. 2d 413, 436 (W.D. Pa. 2003).

¹⁶² *See Brockmeyer v. Hearst Corp.*, 248 F. Supp. 2d 281, 299 (S.D.N.Y. 2003).

would reinforce the usual correlation between price and consumer care. For certain products like apparel and jewelry, for example, high involvement may be cued not only because of the financial risks associated with high price, but also in light of the potential social risks presented.¹⁶³ For other products, like high-end climbing equipment, the involvement motivation flowing from the financial risks associated with a hefty price tag would be reinforced by physical risks.¹⁶⁴

In some situations and market segments, however, we might expect an expensive product to be a low-involvement purchase; in other circumstances, we might expect high involvement, even in the purchase of relatively inexpensive items. Even a low-priced item might rate high on the motivation scale, for example, if it presents significant physical risks. In situations where the use of the product or service may involve the potential for tangible harm, consumers generally will be more situationally involved and process relevant information more systematically and carefully.¹⁶⁵ In the following sections, we identify circumstances in which (1) even high-priced goods cannot be expected to engender sufficient levels of exercised care; and (2) low-priced goods might nonetheless produce incentives for exercised care.

1. High-Prices, Yet Insufficient Levels of Consumer Care

Our model provides a framework for identifying circumstances where even high-priced goods may not be expected to produce consumer care that is sufficient to dispel confusion. First, high prices will trigger motivation for care only where they give rise to *perceived* financial risk. Thus, the significance of

¹⁶³ See *J.R. Wood & Sons v. Reese Jewelry Corp.*, 278 F.2d 157, 159 (2d Cir. 1960) (finding sophistication on the part of consumers of wedding and engagement rings); see also *E.T.F. Enters., Inc. v. Nina Ricci, S.A.R.L.*, 523 F. Supp. 1147, 1156 (S.D.N.Y. 1981) (asserting that fashion-conscious customers of clothing, fragrances, and accessories are not likely to be misled by two marks which share the same surname but have different first names”).

¹⁶⁴ See *S. Indus., Inc. v. Stone Age Equip., Inc.*, 12 F. Supp. 2d 796, 816 (N.D. Ill. 1998) (noting that “[s]electing a shoe to wear for climbing treacherous peaks . . . requires careful examination and inquiry about the sole’s gripping characteristics and ability to withstand these extraordinary uses,” and concluding that “at \$140 a pair, customers will not make the purchase lightly”); see also *Bioglan Inc. v. Bioglan Labs. Ltd.*, 44 U.S.P.Q.2d 1662, 1667 (C.D. Cal. 1997) (indicating that purchasers of healthcare-related products are likely to exercise some degree of care); *Blansett Pharmacal Co. v. Carmrick Labs. Inc.*, 25 U.S.P.Q.2d 1473, 1477 (T.T.A.B. 1992) (applying the “doctrine of greater care” in asserting that it is more important to avoid confusion with respect to pharmaceuticals because of the potential for serious medical consequences). *But see* *Eli Lilly & Co. v. Natural Answers, Inc.*, 233 F.3d 456, 464 (7th Cir. 2000) (suggesting that “there is just no evidence that consumers as a whole are extraordinarily careful when it comes to dietary supplements”).

¹⁶⁵ See *Celsi*, *supra* note 84, at 1–23 (detailing the extent of involvement exhibited by consumers purchasing and participating in high-physical-risk consumption).

price in the consumer-care function should be evaluated relative to the income or wealth of the target demographic. If a certain product is targeted at a particularly wealthy clientele, a price tag that might seem high to an average consumer—i.e., one that would generate perceived financial risk—may not have the same effect.¹⁶⁶

Second, even where a consumer's perception of financial risk is high, the model does not predict a high level of consumer care where there are significant constraints on opportunity for care. After all, motivation is only one factor in the consumer care function; even a motivated consumer will not be careful if her ability to be careful is limited by environmental constraints.

Consider the case of *Karen J. Connelly, S.Y.K., LLC v. ValueVision Media, Inc.*,¹⁶⁷ where the court assessed the degree of care expected of consumers of jewelry sold through “home shopping” television outlets.¹⁶⁸ Although the jewelry was “not inexpensive (ranging from a few hundred to thousands of dollars),” the court nonetheless concluded that consumers of such items were not sophisticated.¹⁶⁹ The court based its conclusion on its understanding of the “nature of home shopping, where consumers do not actually inspect items prior to purchase.”¹⁷⁰ This analysis can be translated in terms of our model in *opportunity* terms. The television home shopping context may be one in which a consumer's motivation for enhanced involvement in a high-priced (and thus high-financial-risk) purchase might be overcome by the consumer's reduced opportunity to gather information by physically inspecting the product prior to purchase, thus reducing their ability to engage in extended cognition. Thus, the home shopping buyer of jewelry may be sufficiently motivated to be careful, but constraints on opportunity may still give reason to rate the level of consumer care as relatively low.¹⁷¹

¹⁶⁶ At least one court has proffered the converse conclusion (albeit without pinpointing the issue as one of “perceived risk”). See *Reebok Intern. Ltd. v. K-Mart Corp.*, 849 F. Supp. 252, 268 (S.D.N.Y. 1994) (“In fact, an argument can be made that shoppers with limited budgets use more care in spending their more limited resources than shoppers at non-discount stores.”).

¹⁶⁷ 2004 WL 2569494 (D. Minn. Nov. 9, 2004).

¹⁶⁸ *Id.* at *1.

¹⁶⁹ *Id.* at *7.

¹⁷⁰ *Id.*

¹⁷¹ As explained in greater detail *infra* notes 215–16, there may be reason to be skeptical about the effect of such constraints on opportunity. The very context identified by the court—the home shopping environment in which “consumers do not actually inspect items prior to purchase”—may further enhance a consumer's motivation for extended cognition. *Karen J. Connelly, S.Y.K., LLC*, 2004 WL 2569494, at *7. Specifically, in the context of a jewelry purchase in a home-shopping environment, the consumer has limited information about the product that she purchases, little confidence in or experience with the product, and an expectation of

Even where financial risk is not outweighed by other elements, the model identifies additional grounds for rejecting the usual presumption that high price will engender care sufficient to reduce the likelihood of confusion. Under the model, the exercise of consumer care is relevant only to the extent that the exertion of additional cognitive effort can be expected to dispel confusion. If it will not, as in a case involving identical marks in direct competition with each other, even a relatively high degree of consumer care will not be sufficient.

This analysis explains decisions like *Omega Importing Corp. v. Petri-Kine Camera Co.*,¹⁷² in which the court found a likelihood of confusion arising out of the junior's use of the EXAKTA trademark in direct competition with the senior's use of the identical trademark on high-priced cameras.¹⁷³ Although the court acknowledged that "the cameras here in question are expensive items" with respect to which the "purchaser would be expected to make more than a casual inspection of the product before buying,"¹⁷⁴ the court found that "purchaser inspection would be of doubtful value."¹⁷⁵ This conclusion is consistent with our model. If even relatively high levels of cognition cannot dispel confusion between facially identical trademarks, then high price is simply beside the point.

2. *Low-Prices, but High Levels of Consumer Care*

Sometimes, even low-priced goods can rate high on the involvement scale, such as in cases where alternative considerations introduce "perceived risk" beyond that associated with high price. *Worthington Foods v. Kellogg Co.*¹⁷⁶ arguably presents one example. In that case, the court concluded that "heightened awareness of health and healthy foods raises the standard of care which the reasonable purchaser of [healthy foods] would exercise."¹⁷⁷ Thus, although HEARTWISE brand breakfast foods are a low-priced product, they need not reflexively be dumped in the "low consumer-sophistication" basket,

an extended experience with a purchase that may involve strong self-presentation aspects. All of these factors will tend to heighten the perceived risks of the purchase (adding performance and social risks to the financial risk already perceived), such that the consumer may be sufficiently motivated to find creative ways to overcome the time limitations of the home shopping environment—such as by waiting until the product is offered a second time or pursuing alternative channels, such as an internet website or toll-free number.

¹⁷² 451 F.2d 1190 (2d Cir. 1971).

¹⁷³ *Id.* at 1195.

¹⁷⁴ *Id.*

¹⁷⁵ *Id.*

¹⁷⁶ 732 F. Supp. 1417 (S.D. Ohio 1990).

¹⁷⁷ *Id.* at 1448.

since the physical risk associated with buying purportedly health-conscious foods may enhance the motivation for the exercise of consumer care, even if price alone does not increase consumer perceptions of financial risk.¹⁷⁸

There may also be circumstances where the *financial* risk persists even where the price of the product in question is low. Consider the case of *Reed-Union Corp. v. Turtle Wax, Inc.*,¹⁷⁹ in which the court found that a purchase of inexpensive car polish was nevertheless likely to involve relatively high levels of sophistication.¹⁸⁰ The court's explanation—that this inexpensive product was to be used on an expensive possession (a car)¹⁸¹—can easily be restated in terms of the motivation factor: Price is only part of the perceived financial risk associated with some purchases, and where use of the product could have a substantial impact on the value of another product, even low-priced purchases may present significant financial risk and thus a high level of situational involvement.

Finally, there may be other low-priced products that would be naturally dominated by high —need for cognition” consumers who would be intrinsically attracted to a product that gives them a chance to exert cognitive effort. Sudoku and other —brain teaser” puzzle books, for example, present low financial risk, but the typical consumer of such products would likely possess a high need for cognition that would suggest higher levels of care regardless of low perceptions of financial risk. Thus, our model suggests some reason to doubt the conclusions of some courts that consumers of such products rate low on the consumer care scale.¹⁸²

¹⁷⁸ The apparent perception of this sort of risk might be dampened, however, by the proliferation of purportedly healthy products available to consumers. If consumers are bombarded by health claims, they may tend to discount them, and thus not perceive any risk that would enhance their motivation for extended cognition.

¹⁷⁹ 869 F. Supp. 1304 (N.D. Ill. 1994), *aff'd* 77 F.3d 909 (7th Cir. 1996); *see also* Life Indus. Corp. v. Star Brite Distrib., Inc., 31 F.3d 42, 47 (2d Cir. 1994) (pointing to evidence showing that purchasers of inexpensive boat caulking are sophisticated because “they usually are owners of large, expensive boats with wood decks”).

¹⁸⁰ *Reed-Union Corp.*, 869 F. Supp. at 1310.

¹⁸¹ *Id.*

¹⁸² *See, e.g.*, *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1166 (Fed. Cir. 2002) (finding that the “sophistication of purchasers” mark weighed in favor of a finding of a likelihood of confusion in a suit by publisher of paperback books under CROSSWORD COMPANION mark for cancellation of same mark on handheld device with scrollable rolls of crossword puzzles); *Teaching Co. v. Unapix Entm't, Inc.*, 87 F. Supp. 2d 567, 585 (E.D. Va. 2000) (finding “no evidence that the consumers of [such] products . . . deserve consideration as sophisticated buyers” in a suit by holder of trademarks GREAT MINDS and GREAT MINDS OF THE WESTERN INTELLECTUAL TRADITION, used in connection with sale of video and audio tapes

B. Length and Complexity of the Purchase Transaction

A second factor frequently identified in the case law is the length and complexity of the purchase process. The more time the consumer is expected to devote to purchasing a particular product, the more care she is expected to take. There are two distinct strands of cases: (1) those where the courts have attempted to identify *products* that are by their very nature likely to be the subject of an “impulse” purchase; and (2) those where the courts have examined the complexity of the purchasing *process* to determine whether a consumer is likely to engage in high levels of consumer care.

Examples of *products* deemed inherently “impulsive” include magazines (because consumers are thought to purchase them based on the cover or title),¹⁸³ snack foods (since consumers may purchase them without putting them on their grocery lists),¹⁸⁴ and fast food (which is purchased when consumers are in a hurry).¹⁸⁵ With respect to the purchasing *process*, the courts have sometimes correlated low levels of consumer care with quick or hurried transactions. For example, at least one court has suggested that direct-order television advertisements (“infomercials”) involve low-care, impulse purchases, since such “advertising is directed toward those persons who tend to buy on impulse when they see a product on television which appeals to them at a reasonable price.”¹⁸⁶ Another court offered a similar assessment of the low level of care typically exercised in the “buying, self-service atmosphere of a typical supermarket.”¹⁸⁷

of lectures on great philosophers by leading contemporary scholars, against defendant selling documentary films under the GREAT MINDS mark).

¹⁸³ See *Brockmeyer v. Hearst Corp.*, 248 F. Supp. 2d 281, 299 (S.D.N.Y. 2003) (generalizing that magazines are impulse purchases); see also *Playboy Enter., Inc. v. Chuckleberry Publ'g, Inc.*, 687 F.2d 563, 570 (2d Cir. 1982) (finding that magazine subtitles contribute greatly to impulse buying).

¹⁸⁴ See *Gray v. Meijer, Inc.*, 295 F.3d 641, 649–50 (6th Cir. 2002) (determining that buyers of inexpensive snack foods do not exercise a high degree of care); *Beer Nuts, Inc. v. Clover Club Foods Co.*, 805 F.2d 920, 926–27 (10th Cir. 1986) (finding that there is a high likelihood of confusion in purchasing a snack-nut mix because consumers exercise little care when purchasing competing brands “Beer Nuts” and “Brew Nuts”—those items are impulse purchases that are not generally on the consumer’s grocery list).

¹⁸⁵ See *Frisch’s Rests. v. Elby’s Big Boy*, 670 F.2d 642, 648 (6th Cir. 1982) (finding a casual degree of care in “impulse buying” of fast food items); *Burger Chef Sys., Inc. v. Burger Man, Inc.*, 492 F.2d 1398, 1399 (C.C.P.A. 1974) (describing fast-food customers as on the move and in a hurry).

¹⁸⁶ *Telebrands Corp. v. E. Mishan & Sons*, 46 U.S.P.Q.2d 1493, 1508 (S.D.N.Y. 1997).

¹⁸⁷ *Lever Bros. v. Am. Bakeries Co., Inc.*, 537 F. Supp. 248, 255 (E.D.N.Y. 1982)

(concluding that “the ordinary purchaser of AUTUMN margarine and AUTUMN GRAIN bread is a casual, unsophisticated buyer,” and an atmosphere “in which over 5,000 trademarked items are presented” is unlikely to be conducive to a high level of consumer care).

Conversely, the courts have also identified circumstances where the purchasing environment is conducive to (or even requires) the exercise of high levels of consumer care. In *Star Industries v. Bacardi & Co.*,¹⁸⁸ for example, the court concluded that liquor store purchases are not likely to constrain levels of consumer care—in light of the store's generally relaxed environment as compared to a supermarket.¹⁸⁹ Alternatively, the courts have found sophistication in circumstances involving extended negotiation and interaction with sales personnel. Examples of purchases deemed to involve this sort of sophistication run the gamut from lawn and garden equipment to perfume.¹⁹⁰ The assumption is that trained personnel can be expected to help[] inform customers of the differences in the products."¹⁹¹

Elsewhere, the courts have concluded that inherently complex transactions can be expected to involve high levels of care. Under this analysis, the courts have held that consumers of certain financial instruments are "sophisticated" because of the steps required to complete a transaction through a financial institution.¹⁹² On similar analysis, the courts have anticipated high levels of care in the purchase of a health care plan.¹⁹³

¹⁸⁸ 412 F.3d 373 (2d Cir. 2005).

¹⁸⁹ *Id.* at 390 (differentiating the "rough and tumble" atmosphere at grocery stores from the "relaxed environment of the liquor store," where unhurried customers will "exhibit sufficient sophistication" to distinguish between different stylized scripts on the competing brands' labels, thus decreasing likelihood of confusion). Alcoholic beverages are one product category where the courts have sent conflicting signals as to the expected level of consumer care. The conflict in the case law is discussed in some detail *infra* notes 252–57.

¹⁹⁰ See, e.g., *Deere & Co. v. MTD Holdings, Inc.*, 70 U.S.P.Q.2d 1009, 1023 (S.D.N.Y. 2004) (finding that consumer interaction with sales personnel when purchasing expensive lawn and garden maintenance equipment would help to dispel confusion, such that purchasers of such equipment are deemed to exercise a higher degree of care); *Conopco, Inc. v. Cosmair, Inc.*, 49 F. Supp. 2d 242, 257 (S.D.N.Y. 1999) ("There is ample evidence in the record that the purchasers of expensive perfumes from high-end department and specialty stores, who are often assisted by retail selling specialists and beauty advisors, . . . are sophisticated and discriminating consumers.").

¹⁹¹ *Frances Rothschild, Inc. v. U.S. Cosmetic Fragrance Mktg. Corp.*, 223 U.S.P.Q. 817, 818 (N.D. Tex. 1983) (indicating that "retailers' utilization of 'demonstrators' (trained sales persons) in the sale of men's fragrance products" informs customers of the differences in the products).

¹⁹² *Beneficial Corp. v. Beneficial Capital Corp.*, 529 F. Supp. 445, 450 (S.D.N.Y. 1982) (finding increased sophistication because of complexity of purchasing financial instruments); see also *Metlife, Inc. v. Metro. Nat'l Bank*, 388 F. Supp. 2d 223, 235 (S.D.N.Y. 2005) (stating that the key determination is the number of steps required, as well as the value of the financial instruments involved and noting that where consumers merely open a bank account or purchase certificates of deposit, the sophistication level does not necessarily increase).

¹⁹³ *Am. Rep. Ins. Co. v. N. Am. Health Plans, Inc.*, 1996 U.S. Dist. LEXIS 7568, at *25–26 (W.D.N.Y. May 21, 1996) (stating that because of the time and effort consumers spend evaluating different health care plans, consumer naivety as to the different plans available decreases, so consumers are deemed more sophisticated).

The consumer behavior model provides a useful framework for evaluating these cases. The impulse-product cases are most naturally evaluated under the motivation construct, which suggests that “impulse” purchases will be those that present little perceived risk. The purchase-process cases implicate the ability construct and the question of whether and to what extent the purchasing environment requires, permits, or limits opportunities for the exercise of care during the source-identification judgment.

As a general matter, we find that judicial intuitions in these cases find support in the theoretical foundations of the model. We also conclude, however, that the model provides a basis for questioning the results in some of the cases and—more broadly—some cautionary limits on further development of the jurisprudence. As with price, we find that judicial intuitions with respect to the time and complexity of the purchase process veer off course where the courts focus myopically on any single factor in the consumer care function. A reliable assessment of the degree of consumer care requires a complete consideration of all of the elements of the consumer behavior model, and the analysis is distorted (as in some of the cases highlighted below) where the courts focus on isolated elements of the model to the exclusion of others.

1. “Impulse Products,” Motivation, and Risk

According to the consumer behavior model, products likely to be purchased on “impulse” are those that present relatively little motivation for the exercise of consumer care. There is some overlap with the price factor discussed above: impulse items will tend to be low in price and thus present little financial risk. But the involvement construct allows us to generalize the “impulse” category beyond price: “impulse” purchases should be defined to encompass products that present minimal motivation for involvement across any of the various risk factors (financial, performance, physical, and social). Thus, under the model, impulse items would encompass lower-cost items that are consumed within a short horizon, that the consumer is relatively familiar with, and for which perceived social and physical risk are relatively low.¹⁹⁴

Much of the “impulse product” case law finds support in this analysis. Magazines, snack foods, and fast food meet the foregoing criteria; thus, they are likely to present minimal risk (whether financial, performance, physical, or

¹⁹⁴ See RICHARD P. BAGOZZI, *PRINCIPLES OF MARKETING MANAGEMENT* 61–63 (1986).

social) and consequently present little motivation for the exercise of consumer care.

The model also provides a limiting principle, however, and thus a basis for confining the “impulse product” categories to their proper bounds. Although impulse products ordinarily implicate a low level of motivation for consumer care, that will not always be so.¹⁹⁵ Consider health food items. Should such purchases be deemed to involve low levels of consumer care, at least where they may fall under the “snack food” or “fast food” categories? Perhaps not. The question is whether these items present some element of risk as a motivation for the exercise of consumer care—not whether they can fit into some abstract category of “fast food” or “snack food.”

At least one court has suggested that consumers may be expected to “purchase ‘healthy’ products quickly, but not impulsively or carelessly.”¹⁹⁶ That conclusion is at least arguably consistent with a careful parsing of the involvement construct: such products may not present any significant financial risk or time commitment in the purchase transaction, but they may implicate an element of physical risk that may enhance the motivation for the exercise of consumer care while making the source-identification judgment.¹⁹⁷ In the health-food niche, consumers may be assumed to be more concerned about physical risk, and thus to expend greater cognitive resources than they would if they were focused only on the (minimal) financial risk associated with a snack food purchase. Thus, the “impulse product” question should be evaluated based on the degree of relative risk factors as motivations for extended involvement, not on blind adherence to precedents identifying broad product categories deemed forever likely to be purchased on impulse.

Some items, such as condoms, would by their nature and use create high involvement and time investment with their purchase because they produce, for

¹⁹⁵ Recall the Sudoku example above, *supra* text accompanying note 182, of low-priced products aimed at a customer base that is high in “need for cognition.” The point is that perceived financial risk is only one trigger for motivation for consumer care. Where other triggers are present, a product that may ordinarily be thought of as an impulse purchase may nevertheless involve a high degree of consumer care.

¹⁹⁶ See *Luigino’s, Inc. v. Stouffer Corp.*, 170 F.3d 827, 831 (8th Cir. 1999).

¹⁹⁷ See *Stouffer Corp. v. Health Valley Natural Foods, Inc.*, 1 U.S.P.Q.2d 1900, 1902 (T.T.A.B. 1987) (“[D]iet-conscious purchasers of these prepared entrees are a special class of purchasers who may be expected, at least, to examine the front of the packages in order to determine what kind of entree is contained therein and its caloric content.”), *aff’d* 831 F.2d 306 (Fed. Cir. 1987). Alternatively, with respect to some “niche” or specialty foods, consumers may exhibit a sort of avocational devotion or “enduring involvement” in the product category at issue. The enduring involvement concept is discussed in greater detail *infra* notes 198–207.

many consumers, heightened perceptions of risk (physical, social, etc.) leading to the exercise of high levels of consumer care. A similar example identified in the case law is shoes. At least one court has suggested that even though shoes may be relatively low-priced, they may not properly be classifiable as an impulse item.¹⁹⁸ The court's conclusions can be understood in terms of the motivation construct: shoes may present physical and social risk as motivations for involvement even if they do not entail any significant financial risk.¹⁹⁹

2. *Purchase Processes and Effects on Opportunity for the Exertion of Consumer Care*

In the purchase-process cases, the courts have identified purchasing environments that facilitate, foreclose, or even require opportunities for the exercise of consumer care. These cases implicate the ability element of the consumer behavior model, which explains that consumer care may be affected not only by motivation, but also by the degree of opportunity to engage in extended cognition. This construct provides an analytical foundation for understanding these cases. But it also provides a limiting principle to guide the development of the case law and for questioning some of the outcomes in the cases.

a. *Unconstrained Opportunity*

In *Star Industries, Inc. v. Bacardi & Co.*,²⁰⁰ the court concluded that the relaxed atmosphere of a liquor store would facilitate consumer care and that consumers in that environment would not likely be confused by defendant Bacardi's use of an elliptical, stylized —O trademark on its orange-flavored rum—a mark that purportedly was confusingly similar to plaintiff Star Industries' elliptical, stylized —O mark on its orange-flavored vodka.²⁰¹ This analysis finds an initial foothold in the opportunity element of the ability construct: Consumers who feel at ease in a purchasing environment will not have any limitations placed on their ability to exercise a high degree of

¹⁹⁸ See *Reebok Int'l Ltd. v. K-Mart Corp.*, 849 F. Supp. 252, 268 (S.D.N.Y. 1994).

¹⁹⁹ *Id.* at 268 (noting that “shoes are an item worn daily” that “can lead a customer to experience ongoing discomfort and physical pain,” and are thus “much less likely to be the subject of impulse purchases than other low priced consumer goods or consumables”).

²⁰⁰ 412 F.3d 373 (2d Cir. 2005).

²⁰¹ *Id.* at 390.

consumer care. This uninhibited opportunity stands in contrast to the—~~but~~ . . . atmosphere of a typical supermarket.”²⁰²

The *Star Industries* court’s analysis is flawed (or at least incomplete), however, in ways that are illuminated by a broader understanding of the consumer behavior model. Ability is a necessary—but not sufficient—condition for the exercise of consumer care, in that a consumer who has all of the opportunity in the world will not be careful unless she has sufficient motivation to do so. For that reason, without a consideration of the motivation of typical consumers, it cannot reliably be said that

[u]nhurried consumers in the relaxed environment of the liquor store may be expected to educate themselves sufficiently to recognize the respective brand names, to understand the respective stature of the two companies, and thus to understand how fanciful the notion is that Bacardi would seek the benefit of Star’s reputation and good will by entering into a licensing agreement to secure utilization of its —~~Θ~~” design.²⁰³

The —~~u~~nhurried” environment gives liquor purchasers an opportunity —~~t~~ educate themselves sufficiently” and to be careful enough —~~t~~ understand” the lack of any association between Bacardi and Star, but that unconstrained ability alone is insufficient. The key question is whether they will have the motivation to do so. They will if they perceive sufficient risk (such as financial or perhaps social risk associated with the liquor purchase), but otherwise, no amount of uninhibited, —~~u~~nhurried” opportunity will yield this degree of the exercise of consumer care. The elaborate investment in education and care imagined by the *Star Industries* court is substantial; it seems doubtful that anyone, other than the most motivated (*and* —~~u~~nhurried”) consumer, would exercise the degree of care hypothesized by the court.²⁰⁴ But, at a minimum, the model indicates that opportunity alone is an insufficient basis for a finding of high levels of consumer care or sophistication.

The courts’ assumptions about interactions with sales personnel are similarly flawed. It may well be that a consumer who is sufficiently motivated in the purchase of lawn and garden equipment or perfume will exercise even

²⁰² *Lever Bros. v. Am. Bakeries Co.*, 537 F. Supp. 248, 255 (E.D.N.Y. 1982) (concluding that —~~the~~ ordinary purchaser of AUTUMN margarine and AUTUMN GRAIN bread is a casual, unsophisticated buyer,” and also explaining that an atmosphere —~~in~~ which over 5,000 trademarked items are presented” is unlikely to be conducive to a high level of consumer care).

²⁰³ *Star Industries*, 412 F.3d at 390.

²⁰⁴ *Id.*

more care where the “opportunity” for such cognition is facilitated by trained personnel who can be expected to ~~help~~ inform customers of the differences in the products.”²⁰⁵ But it cannot reliably be said that such opportunity alone ensures high levels of care. The threshold question is whether there is sufficient motivation for consumers to exercise care. For lawn and garden equipment that presents little or no risk (e.g., an inexpensive pair of work gloves), no amount of opportunity will ensure a high degree of consumer care.

b. Compelled “Opportunity” (and Increased Capacity)

On the other hand, the courts are on stronger theoretical footing in cases where the purchase process *requires* extended interaction with sales personnel in an inherently complex purchase. In cases involving complex financial instruments or healthcare plans, for example, the consumer behavior model arguably provides some support for the judicial inference of a high degree of consumer care. The reason is that, in those circumstances, the consumer can be presumed to have sufficient motivation (if she proceeds through a complex or multi-step process *requiring* the exertion of cognition), and the extended opportunity for involvement can only add to the degree of care exercised by the consumer. In other words, where the transaction can proceed only if the consumer proceeds through a complex, multi-step purchase process, we can assume that all consumers who endure this process have sufficient motivation. Since they are sufficiently motivated, the extended opportunity—of frequent exposure over a long period of time—increases the likelihood of exercising a high degree of consumer care.²⁰⁶

A complex, multi-step purchase process may also enhance a consumer’s “~~ability~~” to exercise consumer care. Consumers who have had repeated opportunities to encounter relevant market information will develop more active knowledge structures that will facilitate more efficient and more effective judgment.²⁰⁷ Thus, the multi-step purchase process indicates a high

²⁰⁵ *Frances Rothschild v. U.S. Cosmetic Fragrance Mktg. Corp.*, 223 U.S.P.Q. 817, 818 (N.D. Tex. 1983).

²⁰⁶ We are a little less sanguine about the blithe judicial assertion that sales personnel can always be expected to ~~help~~ inform customers” in their performance of the source-identification judgment. *Id.* Some sales personnel may facilitate source-identification in some circumstances, but that will not always be the case. In some circumstances, the salesperson’s motivation will be very different from the consumer’s; the former may sometimes give in to the perverse incentive to thwart source identification if that is what it takes to convince the consumer to make the purchase.

²⁰⁷ *See supra* text accompanying notes 136–37.

level of consumer care across several levels of the model: motivation is assumed, while opportunity is required.²⁰⁸

A similar approach may be the key to understanding a conflict in the case law over the question of whether the “wine buying public” is “a highly discriminating group”²⁰⁹ or a collection of “generally unsophisticated ‘impulse’ buyers who are an ‘easy mark’ for a [trademark] infringer.”²¹⁰ In criticizing the former conclusion (adopted in 1959 by a federal district court in Alabama), the latter court relied on expert testimony to conclude that “the average American consumer is unlearned in the selection of wine.”²¹¹ The difference in the courts’ assessments of the degree of consumer sophistication, however, seems to have more to do with differences in *opportunity* than with any difference in available evidence of *capability*. In the Alabama case, there was evidence before the court that state law effectively *compelled* an extended opportunity to exercise consumer care.²¹² Specifically, as the court explained:

The evidence reflects that practically all of the wine in the State of Alabama is sold through state owned and operated liquor stores. The law requires that the prospective purchaser select from display counters the product he desires, and after making that selection he is required to request that product of the salesman by name. After paying the cashier for the product, it is produced by the salesman for the purchaser’s inspection prior to the time it is packaged. Thus, in the State of Alabama it is virtually impossible for a wine purchaser to be confused by similar trademarks.²¹³

This is *compelled —opportunity.*” The Alabama wine buyer was effectively required to exercise consumer care through a multi-step exchange with a salesman that involved a request and confirmation of the product name. Such a consumer can be presumed to possess at least enough motivation to complete these steps in order to make the purchase. Thus, and for this reason, the Alabama wine-buying public in 1959 was to some degree a “discriminating

²⁰⁸ We hasten to add two important caveats. First, as explained above, in some circumstances, the steps in a complex purchase process may actually interfere with the source-identification judgment. If sales personnel are motivated to complete the sale, irrespective of any concern about consumer confusion, they may—consciously or unconsciously—shed more noise than light on the source-identification judgment. Second, and as elaborated below, compelled care will never be the same as care spurred on by a consumer’s native involvement. See *infra* text accompanying note 212.

²⁰⁹ E. & J. Gallo Winery v. Ben R. Goltsman & Co., 172 F. Supp. 826, 830 n.2 (M.D. Ala. 1959).

²¹⁰ E. & J. Gallo Winery v. Consorzio del Gallo Nero, 782 F. Supp. 457, 465 (N.D. Cal. 1991).

²¹¹ *Id.*

²¹² See *Ben R. Goltsman & Co.*, 172 F. Supp. at 830 n.3.

²¹³ *Id.*

group,” even if the discrimination was not the result of any situational or enduring involvement.

Our model gives ample reason to doubt the court’s bolder assertion, however, that it would be “virtually impossible” for such a wine purchaser to be confused.²¹⁴ We see no reason to expect that consumers compelled to engage in an extended purchase process would exercise the degree of care necessary to distinguish between two facially identical trademarks. Indeed, compelled care is an imperfect substitute for care triggered by perceived risk or enduring involvement. A consumer who is compelled to go through the motions of a purchase process will be more likely to just “go through the motions.” Thus, although a consumer compelled to participate in extended opportunities for care may be somewhat more careful than one who is not, the compelled consumer is not the equivalent of the consumer whose care is spurred by her own perceptions of risk or her native enduring involvement.

c. Reduced Opportunity

Finally, if opportunity is conceived of as a necessary prerequisite to consumer care, the consumer behavior model also provides theoretical support for a finding of relatively low levels of consumer care in purchasing environments that reduce opportunities for care. The “infomercial” case cited above arguably fits in here.²¹⁵ To the extent an infomercial *requires* a hurried, impulsive purchase, a low level of consumer care is indicated despite whatever risk factors might otherwise cue motivation for extended involvement. Similarly, if the “bustling, self-service atmosphere of the typical supermarket” makes it impossible for consumers to engage in careful transactions,²¹⁶ then consumer care is untenable.

Our model suggests good reasons to be skeptical of such a finding, however. Even in the “bustling, self-service atmosphere of the typical supermarket,” we might expect a consumer faced with sufficient financial risk—such as in the purchase of a relatively expensive product—to be sufficiently motivated that she might overcome the cacophony of the purchase situation and exercise a relatively high degree of care. Where motivation is

²¹⁴ *Id.*

²¹⁵ See *supra* note 186 and accompanying text (discussing *Telebrands Corp. v. E. Mishan & Sons*, 46 U.S.P.Q.2d 1493, 1508 (S.D.N.Y. 1997)).

²¹⁶ *Lever Bros. v. Am. Bakeries Co.*, 537 F. Supp. 248, 255 (E.D.N.Y. 1982).

high, only the most severe situational constraints on opportunity may effectively foreclose the exercise of consumer care.

Thus, a refinement of the “necessary condition” formulation may be in order: An *adequate* opportunity is a necessary condition for the exercise of consumer care, but the adequacy of the opportunity will necessarily vary in relation to the level of consumer motivation. Where consumer motivation is high, only the most extreme constraints on opportunity will preclude a finding of consumer care. Where motivation is low, however, even milder constraints, like the cacophonous atmosphere of the supermarket, might foreclose the possibility of the exercise of consumer care.

C. Frequency of Purchase

Another factor identified by the courts is frequency of purchase. Infrequently purchased products (such as hand-held vacuum cleaners) are deemed to involve a high degree of consumer care, while frequently purchased items (like disposable diapers or athletic shoes) rate low on consumer care.²¹⁷

Some of these cases merely reformulate the price factor in frequency terms. In *Kimberly-Clark Corp. v. H. Douglas Enterprises, Ltd.*, for example, the Federal Circuit concluded that consumers of disposable diapers exhibit a “lesser standard of purchasing care” given that such products “are relatively inexpensive and frequently replaceable.”²¹⁸

In other cases, however, the courts appear to assign independent significance to the frequency consideration, as in *Black & Decker, Inc. v. North American Philips Corp.*, where the court determined that a \$20 to \$40 hand-held vacuum cleaner is “not the kind of household item that one purchases frequently, but rather is an item that the purchaser expects will last for a lengthy duration and therefore would require care in its purchase”;²¹⁹ or

²¹⁷ Compare *Black & Decker, Inc. v. N. Am. Philips Corp.*, 632 F. Supp. 185, 193 (D. Conn. 1986) (finding that consumers of hand-held vacuum cleaners are relatively sophisticated in that such a product is not the kind of household item that one purchases frequently, but rather is an item that the purchaser expects will last for a lengthy duration and therefore would require care in its purchase”), with *Kimberly-Clark Corp. v. H. Douglas Enter., Ltd.*, 774 F.2d 1144, 1146 (Fed. Cir. 1985) (concluding that consumers of disposable diapers exhibit a “lesser standard of purchasing care” given that such products “are relatively inexpensive and frequently replaceable”), and *K-Swiss, Inc. v. USA AISIQI Shoes, Inc.*, 291 F. Supp. 2d 1116, 1125 (C.D. Cal. 2003) (“Athletic shoes are common consumer items and often are purchased several times a year. A reasonable consumer, therefore, is unlikely to exercise a high degree of care in selecting shoes.”).

²¹⁸ 774 F.2d at 1146.

²¹⁹ 632 F. Supp. at 193.

in *K-Swiss, Inc. v. USA AISIQI Shoes, Inc.*, in which the court concluded that “[a]thletic shoes are common consumer items” that “are purchased several times a year” and thus “unlikely” to involve a “high degree of care.”²²⁰

If there is a theoretical basis in the consumer behavior model for the frequency cases, it is in the motivation element of the involvement construct. Infrequently purchased products may present *time risks* that enhance the motivation for the exercise of consumer care. Hand-held vacuum cleaners, electric razors, and small appliances, for example, might be relatively inexpensive, but if consumers expect to keep them for a long time, they may have an incentive to process their purchase more deeply than they would for items they expect to replace more often. Compare the hand-held vacuum in *Black & Decker* with the athletic shoes in *K-Swiss*. If the vacuum is likely to be retained for a long period of time, its purchase will arouse performance concerns not implicated by a comparably priced—but oft-replaced—pair of athletic shoes. For that reason, the hand-held vacuum consumer in *Black & Decker* may be more highly motivated than the athletic shoe buyer in *K-Swiss*.

Yet the model does not provide unequivocal support for these frequency cases. For one thing, an infrequent purchase will not always correspond with a long duration of ownership and, therefore, high time risk. Certain special-occasion purchases—for example, Halloween-themed candy to be given to trick-or-treaters—will be purchased infrequently, but will present little time risk in the sense that the products are not durable and will not be consumed for long periods of time. For those items, the consumer behavior model does not predict an increase in consumer care.

More fundamentally, involvement is only half of the story of exercised consumer care. The opportunity factor must also be evaluated, and on that factor, frequency of purchase often cuts the other way. First, frequency of purchase enhances the *opportunity* for consumer care. With more frequent purchase comes increased exposure to information, and increased exposure facilitates the opportunity to exercise consumer care. Second, frequency may also enhance consumer *capability*, in that the repeat consumer may develop more elaborate knowledge structures that will enhance both the efficiency and the accuracy of her judgment.

Return again to the comparison between the *Black & Decker* and *K-Swiss* cases. Even if the vacuum buyer is more highly motivated than the shoe

²²⁰ 291 F. Supp. 2d at 1125.

purchaser,²²¹ the latter may ultimately be more “cautious”—in the sense of having more extensive opportunity for care and in being more efficient and accurate in exercising judgment. Over the course of numerous shoe purchases, the consumer will be exposed repeatedly to advertisements and promotional information of relevance to the purchase. Those expanded opportunities, moreover, may translate into greater consumer capacity, since the shoe buyer’s previous experience with and knowledge of the product category will facilitate the acquisition of new information about shoes—increasing both the efficiency and the accuracy of her judgment.

Our model does not pretend to provide a basis for measuring the comparative significance of these competing considerations. Thus, the model cannot compare the motivation-enhancing effects of infrequent purchases with the opportunity- and capability-enhancing effects of frequent purchases. Importantly, however, the model does provide a theoretical basis for questioning the courts’ monotonic assessment of the frequency of purchase factor. This factor may ultimately be a wash, and at a minimum, the courts should be careful not to assign too much weight to it.

D. Professional Buyers and Avid Hobbyists

Courts consistently presume that professional buyers are sophisticated (higher in motivation and ability) and thus exercise a high degree of care in product categories within their area of expertise or responsibility.²²² In *Oreck Corp. v. U.S. Floor Systems, Inc.*,²²³ for example, the Fifth Circuit considered a trademark infringement claim by Oreck against a competitor in the carpet-cleaning industry.²²⁴ One of Oreck’s claims focused on professional-grade cleaning machines that were used only by service contractors, professional

²²¹ There may be reason to doubt that conclusion too—particularly once the motivation analysis looks beyond financial and time risks to consider social risk. For many consumers, shoes present significant levels of perceived social risk. To the extent the consumer worries that her peers will judge her by the brand of shoes she wears—that her shoes say something about her at the gym, in the office, or in social settings—that consumer may be highly motivated to exercise care. If the motivation from this perceived social risk outweighs the motivation stemming from perceived time risk in the purchase of the small appliance, the shoe purchaser may be even more motivated than the small appliance buyer.

²²² See, e.g., *Moore Bus. Forms, Inc. v. Rite Aid Corp.*, 210 U.S.P.Q.2d 2024, 2029 (W.D.N.Y. 1991), modified, 1992 WL 125561 (W.D.N.Y. May 29, 1992), *aff’d*, 983 F.2d 1048 (2d Cir. 1992) (declaring that business executives are simply more sophisticated in many areas); *HQ Network Sys. v. Executive Headquarters*, 755 F. Supp. 1110, 1119 (D. Mass. 1991) (holding that business executives are generally more sophisticated in all areas).

²²³ 803 F.2d 166 (5th Cir. 1986).

²²⁴ *Id.* at 167–68.

carpet-cleaning services, and building maintenance managers.²²⁵ Because these purchasers are directly responsible for carpet care and are in charge of buying for professional and institutional purchases, the court concluded that they are “informed, deliberative buyers” who are unlikely to be confused.²²⁶ As one court put it, professional buyers are easily distinguishable from the prototypical case “involving the spending of discretionary income on the primary basis of slick brochures and fancy advertising.”²²⁷

In some cases, the courts have adopted a presumption of sophistication for products consumed by professional buyers.²²⁸ In *Trustees of Columbia University v. Columbia/HCA Healthcare Corp.*,²²⁹ for example, the district court found that “purchasers of medical and healthcare services provided by hospitals” are sophisticated professionals.²³⁰ “[A]lthough members of the general public are the technical purchasers of medical and healthcare services provided by hospitals,” the court found that “the real purchasers for the purposes of trademark analysis are the doctors who choose the hospitals to which they send their patients,” and that “doctors generally are a very sophisticated group of consumers who use great care in deciding which hospitals with which to affiliate themselves and to which they send their patients.”²³¹ Additional examples of cases adopting this presumption are those involving cross-view school bus mirrors²³² and commercial-grade zippers sold for use in other products.²³³

²²⁵ See *id.* at 173.

²²⁶ *Id.*

²²⁷ *HQ Network Systems*, 755 F. Supp. at 1119.

²²⁸ *Compare, e.g., Racemark Int'l v. Specialty Prods., Inc.*, 217 U.S.P.Q. 772, 780 (N.D.N.Y. 1982) (finding no likelihood of confusion from the use of RACEMARK and ROSSMARK as trademarks for car floor mats where they are sold in large quantities to sophisticated purchasing agents for original equipment automobile manufacturers and large chains of retail stores), *with, e.g., Rail-Track Constr. Co. v. Railtrack, Inc.*, 218 U.S.P.Q. 567, 571 (T.T.A.B. 1983) (even highly sophisticated, technically trained purchasers may be confused when almost identical marks—RAIL-TRACK and RAILTRACK—are used in same general field of trade).

²²⁹ 964 F. Supp. 733 (S.D.N.Y. 1997).

²³⁰ *Id.* at 748–49.

²³¹ *Id.*

²³² See *Rosco, Inc. v. Mirror Lite Co.*, 139 F. Supp. 2d 287, 299 (E.D.N.Y. 2001), *aff'd in part, rev'd in part, and remanded*, 304 F.3d 1373 (Fed. Cir. 2002) (relying on sophistication of purchasers in the school bus mirror market to sustain a finding of unlikelihood of confusion).

²³³ *YKK Corp. v. Jungwoo Zipper Co.*, 213 F. Supp. 2d 1195, 1205 (C.D. Cal. 2002) (noting that plaintiff “YKK sells its [zippers and fasteners] to the following categories of consumers: (1) name-brand and private-label clothing manufacturers (e.g., Levi Strauss and The Gap); (2) the makers of other products ranging from wetsuits to sleeping bags; (3) ‘assemblers’ who buy and assemble zipper components; and (4) ‘jobbers’ who act as distributors”).

Avid hobbyists are also often presumed to exercise a high degree of care in distinguishing trademarks of products that fall within their areas of interest.²³⁴ In *Sunenblick v. Harrell*,²³⁵ the plaintiff attempted to prove a likelihood of confusion between two record labels.²³⁶ The plaintiff's record label focused its work on jazz music, while the defendant's label focused on rap and hip-hop music.²³⁷ The court held that most music purchasers are highly sophisticated in distinguishing between two very different genres of music.²³⁸ Similarly, many courts have held that investors are sophisticated purchasers because of their extensive involvement in the industry.²³⁹

The *enduring involvement* and ability elements of the consumer behavior model provide theoretical support for this line of cases—as well as a limiting principle and admonition against assigning talismanic significance to this factor.

1. *Enduring Involvement and Enhanced Capability*

Professional buyers and avid hobbyists may be seen as consumers with enduring involvement—individuals who are predisposed to experience heightened arousal or “*eff*” involvement in a given context where the object of that enduring involvement is concerned.²⁴⁰ Due to their ongoing interest and concern with a product, moreover, these consumers can be expected to develop expertise and extended knowledge structures for that product category, which they can then draw upon during specific episodes, such as information search,

²³⁴ See, e.g., *Interstellar Starship Servs. v. Epix, Inc.*, 125 F. Supp. 2d 1269, 1277–78 (D. Or. 2001) (holding that hobbyists are grouped into the category of “*expert*” buyers for sophistication purposes).

²³⁵ 895 F. Supp. 616 (S.D.N.Y. 1995).

²³⁶ *Id.* at 619–20.

²³⁷ *Id.* at 634.

²³⁸ See *id.* (holding that “*customers of musical recordings are necessarily discriminating as between jazz and hip-hop, and are not likely to suffer confusion in the same manner as customers who might purchase less easily differentiated goods bearing confusingly similar trademarks*”).

²³⁹ See, e.g., *Altira Group LLC v. Philip Morris Co.*, 207 F. Supp. 2d 1193, 1202–03 (D. Colo. 2002) (characterizing SEC accredited individuals as sophisticated consumers); *Haven Capital Mgmt., Inc. v. Havens Advisors, L.L.C.*, 965 F. Supp. 528, 531 (S.D.N.Y. 1997) (stating investors who put large amounts of money into high risk investments know the brokers they deal with and are unlikely to be confused); *McGraw-Hill, Inc. v. Comstock Partners, Inc.*, 743 F. Supp. 1029, 1036 (S.D.N.Y. 1990) (finding that investors and managers of large funds too sophisticated to confuse investment management service with investment data transmission service). *But see* *Towers v. Advent Software, Inc.*, 17 U.S.P.Q.2d 1471, 1473 (T.T.A.B. 1989), *aff'd*, 913 F.2d 942 (Fed. Cir. 1990) (finding PROFESSIONAL PORTFOLIO confusingly similar to THE PROFESSIONAL PORTFOLIO SYSTEM even though customers are sophisticated investment professionals).

²⁴⁰ Robin A. Higie & Lawrence F. Feick, *Enduring Involvement: Conceptual and Measurement Issues*, in 16 ADVANCES IN CONSUMER RESEARCH 690, 690 (Thomas K. Srull ed., 1989).

product evaluation, and product purchase.²⁴¹ Given the resource of these more extensive knowledge structures and the greater personal salience of the product category, these consumers will, in general, be facilitated in their search sophistication when parsing details and differences between brands. Overall, and in general resonance with the courts' view, these consumers should be less likely to become confused.

As with other factors relevant to the degree of consumer care, however, the buyer's vocational or avocational interest in the transaction should not be considered in isolation. In some circumstances, the enhanced *capability* and *enduring involvement* of the professional or hobbyist consumer will be augmented by other factors in the cognition function. For some such consumers, for example, situational involvement and opportunity elements will further contribute to the degree of consumer care.

Consider the case of *Astra Pharmaceutical Products, Inc. v. Beckman Instruments, Inc.*,²⁴² in which the plaintiff sought to enjoin the defendant's use of the ASTRA trademark on its computerized blood analyzer machine.²⁴³ The starting point for the court's analysis of the degree of consumer care was the assertion that the relevant buyer class consisted of "hospital chemistry labs" and the "pathologist," "chemist," and "chief laboratory technologist" employed in those labs.²⁴⁴ That fact alone implicates some degree of enduring involvement and increased capacity, which in turn would indicate relatively high levels of care (all other things being equal).

But in the *Astra* case, these indicators of the exercise of consumer care would merely be augmented by other factors. First is the motivation for situational involvement engendered by financial and performance risks: The purchase of a machine worth thousands of dollars is obviously not done on an impulse, and involves a careful consideration of the reliability and dependability of the manufacturer and seller of the product.²⁴⁵ In addition, the purchase transaction for the ASTRA machine involved *compelled*

²⁴¹ Glenn L. Christensen & Jerry C. Olson, *Involved with What? The Impact of Heterogeneity in Goal Hierarchies on High Enduring Involvement*, in 28 *ADVANCES IN CONSUMER RESEARCH* 392, 393 (Mary C. Gilly & Joan Meyers-Levy eds., 2000) (describing the developing and evolving knowledge structures of highly involved consumers); see also Joseph W. Alba & J. Wesley Hutchinson, *Dimensions of Consumer Expertise*, 13 *J. CONSUMER RES.* 411, 415 (1987) (analyzing the extensive knowledge structures of experts and the facilitative effects those structures enable).

²⁴² 718 F.2d 1201 (1st Cir. 1983).

²⁴³ *Id.* at 1203-04.

²⁴⁴ *Id.* at 1206.

²⁴⁵ *Id.*

opportunity for care: —It takes from three months to a year to consummate the sale of a[n analyzer], involving an average of 55 hours of personal contact between lab personnel and sales representatives.”²⁴⁶ Thus, in some circumstances, as in the *Astra* case, the usual presumption of a high level of care for professional buyers will be enhanced by other factors.

The presumption may not hold in other cases, however. Although professional buyers will be predisposed to heightened *enduring involvement* in purchases falling within the ambit of their interests, that predisposition would not extend equally across all such purchases. If the laboratory technologist in *Astra* is also involved in purchasing bathroom supplies for the hospital, for example, he should not be expected to exercise the same level of care for those purchases as he would with respect to the purchase of the blood analyzer. In one sense, the technologist is the same —“professional,” —sophisticated” person, regardless of the nature of the transaction. But as our model indicates, the relevant inquiry should focus on the technologist’s *motivation* and *opportunity* for care under the circumstances, not on his level of professional training or expertise in the abstract. And with respect to bathroom supplies, the technologist would perceive only minimal *financial* and *performance risk* and would possess little, if any, *capability* advantages or compelled *opportunities* for extended involvement.

A similar line of analysis provides a possible ground for resolving a conflict in the case law over the degree of care exercised in the alcoholic beverage market. Although beer buyers have long been thought to act on impulse,²⁴⁷ one court famously asserted that crème de menthe liquor purchasers would exercise —a greater degree of sophistication and care than might be true in their purchase of other merchandise.”²⁴⁸ Professor McCarthy finds it —impossible” to reconcile these cases, —except on the unjustified assumption that crème de menthe is a sophisticated drink, while beer is mundane.”²⁴⁹ In contrast, our model provides a framework for moving beyond stereotypes about the relative sophistication of these products and (perhaps) for reconciling the cases.

²⁴⁶ *Id.*

²⁴⁷ *See, e.g.,* Miller Brewing Co. v. G. Heileman Brewing Co., 427 F. Supp. 1192, 1197 (W.D. Wis. 1977).

²⁴⁸ *Societe Anonyme, Etc. v. Julius Wile Sons & Co.*, 161 F. Supp. 545, 548 (S.D.N.Y. 1958).

²⁴⁹ MCCARTHY, *supra* note 2, § 23:99.

The key question is whether crème de menthe purchasers may be expected to have greater motivation or greater opportunity than a beer buyer, or both. In the crème de menthe case, the court proffered one basis for conceptualizing this distinction: Crème de menthe —generally involves an exercise of personal taste” that is different from that implicated by the purchase of a —mass produced low priced article[]” such as beer.²⁵⁰ Crème de menthe, in other words, may be a specialty item aimed at a niche market composed of enduringly involved consumers with a high degree of capability for cognition. As a —mass produced” article, beer is not.²⁵¹ Thus, even holding prices (and thus financial risk) equal, the crème de menthe purchaser may be more likely to exercise consumer care for reasons that have to do with the assumed target market for these products and not with whether one is inherently more —sophisticated” and the other —mundane.”²⁵²

2. Contextual Limitations on Enduring Involvement and Capability

While the involvement and capability presumed to be possessed by the professional buyer or avid hobbyist is facilitative, it is also circumscribed and contextual. Professional buyers may be expected to have more capability in their exercise of care for work-related purchases, and avid hobbyists can be assumed to be more capable within the ambit of their hobby. But the facilitative effects of this knowledge would be dramatically attenuated in areas outside of these buyers’ expertise.

For this reason, the courts have overplayed their hand in asserting that business executives are generally sophisticated merely —by virtue of their substantial business experience and advanced academic degrees.”²⁵³ Such analysis conflates two distinct sub-elements of opportunity: previous knowledge (a *capability* attribute) and educational attainment (a *capacity* attribute). An —advanced academic degree” is an indication—perhaps a weak

²⁵⁰ *Society Anonyme, Etc.*, 161 F. Supp. at 547–48.

²⁵¹ *See, e.g., In re Bercut-Vandervoort & Co.*, 229 U.S.P.Q. 763, 765 (T.T.A.B. 1986) (distinguishing wine from crème de menthe cordials and explaining that wine is a —commonly purchased product” that is —purchased by ordinary adult consumers for a variety of reasons, such as for parties, to drink as an accompaniment to a meal and the like”).

²⁵² We cannot pretend to know whether the niche market or enduring involvement label properly applies to crème de menthe liquor. But if there is a proper ground for reconciling these cases, it is on this basis, and future litigation in this area should focus on this question and not on some inherent —quality” of the product category—a course already charted in some of the recent cases. *See Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 1376 (Fed. Cir. 2005) (concluding that champagne and sparkling wines are purchased by —general consumers, not just connoisseurs”).

²⁵³ *Beneficial Corp. v. Beneficial Capital Corp.*, 529 F. Supp. 445, 449–50 (S.D.N.Y. 1982).

one—of enhanced *capacity* (computer ~~—hardware,~~” to recall the analogy above²⁵⁴) resulting from the processing skills, strategies, methods, and experience gained through education. ~~—Business experience,~~” however, goes to *capability* (~~—software~~”) derived from the increased knowledge structures acquired on the job. The advanced degree might give a general assurance of enhanced opportunity across the board, but ~~—business experience~~” would not. Experience would facilitate careful processing only if the knowledge gained from that experience is relevant to the information processing at hand. In short, highly educated, experienced business executives may lack motivation and ability in some of their purchases; there is no reason to expect such consumers to be more careful across the board.

Consider the doctor consumers in the *Columbia/HCA Healthcare* case.²⁵⁵ Their education provides some general indication of their capacity for exercising consumer care across all purchases. But their experience in ~~—deciding~~ which hospitals with which to affiliate themselves and to which they send their patients²⁵⁶ is highly circumscribed and contextual. That ~~—expertise~~” or ~~—sophistication~~” would therefore be irrelevant in a trademark infringement case arising outside of the hospital setting.

The more general caveat mentioned above also bears repeating here: It is likely that there are situations where the consumer’s professional interest in the product and more developed knowledge structures may lead her to become *more confused*. In other words, high enduring involvement may not be unidirectional or monotonic in reducing the likelihood of confusion. A professional buyer, for example, might be more likely to assume a connection between a junior and senior trademark in a new, brand-extended market. Consider the *YKK zipper* case²⁵⁷ mentioned above. A professional zipper buyer would be more familiar with the YKK brand than a typical retail purchaser and, thus, might be *more likely* to be confused by an unauthorized junior use of the YKK name in connection with fabrics or materials used by the clothing, wetsuit, and sleeping bag manufacturers who buy YKK zippers. Since enduring involvement can be expected to cue a false connection that might not occur to less ~~—sophisticated~~” consumers, and the exercise of consumer care may not dispel that connection in the case of an apparently

²⁵⁴ See *supra* text accompanying notes 124–28.

²⁵⁵ 964 F. Supp. 733 (S.D.N.Y. 1997).

²⁵⁶ *Id.* at 748–49.

²⁵⁷ *YKK Corp. v. Jungwoo Zipper Co.*, 213 F. Supp. 2d 1195 (C.D. Cal. 2002).

identical junior use,²⁵⁸ the “careful,” “sophisticated” consumer is the one most likely to be confused in this context.

E. Education, Income, Age, Gender

The courts have also identified some secondary considerations that are thought to correlate with consumer care or sophistication. Among the considerations identified by the courts are education, income, age, and gender. On some points, this line of cases finds some general support in the consumer behavior model. Again, however, the case law is plagued by overgeneralizations that could be avoided by a more complete understanding of the determinants of the exercise of consumer care during the source-identification judgment.

1. Education

In cases where the target consumer is seen as highly educated, the courts consistently presume that consumer care is high.²⁵⁹ Although the basis for the presumption is seldom explored in any detail, the courts routinely find a high degree of sophistication where the typical consumer has a “college education[,]”²⁶⁰ is “well educated,”²⁶¹ or even is “undoubtedly literate.”²⁶²

These conclusions find general support in the consumer behavior literature. Formal education has been shown to improve capacity for careful processing by improving a consumer’s processing strategies, problem-solving skills, and ability to parse complex information.²⁶³ Thus, as the consumer’s level of education increases, so too should her opportunity to exercise consumer care.

²⁵⁸ See, e.g., *In re New Archery Products Corp.*, 218 U.S.P.Q. 670, 672 (T.T.A.B. 1983) (finding that purchasers of fishing and hunting equipment are apt to be discriminating purchasers, but nevertheless could be confused as to the connection between RAZORBACK 5 as a mark for arrowheads and RAZORBACK for fishing lures).

²⁵⁹ See, e.g., *WE Media, Inc. v. Cablevision Sys. Corp.*, 94 F. App’x. 29, 32 (2d Cir. 2004) (finding targeted audience of women with college education less likely to be confused); *Girl Scouts of U.S. v. Bantam Doubleday Dell Publ’g Group, Inc.*, 808 F. Supp. 1112, 1130 (S.D.N.Y. 1992) (noting that purchasers of children’s books are “undoubtedly literate” and “not necessarily ‘unsophisticated’” despite the low price of the books); *Inc. Publ’g Corp. v. Manhattan Magazine, Inc.*, 616 F. Supp. 370, 381 (S.D.N.Y. 1985) (finding that consumers of business magazines were sophisticated where “demographic studies in evidence show that readers . . . tend to be well educated, affluent, and commercially successful”).

²⁶⁰ *WE Media*, 94 F. App’x at 32.

²⁶¹ *Inc. Publ’g Corp.*, 616 F. Supp. at 381.

²⁶² *Girl Scouts of U.S.*, 808 F. Supp. at 1130.

²⁶³ JUTTA HECKHAUSEN & CAROL S. DWECK, *MOTIVATION AND SELF-REGULATION ACROSS THE LIFE SPAN* 258 (1998).

But that does not mean that the highly educated consumer will always be careful or sophisticated. Enhanced opportunity is only one element of our model of consumer care—an element that by itself is insufficient to predict the level of care that will be exercised by consumers. Even a highly educated (and thus adeptly capable) consumer will not engage in careful processing in all of her decisions. There must also be some motivation as a necessary condition for consumer care.

Some of the above-cited cases fail to acknowledge this important nuance. Consider the case of *Girl Scouts of the United States v. Bantam Doubleday Dell Publishing Group*.²⁶⁴ The plaintiff in that case (the Girl Scouts) challenged the defendant's sale of a line of children's books bearing the title —PeeWee Scouts."²⁶⁵ In the course of granting the defendant's motion for summary judgment, the court rejected the plaintiff's argument that purchasers of the defendant's low-priced books were unsophisticated.²⁶⁶ Although the court acknowledged that books ranging in price from \$2.50 to \$2.75 —ight be categorized as impulse buys," it nonetheless found that defendant's consumers —ar not necessarily unsophisticated," since —purchasers of children's books are undoubtedly literate," and —undoubtedly they have in mind supplying quality reading material to a five or six year old."²⁶⁷

Literacy and education are not sufficient conditions for the exercise of consumer care in and of themselves. Unless the buyer of a low-priced children's book has some degree of motivation to investigate the source of the book, no amount of literacy or education should be expected to diminish the likelihood of confusion. Indeed, in the *Girl Scouts* case, the consumer's supposed goal of —upplying quality reading material"²⁶⁸ might, if anything, *increase* the likelihood of sponsorship confusion where (1) the Girl Scouts trademark has acquired goodwill and a reputation for quality; and (2) the book title's name on its face suggests some connection with the Girl Scouts. In the absence of financial risk or any other significant motivation for exercising consumer care, the —iterate" consumer's supposed enhanced capacity is by no means a guarantee of a high level of care.

²⁶⁴ 808 F. Supp. 1112.

²⁶⁵ *Id.* at 1114–16.

²⁶⁶ *Id.* at 1129–30.

²⁶⁷ *Id.*

²⁶⁸ *Id.*

The district court's decision in *Inc. Publishing Corp. v. Manhattan Magazine, Inc.*²⁶⁹ is similarly flawed. In that case, the court found that purchasers of business magazines were "sophisticated," given that "readers who subscribe to [such] magazines are successful, educated, relatively affluent, business or profession-oriented people."²⁷⁰ Such demographic evidence goes only to capacity; if there are no risk factors sufficient to engender motivation (since magazines are low-priced impulse products), there is no reason to anticipate a high degree of consumer care in the purchase of the magazine—even if the magazine's readers might generally be seen as "sophisticated."

This is not to say that the courts necessarily erred in finding in favor of the defendants in the *Girl Scouts* or *Inc. Publishing* cases. It may well be that the likelihood of confusion was insufficient in those cases to support a judgment for the plaintiffs. But if that is the right outcome, it is because other factors in the likelihood of confusion calculus outweigh the low degree of consumer care—not because consumer care is high. In the *Inc. Publishing* case, for example, the court found that the title and logo of the defendant's magazine ("Manhattan, inc., The Business of New York") was sufficiently different from the plaintiff's ("Inc., The Magazine for Growing Companies") to sustain a finding that confusion was unlikely.²⁷¹ And in the *Girl Scouts* case, the court found that "Here [was] little similarity between Defendants' books"—which were about "a fictional entity with a name different from those of Plaintiffs' organizations"—and the Girl Scouts' trademarks.²⁷² Those findings seem sensible (and probably correct), but that does not justify the courts' make-weight assessment of the degree of consumer care where that assessment is not sustainable on its own merits and may distort the development of the law in future cases.

2. Income

Occasionally, the courts have also suggested a connection between sophistication and income or wealth. The Southern District of New York has sometimes adverted to the notion that consumers "from low income groups" may be "less sophisticated shoppers than wealthier purchasers."²⁷³ However,

²⁶⁹ 616 F. Supp. 370 (S.D.N.Y. 1985).

²⁷⁰ *Id.* at 396.

²⁷¹ *Id.* at 380–81.

²⁷² 808 F. Supp. at 1124.

²⁷³ *Schieffelin & Co. v. Jack Co. of Boca*, 850 F. Supp. 232, 250 (S.D.N.Y. 1994); *see also* *Citibank, N.A. v. Citytrust*, 596 F. Supp. 369, 373 (E.D.N.Y. 1984) (identifying an instance of actual confusion in the record

the case law is hardly uniform on this point, and more recent decisions seem to point in precisely the opposite direction.

In the *Schieffelin & Co. v. Jack Co. of Boca*, the Southern District of New York acknowledged that consumers of the defendant's DOM POPINGNON popcorn, sold in champagne bottles bearing labels resembling the plaintiff's DOM PERIGNON mark, were unsophisticated, low-income consumers.²⁷⁴ Similarly, in *Planned Parenthood v. Bucci*,²⁷⁵ the same court conceded that the target consumers for Planned Parenthood's services were "low income, relatively unsophisticated women."²⁷⁶ Although the court in both cases ultimately found that even these low-income consumers could be thought to exercise a degree of care under the specific circumstances presented, the court did not question the general premise that consumer care rises and falls with wealth or income.²⁷⁷

The same court was a little more skeptical about the import of consumer wealth in *Reebok International Ltd. v. K-Mart Corp.*²⁷⁸ In that case, Reebok accused K-Mart of infringing its trademarks and trade dress in the sale of K-Mart's low-priced TITAN athletic shoes, asserting (among other things) that the budget-minded K-Mart consumer was unsophisticated.²⁷⁹ The court distanced itself in part from the above-quoted pronouncements on wealth and sophistication, finding a lack of support in the evidence for the proposition "that the K-Mart customer is necessarily unsophisticated."²⁸⁰ In the *Reebok* court's view, it is "more than a little elitist to believe that K-Mart shoppers fail to exercise care merely because they shop at a discount store," and it may even

and noting that such consumer "might fairly be characterized as sophisticated if there is a correlation between accumulation of wealth and sophistication").

²⁷⁴ 850 F. Supp. at 250.

²⁷⁵ 42 U.S.P.Q.2d 1430 (S.D.N.Y. 1997).

²⁷⁶ *Id.* at 1439.

²⁷⁷ In *Schieffelin*, the court found that a buyer of defendant's product likely would do so only "after viewing the bottle carefully, grasping the joke, and seeking to share it with others." 850 F. Supp. at 250. In *Planned Parenthood*, the court found that although Planned Parenthood's low-income consumers were generally unsophisticated, the target sub-group at issue in the case had "Internet access," and thus could be thought to be "more sophisticated." 42 U.S.P.Q.2d at 1439. Ultimately, however, the *Planned Parenthood* court found that the consumers in question "may not be so immediately perspicacious" as to the fact that the registrant of the plannedparenthood.com domain name was not Planned Parenthood, but a radio talk show host attempting to advance an anti-abortion message. *Id.* at 1439.

²⁷⁸ 849 F. Supp. 252 (S.D.N.Y. 1994).

²⁷⁹ *Id.* at 268.

²⁸⁰ *Id.*

be the case that —shoppers with limited budgets use more care in spending their more limited resources than shoppers at non-discount stores.”²⁸¹

In response to the *Schieffelin* court’s conclusions regarding the DOM PERIGNON trademark, the *Reebok* court conceded that —low income purchasers might have less familiarity with purchase of a super-luxury item such as a \$100 bottle of champagne than would wealthy consumers,” but otherwise expressed its disagreement with the —implication that there is a direct relationship between income and consumer intelligence.”²⁸² Thus, the *Reebok* court pointedly concluded that —[c]areless shopping habits are not a necessary by-product of low income.”²⁸³

Our model suggests that income and wealth are poor predictors of the exercise of consumer care. Unless income or wealth affects motivation or opportunity, there is no theoretical basis for expecting a positive correlation with the degree of consumer care. We see no a priori reason to find a positive relationship between income or wealth, on one hand, and motivation or opportunity, on the other, and thus, no basis for adopting the presumption that —low income groups” are —less sophisticated shoppers than wealthier purchasers.”²⁸⁴

With respect to motivation, the *Reebok* court’s opposite presumption finds some degree of support in our model. A low-income consumer may perceive relatively higher financial risk in a given purchase than her wealthier counterpart. Indeed, the low-income consumer’s increased financial risk might even be exacerbated by increased performance or time risk—because, for example, a low-income consumer has less experience with a product category or expects to replace the product less frequently. Consider the DOM PERIGNON example addressed by the *Reebok* court.²⁸⁵ The low-income

²⁸¹ Compare *id.* with *Crain Commc’ns, Inc. v. Fairchild Publ’ns, Inc.*, 12 U.S.P.Q.2d 1214, 1216 (E.D. Mich. 1989) (asserting that —intelligence insures neither accurate perception nor care in purchasing,” and that —[i]n fact, intelligent wealthier consumers may be more inclined to impulse purchasing because the price is insignificant”).

²⁸² 849 F. Supp. at 268 n.18.

²⁸³ *Id.*

²⁸⁴ *Schieffelin & Co. v. Jack Co. of Boca*, 850 F. Supp. 232, 250 (S.D.N.Y. 1994); see also *Telemed Corp. v. Tel-Med, Inc.*, 588 F.2d 213, 220 (7th Cir. 1978) (“Defendants gear their program not to the discriminating professional but rather to the public in general, especially those members in the lower income, less sophisticated _market.”); *Citibank, N.A. v. Citytrust*, 596 F. Supp. 369, 373 (E.D.N.Y. 1984) (identifying an instance of actual confusion in the record and noting that such consumer —might fairly be characterized as sophisticated if there is a correlation between accumulation of wealth and sophistication”).

²⁸⁵ 849 F. Supp. at 268 n.18.

consumer may perceive relatively greater financial risk since a \$100 purchase may have a greater impact on her bottom line. The same consumer may also perceive heightened performance risk, since she may have less experience and expertise in purchasing \$100 champagne.²⁸⁶ For these reasons, the low-income consumer may be *more* highly motivated to exercise consumer care, all other things being equal.²⁸⁷

That leaves the question of opportunity. To our knowledge, there is no support in the consumer behavior literature for any necessary connection between capacity or capability and income or wealth. In fact, research findings suggest that income is unrelated to a need for cognition.²⁸⁸

That is not to say that neither income nor wealth could ever be shown to correlate meaningfully with opportunity. In certain circumstances, a target group of wealthy consumers might be expected to exhibit a high level of capacity for careful processing where the wealthy consumers are also highly trained or educated. Alternatively, a wealthy clientele might be shown in a certain case to have relatively greater experience with certain purchases, and that fact could likewise be deemed to translate into increased capacity.²⁸⁹ The DOM PERIGNON champagne example fits in well here.²⁹⁰ If consumers of \$100 champagne have relatively greater experience in such purchases, they may have acquired more effective knowledge structures for processing the information necessary to make an informed purchase. Specifically, wealthier

²⁸⁶ In this sense, the *Reebok* court's acknowledgement that "low income purchasers might have less familiarity with purchase of a super-luxury item such as a \$100 bottle of champagne," *id.*, serves only to further undermine the presumption of a positive correlation between income/wealth and consumer care. Since a lack of purchase experience can trigger an increased perception of performance risk, the inexperienced low-income consumer may be even more highly motivated to engage in extended cognition. For reasons explained below, however, inexperience may cut in the opposite direction when it comes to the opportunity construct. See *infra* text accompanying notes 288–89.

²⁸⁷ Continuing the champagne example, there is one risk factor that conceivably could be thought to correlate positively with wealth/income: social risk. See *Schieffelin & Co.*, 850 F. Supp. at 250. If it could be shown that wealthy consumers are more likely to be motivated by a concern that they may be judged socially by the champagne that they purchase, then this factor could militate back in favor of finding greater motivation for care by higher-income consumers. See *id.* Although that possibility should be evaluated in the specific circumstances of an individual case, it is hardly support for a general presumption of increased care by wealthy purchasers.

²⁸⁸ Cacioppo et al., *supra* note 90, at 217.

²⁸⁹ Thus, the consumer's relative level of experience cuts in opposite directions under our model: a lack of experience may fuel greater motivation in response to an increased performance risk in the face of uncertainty, but at the same time the highly motivated, inexperienced consumer may be relatively less capable of engaging in extended cognition.

²⁹⁰ See *Schieffelin & Co.*, 850 F. Supp. at 250.

consumers may be more familiar with the appearance of the genuine article, and they may thus have greater capacity for distinguishing imitations.

Ultimately, these points underscore the need to evaluate capacity and capability directly, without consideration of consumer income or wealth. The target class of consumers may well possess an enhanced opportunity for careful processing, but that opportunity would stem not from their income or wealth, but from their education or experience. And in any event, any enhanced opportunity would be an inadequate condition by itself for the exercise of consumer care; motivation is a necessary precondition for consumer care, and the wealthy consumer is, if anything, less motivated to be careful.

3. *Age*

The courts have frequently assumed a positive correlation between age and consumer care. Older consumers are generally thought to be sophisticated,²⁹¹ while younger consumers are conceived as relatively careless.²⁹² Thus, in a series of cases, the courts have found that where ~~children~~ are the ultimate consumers⁴ of a product, they are not likely sophisticated enough to differentiate between . . . two different manufacturers.²⁹³ Such cases include those involving trading cards,²⁹⁴ magazines,²⁹⁵ pop music records,²⁹⁶ and clothing.²⁹⁷

²⁹¹ See, e.g., *Banfi Prods. Corp. v. Kendall-Jackson Winery, Ltd.*, 74 F. Supp. 2d 188, 199 (E.D.N.Y. 1999) (finding consumers of wine, who are likely to be older than the general population, to be relatively sophisticated).

²⁹² See, e.g., *Blake Publ'g Corp. v. O'Quinn Studios, Inc.*, 202 U.S.P.Q. 848, 858 (S.D.N.Y. 1979).

²⁹³ *Chrysler Corp. v. Newfield Publ'ns, Inc.*, 880 F. Supp. 504, 510 (E.D. Mich. 1995) (quoting *Educ. Testing Serv. v. Touchstone*, 739 F. Supp. 847, 853 (S.D.N.Y. 1990)).

²⁹⁴ See *Chrysler Corp.*, 880 F. Supp. at 511 (concluding that ~~young~~ boys between the ages of 8 and 14, "the target market for defendant's automobile trading cards, are ~~not~~ sophisticated enough to differentiate between [defendant's cards and those] licensed by Plaintiffs").

²⁹⁵ See *Blake Publ'g* 202 U.S.P.Q. at 858 (finding a lack of sophistication in a market involving magazines aimed at young teens, asserting that ~~children~~ under 16 . . . are not likely to bring a great deal of care and sophistication to their purchasing decisions").

²⁹⁶ See *Gen. Foods Corp. v. Mellis*, 203 U.S.P.Q. 261, 263 (S.D.N.Y. 1979) (concluding that consumers of pop music records, sold under the title ~~the~~ "Pop Rock King" and marketed along with a package of plaintiff's Pop Rocks candy, were unsophisticated since the ~~consuming~~ universe to which the products are directed is that of children").

²⁹⁷ See *Toys 'R' Us, Inc. v. Canarsie Kiddie Shop, Inc.*, 559 F. Supp. 1189, 1199 (E.D.N.Y. 1983) (finding that ultimate consumers of children's clothing are children, who are presumed to be unsophisticated).

*Toys „R“Us, Inc. v. Canarsie Kiddie Shop, Inc.*²⁹⁸ demonstrates the courts' willingness to assume that younger consumers are careless. In this case, the court had to decide whether the defendant's use of the KIDS _R_ US mark in selling "moderately priced clothing articles" was in competition with the plaintiff's TOYS _R_ US mark.²⁹⁹ In the course of finding a sufficient likelihood of confusion among an appreciable number of consumers, the district court adverted to the notion of a "common, if not nagging, experience of parenthood" involving "the coercion of children that their clothing be of a current style and purchased in a designated place."³⁰⁰ In the court's view, such "vigorous promptings of children to which parents not infrequently succumb make the children, in reality, the true purchasers," resulting in a "lowering of the level of sophistication."³⁰¹

At least one court has questioned the notion of the careless child consumer. In *E.S. Originals, Inc. v. Stride Rite Corp.*,³⁰² the court found a relatively high level of sophistication among the ultimate consumers of children's athletic shoes.³⁰³ While acknowledging "cas authority to the effect that children's coercive requests must be considered in evaluating the sophistication of the purchaser of certain children's goods,"³⁰⁴ the court nonetheless rejected the proposition that "sophistication of the purchaser is necessarily diminished because the product is targeted to children."³⁰⁵ Specifically, the court suggested that "[a] child carefully programmed by an effective advertising campaign" may be the consumer that is "most likely to insist on the advertised product and is not likely to accept a substitute," and concluded that "the sophistication issue may cut against" the plaintiff.³⁰⁶

The consumer behavior literature suggests that cognitive capacity increases non-monotonically with age—i.e., that as children mature into adults, they gain a greater processing capacity, which eventually diminishes with old age.³⁰⁷ But that phenomenon alone cannot support a general presumption that the child consumer is necessarily careless. In some cases, a child may be highly

²⁹⁸ *Id.*

²⁹⁹ *Id.*

³⁰⁰ *Id.*

³⁰¹ *Id.*

³⁰² 656 F. Supp. 484 (S.D.N.Y. 1987).

³⁰³ *Id.* at 492 n.14.

³⁰⁴ *Id.* (citing *Toys „R“Us, Inc.*, 559 F. Supp. at 1193–94).

³⁰⁵ *E.S. Originals Inc.*, 656 F. Supp. at 492 n.14.

³⁰⁶ *Id.*

³⁰⁷ See *supra* text accompanying notes 128–30.

motivated to exercise a high level of care despite diminution in capacity. Our model also counsels, however, against embracing the opposite presumption—that the child consumer is the one ~~most~~ likely to insist on the advertised product and . . . not likely to accept a substitute.³⁰⁸ This may or may not be true, and depends (among other things) on whether perceived risk factors correlate with age. It seems plausible, for example, that younger consumers may sometimes be more susceptible to concerns about social risk—to the peer pressure associated with having the ~~right~~ “right” brand of clothing, consumer electronics, or other products. Children may also be more prone to perceive financial risk to the extent their wealth is lower than their adult counterparts. Thus, younger consumers may possess diminished capacity for extended cognition, but in some circumstances they may be more highly motivated to perform the source-identification judgment with accuracy.

Consider the above-cited cases involving trading cards, magazines, and pop music records.³⁰⁹ These are relatively low-priced items, involving little financial risk.³¹⁰ Perhaps more importantly, the trading card, magazine, and pop record cases arguably did not implicate any significant *social risk* on the part of the child consumer. In the trading card case, the court noted that the defendant’s cards bearing photographs of world-famous cars were simply indistinguishable from the ~~cars~~ cars licensed by Plaintiffs.³¹¹ For the child consumer, the significance of that fact is that there is no social risk associated with being ~~caught~~ caught by one’s peers in possession of a cheap knockoff of the original. As to the ~~King of Pop~~ “King of Pop” record marketed by the defendant in the *General Foods* case, the plaintiff did not compete in the business of selling records (but rather sold only Pop Rocks candy),³¹² so again the social risk associated with owning a knockoff arguably was not implicated.

Contrast the child consumer in the *Stride Rite* case. In that case the court found that the plaintiff’s ~~Zips~~ “Zips” shoes had become ~~something~~ something of a status symbol among children aged two to eleven.³¹³ In those circumstances, the court may well have been right to find that the target consumers were those ~~most~~ most likely to insist on the advertised product and . . . not likely to accept a

³⁰⁸ *E.S. Originals Inc.*, 656 F. Supp. at 491.

³⁰⁹ See *supra* notes 294–96 and accompanying text.

³¹⁰ This conclusion may be mitigated somewhat by the fact that child consumers are generally less wealthy than adult purchasers—a consideration that suggests that children may perceive greater financial risk than adults would for similarly priced items.

³¹¹ *Chrysler Corp. v. Newfield Publ’ns, Inc.*, 880 F. Supp. 504, 511 (E.D. Mich. 1995).

³¹² *Gen. Foods Corp. v. Mellis*, 203 U.S.P.Q. 261, 261–62 (S.D.N.Y. 1979).

³¹³ *E.S. Originals Inc.*, 656 F. Supp. at 492.

substitute.”³¹⁴ But these consumers’ “sophistication” is not connected to age per se; it comes from the “status symbol” point, which translates into a high level of perceived social risk by young consumers.³¹⁵

Ultimately, then, the results of many of the age cases are sustainable under the consumer behavior model, but the courts’ rhetoric is overbroad. Instead of embracing a general presumption of carelessness (or sophistication) on the part of the child consumer, the courts should look carefully at the consumer’s motivation and opportunity to exercise care. Where there are no substantial risk factors triggering enhanced motivation (as in the trading card, magazine, and pop music record cases), the child consumer’s diminished capacity for cognition could be expected to produce a relatively careless purchase. In other cases, however, such as the clothing cases where social risk is a significant possibility, the child consumer’s motivation may be sufficient to generate a high level of care.³¹⁶

Indeed, where the parent is the actual buyer and the child is the end consumer, the child’s diminished capacity may be practically irrelevant, as it is the parent (vicariously moved by the child’s motivation) whose *capacity* is employed to effect the ultimate purchase.³¹⁷ Thus, where the child consumer is sufficiently motivated to engage in a careful transaction, we may expect a “sophisticated” transaction regardless of the end-consumer’s youth. This conclusion will hold so long as the child consumer has sufficient capacity to generate the “aging . . . coercion”³¹⁸ necessary to persuade her parents to effect the transaction on her behalf.

³¹⁴ *Id.* at 491 n.14.

³¹⁵ Another example is *Original Appalachian Artworks, Inc. v. Blue Box Factory*, 577 F. Supp. 625, 632 (S.D.N.Y. 1983). In that case, the plaintiff asserted an unfair competition claim against the defendant’s knockoff of the plaintiff’s Cabbage Patch Kids doll, and the court found a relatively high degree of consumer care. The court’s analysis—that the parent’s care in looking “for a label that clearly identifies the doll by name” is triggered by the knowledge “that the child will be bitterly disappointed by an imitation,” *id.*—can easily be stated in social risk terms. If the child consumer fears being judged socially when her peers find her in possession of an imitation of the genuine article, there may be sufficient motivation for a careful purchase even where the ultimate consumer rates relatively low on the capacity scale.

³¹⁶ An important caveat here is that it is *perceived* risk that triggers motivation, and that a relatively wealthy child consumer may perceive greater financial risk in low-priced purchases than their adult counterparts.

³¹⁷ The CABBAGE PATCH case illustrates this point. See *Original Appalachian Artworks, Inc.*, 577 F. Supp. 625. As the court noted, it is the parent who will ultimately be the one who “looks [carefully] for a label that clearly identifies the doll by name,” spurred on by the vicarious motivation “that the child will be bitterly disappointed by an imitation.” *Id.* at 631.

³¹⁸ *Toys ‘R Us, Inc. v. Canarsie Kiddie Shop, Inc.*, 559 F. Supp. 1189, 1199 (E.D.N.Y. 1983).

4. Gender

In a handful of cases, the courts have posited that women are more careful consumers than men. This proposition has been proffered most often in cases involving perfume,³¹⁹ skin care products,³²⁰ and apparel.³²¹ In *Nina Ricci, S.A.R.L. v. Gemcraft Ltd.*,³²² for example, the Southern District of New York concluded that “[w]omen who use expensive perfumes are discriminating and sophisticated consumers” who “know their perfume” and are “discriminating enough to notice the difference of the aroma of [defendant’s perfume] should they mistakenly use that product.”³²³ “Men who purchase expensive perfumes as gifts,” by contrast, were deemed “somewhat less discriminating” and apt to “buy and run.”³²⁴ Because both women and men may be in the market for purchasing perfume, the *Nina Ricci* court found that the sophistication factor “weigh[ed] only slightly in defendant’s favor.”³²⁵

A similar conclusion was advanced by the same court in *Avon Shoe Co. v. David Crystal, Inc.*³²⁶ *Avon Shoe* involved a defendant’s use of the HAYMAKER mark on sportswear—a use challenged by the plaintiff, who owned the registration of the HAYMAKERS mark for women’s casual shoes.³²⁷ Citing the Second Circuit’s decision in *Warner Bros. v. Jantzen*,

³¹⁹ See *La Cibeles, Inc. v. Adipar, Ltd.*, 2000 WL 1253240, at *12 (S.D.N.Y. 2000) (holding that “women tend to be sophisticated purchasers of perfume”) (quotations omitted); *Giorgio Beverly Hills, Inc. v. Revlon Consumer Prods. Corp.*, 869 F. Supp. 176, 185 (S.D.N.Y. 1994) (declaring that “it has been acknowledged that women tend to be sophisticated purchasers of perfume”); *Elizabeth Taylor Cosmetics Co. v. Annick Goutal, S.A.R.L.*, 673 F. Supp. 1238, 1246 (S.D.N.Y. 1987) (holding that because “there are really two groups of perfume consumers: women who buy the products for themselves and men who buy it as gifts for women[,]” there is some question as to sophistication because the female purchasers tend to be sophisticated while the male purchasers do not).

³²⁰ See *Clinique Labs., Inc. v. Dep Corp.*, 945 F. Supp. 547, 556 (S.D.N.Y. 1996) (“The evidence shows that most consumers of skin care products are women who take care in deciding what products to use on their skin, particularly the skin on their faces Under these circumstances, sophistication of consumers usually militates against a finding of likelihood of confusion.”).

³²¹ See *Kookai, S.A. v. Shabo*, 950 F. Supp. 605, 609 (S.D.N.Y. 1997) (finding that young women buyers of wearing apparel may be “sophisticated” and exercise care in buying, but they “are not professional clothing purchasers and cannot be expected to have the same level of knowledge as professionals”).

³²² 612 F. Supp. 1520 (S.D.N.Y. 1985).

³²³ *Id.* at 1529–30.

³²⁴ *Id.* at 1530.

³²⁵ *Id.*; see also *Conopco, Inc. v. Cosmair, Inc.*, 49 F. Supp. 2d 242, 257 (S.D.N.Y. 1999) (finding that “purchasers of expensive perfumes from high-end department and specialty stores, who are often assisted by retail selling specialists and beauty advisors, . . . are sophisticated and discriminating consumers”).

³²⁶ 171 F. Supp. 293, 303 (S.D.N.Y. 1959).

³²⁷ *Id.* at 295–96.

Inc.,³²⁸ the Southern District asserted that “[t]he courts will take judicial notice of a certain degree of sophistication of women purchasers.”³²⁹

Professor McCarthy characterizes these pronouncements as “an apparent bow to feminist superiority” and questions “the wisdom of such a sweeping judicial observation about relative sophisticated buying habits based on gender.”³³⁰ There may be reason to be skeptical about the breadth of the courts’ sweeping pronouncements, but the consumer behavior literature provides some support for the results (if not the generalizations) of the cases.

There is some support in the consumer behavior literature for the proposition that women may in fact be more careful consumers,³³¹ and our model suggests some possible theoretical grounds for this conclusion. Women may tend to be more situationally involved in certain kinds of purchases, because they tend to perceive heightened levels of risk. They may tend to be more enduringly involved in certain purchase processes, and they may possess greater capability because of their relatively greater experience (to the extent culture or other factors put them in the role of buyer more frequently than their male counterparts).

We do not pretend to know whether or to what extent these generalizations are accurate. For present purposes, our point is only that these factors could provide a theoretical explanation for a consumer sophistication “gender gap.” Returning again to the above-cited cases, it may be that women would be more careful consumers of perfume, skin care products, and apparel.³³² This would be true if women are more situationally involved in such purchases (because, for example, they perceive greater social risk in such purchases than men would tend to perceive); if women are more enduringly involved in such

³²⁸ 249 F.2d 353, 354 (2d Cir. 1957).

³²⁹ *Avon Shoe*, 171 F. Supp. at 303. In fact, the *Warner Bros.* case was not good authority for any sort of presumption of female superiority. The Second Circuit’s decision in that case instead only adverted to a general level of sophistication among all consumers (male and female)—on the rationale that “[i]nsistent American advertising, whatever its faults, has surely induced a certain degree of sophistication and wariness in us all.” *Warner Bros.*, 249 F.2d at 354.

³³⁰ MCCARTHY, *supra* note 2, § 23:99. *But see* Bartow, *supra* note 10, at 778 (expressing the “Author’s strong impressionistic reaction, provoked by exposure to numerous written opinions in the context of teaching courses in trademark law, . . . that judges will more readily find sufficient consumer confusion likely where the underlying products or services are female oriented in some manner”).

³³¹ Joan Meyers-Levy & Brian Sternthal, *Gender Differences in the Use of Message Cues and Judgments*, 28 J. MARKETING RES. 84, 86 (1991) (evaluating data from two experiments, which suggests that the genders differ in how they make judgments; concluding that, in comparison with men, women have a lower threshold for elaborating on message cues and thus make greater use of such cues in judging products).

³³² *See supra* notes 319–21.

purchases (because they are more “in tune” with these products than most men); or if they are simply better at making the source-identification judgment (which they may be if they have greater experience in buying these items). For these reasons, there may be a basis for the courts’ findings that women are more sophisticated consumers in these product categories.

F. Conclusion

The consumer behavior model provides an analytical framework for evaluating a wide range of considerations identified by the courts as relevant to the degree of consumer care. Under the light of our model, the courts can move beyond the rough, intuitive assertions that currently dominate judicial treatment of this issue and engage in a more theoretically sound evaluation. Although our model cannot quantify the expected impact of any particular risk factor or even dictate the relative weight to assign to factors that may point in different directions, it does provide a theoretical framework for understanding the relevance and qualitative impact of the above considerations on the degree of consumer care.

IV. THE CONSUMER BEHAVIOR MODEL AS A CONSTRUCT FOR EVALUATING THE RELEVANCE AND RELATIVE WEIGHT OF CONSUMER SOPHISTICATION AND CARE

The consumer behavior model also provides a basis for evaluating a number of the broader issues addressed by the case law described above. In the paragraphs below, we employ our model to analyze the case law regarding the relative weight to be assigned to the consumer sophistication factor in the likelihood of confusion calculus as well as the cases evaluating the significance of this factor in circumstances involving sponsorship confusion, post-sale confusion, and initial-interest confusion.

A. Consumer Sophistication: A Trump Card or a Factor of Minimal Significance?

On the question of the relative significance of the consumer sophistication factor, two apparently opposing positions have been staked out in the case law. The Fourth Circuit has assigned substantial—even controlling—weight to the degree of consumer sophistication.³³³ In the Fourth Circuit, the relative

³³³ *Sara Lee Corp. v. Kayser-Roth Corp.*, 81 F.3d 455, 467 (4th Cir. 1996).

sophistication of the market may trump the presence or absence of any other factor.”³³⁴ Thus, in *Perini Corp. v. Perini Construction, Inc.*,³³⁵ the court held that “in a market with extremely sophisticated buyers, the likelihood of consumer confusion cannot be presumed on the basis of the similarity in trade name alone.”³³⁶

Although the junior and senior marks were essentially identical in their use of the PERINI name, and the parties sometimes competed for the same jobs in the construction business, the *Perini* court reversed summary judgment for the plaintiff, primarily on the ground that the consumer sophistication factor was potentially dispositive:

The district judge below erred because he made no inquiry into the sophistication of the ordinary consumer of construction services—most likely a highly trained procurement professional whose sensitivity is heightened by the responsibility of sensibly spending millions of dollars. Evidence introduced by Perini Construction casts considerable doubt on the district court’s implicit assumption that construction services are procured on the basis of the name of the firm alone.³³⁷

The *Perini* court credited affidavits in the record, indicating that the multi-million dollar construction contracts that the parties competed for were unlikely to be awarded—simply on the basis of a similar name,” and that the sophisticated bidders for such contracts—placed a strong emphasis on intimate knowledge of each and every one of the companies to which it awarded contracts.”³³⁸ In light of this evidence, the Fourth Circuit in *Perini* concluded that “the sophistication and expertise of the usual purchasers [could] preclude any likelihood of confusion among them stemming from the similarity of trade names.”³³⁹ Callmann’s treatise on Unfair Competition expresses a similar view, positing that a high degree of consumer care is—sometimes—a factor[] of greater significance than the trademarks used.”³⁴⁰

The Sixth Circuit has stated the opposite conclusion—that “the effect of purchaser care, although relevant, will be less significant than . . . the similarity

³³⁴ *Id.*

³³⁵ 915 F.2d 121 (4th Cir. 1990).

³³⁶ *Id.* at 128.

³³⁷ *Id.* at 127.

³³⁸ *Id.* at 127–28.

³³⁹ *Id.* at 127.

³⁴⁰ CALLMANN, *supra* note 30, § 21:12.

of the marks at issue.”³⁴¹ The Second Circuit’s approach is similar. In *Kiki Undies Corp. v. Promenade Hosiery Mills, Inc.*,³⁴² the Second Circuit opined that “the import of this factor is small indeed,” at least in cases where the junior and senior marks are identical.”³⁴³

In the *Kiki Undies* case, the defendant had used the KIKI trademark on women’s tights in close proximity with the plaintiff’s use of the identical mark on pantyhose.³⁴⁴ Noting that the defendant had “put[] its tights in a transparent package, similar in size and shape to that of the plaintiff,” the court found that “the marks used by plaintiff and defendant [we]re not only similar but identical.”³⁴⁵ Under the circumstances, although “the sophistication of the buyers [was] not documented” in evidence, the court found that the consumer sophistication factor was of minimal relevance — “sum[ing] an average group of buyers.”³⁴⁶

A similar analysis was embraced by the Southern District of New York in *Habitat Design Holdings Ltd. v. Habitat, Inc.*³⁴⁷ In that case, the court considered the likelihood of confusion stemming from the junior use of the HABITAT trademark on furniture and lighting in conjunction with the senior use of the same mark on china and glassware.³⁴⁸ Although the court found that “the relative sophistication of purchasers of expensive furniture spans a broad spectrum,” including “both discriminating and casual . . . buyers,” it declined to give much weight to the consumer sophistication factor, stating that “the Second Circuit has noted that the importance of this criterion is minimal where the marks in question are identical.”³⁴⁹

³⁴¹ *Daddy’s Junky Music Stores, Inc. v. Big Daddy’s Family Music Ctr.*, 109 F.3d 275, 286 (6th Cir. 1997); *see also* *Therma-Scan, Inc. v. Thermoscan, Inc.*, 295 F.3d 623, 638 (6th Cir. 2002) (suggesting that “the significance of the likely degree of purchaser care . . . decreases considerably” when there is a “high degree of similarity between” the parties’ trademarks).

³⁴² 411 F.2d 1097 (2d Cir. 1969).

³⁴³ *Id.* at 1101.

³⁴⁴ *Id.*

³⁴⁵ *Id.* at 1100.

³⁴⁶ *Id.* at 1101. The Second Circuit followed a similar approach in *Omega Importing Corp. v. Petri-Kinen Camera Co.*, 451 F.2d 1190, 1195 (2d Cir. 1971), concluding that the competing use of the EXAKTA mark by both West German and East German manufacturers was likely to confuse even sophisticated consumers, and explaining that “purchaser inspection would be of doubtful value” where, “except for the reference to the place of manufacture, the names are identical.”

³⁴⁷ 436 F. Supp. 327, 331 (S.D.N.Y. 1977).

³⁴⁸ *Id.*

³⁴⁹ *Id.* at 332.

Our model provides a basis for reconciling these apparently opposing positions.³⁵⁰ In some limited circumstances (such as in *Perini*),³⁵¹ it may well be that a high degree of consumer sophistication will trump other factors—including the apparent identity of the parties' marks. In others (such as in *Habitat Design*),³⁵² the "import of this factor" will be "small indeed."³⁵³ Ultimately, our model indicates that the relative impact of the consumer sophistication factor will depend on the nature and degree of motivation and ability for the consumer to exercise care under the circumstances.

Consumer care will have its anticipated effect of diminishing the likelihood of confusion if, and only if, the consumer's exercise of care can be expected to reveal a distinction between the senior and junior sources. That may not happen if, for example, the junior mark is identical to the senior one and the consumer lacks adequate motivation to pursue an inspection beyond a simple comparison of the junior and senior labels. Consider the *Habitat Design* case, where any supposed sophistication of purchasers of "expensive furniture" was deemed to be of "minimal" significance.³⁵⁴ Such a finding can be explained by our model if there is inadequate motivation for the exercise of consumer care that would extend beyond a mere comparison of the parties' facially identical trademarks. That is apparently the case under the *Habitat Design* facts, given that the two marks "appear[ed] almost identical" to each other when "printed in a magazine or typed on a purchase order," and any enhanced motivation (stemming from financial or social risk) seems unlikely to be sufficient to produce the further investigation necessary to dispel the apparent connection between the junior and senior marks.³⁵⁵

Indeed, and more fundamentally, our model suggests that there is an oversimplification in the case law's treatment of consumer care and sophistication.

³⁵⁰ Professor Beebe's empirical study finds that the consumer sophistication factor may have a statistically significant impact on a court's evaluation of the likelihood of consumer confusion, but that the impact of this factor appears to be least significant in the Second Circuit. Beebe, *supra* note 13, at 1612, 1642–43. These empirical findings are consistent with the doctrinal exposition above, which shows the Second Circuit's reluctance to give substantial weight to the sophistication factor. But Beebe's empirical study leaves unanswered the question of whether (and when) sophistication *should* be a significant factor in the likelihood of confusion analysis. We turn to that question below, at least at a theoretical level (leaving for future study the crucial empirical question of whether and to what extent consumer sophistication really does impact the likelihood of confusion).

³⁵¹ *Perini Corp. v. Perini Constr., Inc.*, 915 F.2d 121,128 (4th Cir. 1990).

³⁵² *Habitat Design Holdings Ltd.*, 436 F. Supp. at 331.

³⁵³ *Kiki Undies Corp. v. Promenade Hosiery Mills, Inc.*, 411 F.2d 1097, 1101 (2d Cir. 1969).

³⁵⁴ *Habitat Design Holdings Ltd.*, 436 F. Supp. at 331.

³⁵⁵ *Id.* at 322.

The courts generally assert that a careful consumer is less likely to be confused as to source or sponsorship.³⁵⁶ But that conclusion follows only where the indicators of consumer care—motivation and ability—are likely to be directed at the source-identification judgment and not at something else. Since some highly motivated consumers may care mostly about price or some other consideration other than source, the so-called sophisticated consumer may not ultimately be one who is less likely to suffer source confusion.

Compare two “sophisticated” consumers of meat: one a professional buyer for a restaurant chain and the other a backyard barbeque aficionado. Both consumers may possess a similar quantum of motivation to expend cognitive resources in the purchase transaction, but the latter may be more likely to direct those resources toward the source-identification judgment. Some of the barbeque aficionado’s motivation may stem from social risk—from a concern about judgments by her peers about the brand of meat she uses. That motivation is directly related to source-identification—since the very risk at issue depends on an accurate performance of the source-identification judgment (i.e., buying the “right” brand). Where, as with “sophistication” cued by perceived social risk, the consumer’s motivation can be fulfilled only by cognitive efforts aimed at source-identification, the courts are on solid theoretical ground in inferring an inverse relationship between consumer care and confusion.³⁵⁷

The professional buyer’s motivation is less likely to be related to source identification. Much of the motivation for the professional buyer will stem from perceived financial risk, since the restaurant chain’s profits will depend on both the quality of the meat purchased and the price paid for it. If meat quality can be determined directly and without regard to source—e.g., by consideration of USDA meat grades—the professional buyer’s motivation may be satisfied by cognitive efforts unrelated to the source-identification judgment. Thus, where the consumer’s motivation is not directly related to source-identification, the inverse relationship between consumer care and confusion is more tenuous.³⁵⁸

³⁵⁶ See *supra* notes 24–29 and accompanying text.

³⁵⁷ See *supra* Part I.

³⁵⁸ As explained in greater detail in Part II, we do not mean to suggest that the connection is non-existent under these circumstances. It may well be that a consumer motivated by perceptions of financial risk will be motivated to some degree to perform the source-identification judgment, as where the consumer believes that brand identification is a useful shortcut for predicting quality or price. Comparing the two consumers above, however, the professional buyer seems less likely to rely on such a shortcut than the barbeque enthusiast. The key point, moreover, is that not all motivations for cognitive effort should be of equal relevance in the law.

This does not mean that consumer sophistication can *never* trump a close facial similarity between two trademarks. Indeed, the *Perini* court's analysis is also defensible under our framework.³⁵⁹ Our model indicates that point-of-sale confusion will be dispelled if consumers are sufficiently motivated to move beyond a mere comparison of the parties' identical trademarks and investigate whether those same names really emanate from separate sources. It may be the rare case where consumer motivation will be that strong, but *Perini* may be just such a case.³⁶⁰ In *Perini*, consumer motivation was at its apex, since the relevant consumers were "highly trained procurement professional[s] whose sensitivity [was] heightened by the responsibility of sensibly spending millions of dollars."³⁶¹ In such circumstances, we might expect point-of-purchase confusion to be dispelled by the careful investigation of these highly involved consumers—consumers who face financial risk associated with a high-stakes transaction, who possess enduring involvement in connection with their jobs, or who have an enhanced ability because of their training. Indeed, the evidence in the *Perini* case appeared to support such a conclusion, in establishing that "construction services [we]re [never] procured on the basis of the name of the firm alone," that bidders "placed a strong emphasis on intimate knowledge of each and every one of the companies to which [they] awarded contracts," and that "the investigation process [was] simply too detailed" to allow confusion of the two *Perini* entities in the bidding process.³⁶²

Thus, the consumer behavior model prescribes a course of moderation between the rhetorical extremes articulated in the case law. Consumer sophistication may be of "minimal" significance, or it may sometimes be a "trump" card; its value is dependent on whether there is sufficient motivation and ability to incite the degree of care necessary to dispel confusion between two apparently similar trademarks. Although the moderately motivated consumers in *Habitat Design* were unlikely to look beyond the facial identity of the HABITAT brand on the parties' furniture and glassware,³⁶³ the bidders for construction contracts in *Perini* possessed the sort of extraordinary motivation and opportunity necessary to distinguish *Perini Corp.* from *Perini*

Some highly motivated consumers will be more likely than others—even others with a similar "level" of motivation—to devote their cognitive efforts to the source-identification function. We leave for future evaluation the question of whether this insight may have broader implications for the case law in this field.

³⁵⁹ See *Perini Corp. v. Perini Constr., Inc.*, 915 F.2d 121,128 (4th Cir. 1990).

³⁶⁰ *Id.*

³⁶¹ *Id.* at 127.

³⁶² *Id.* at 127–28.

³⁶³ *Habitat Design Holdings Ltd. v. Habitat, Inc.*, 436 F. Supp. 327, 331 (S.D.N.Y. 1977).

Construction.³⁶⁴ Thus, sophistication could be said to be a trump card in cases like *Perini*, but it is of minimal significance in cases like *Habitat Design*.

B. Consumer Sophistication and Sponsorship Confusion, Post-Sale Confusion, and Initial-Interest Confusion

Our model also gives reason to suspect that consumer sophistication may not be as effective at dispelling confusion other than at the point of sale—e.g., sponsorship confusion, post-sale confusion, and initial-interest confusion. In *King of the Mountain Sports, Inc. v. Chrysler Corp.*,³⁶⁵ the Tenth Circuit asserted that consumer care rarely reduces the risk of sponsorship confusion.³⁶⁶ The Sixth Circuit has likewise suggested that “a purchaser who is extremely careful and knowledgeable” may assume nonetheless that the seller is affiliated with . . . the other party.³⁶⁷

Our model lends theoretical support for these conclusions. If the relevant confusion is as to two independent sources, the exercise of a high degree of care could be expected to dispel it—in that further investigation could be expected to identify the existence of two separate entities. Thus, as a consumer’s involvement increases, she may be more likely to ascertain that *Perini Corp.* is not the same entity as *Perini Construction*.³⁶⁸ But the consumer’s investigation may not dispel confusion as to sponsorship. Even a highly involved consumer could still believe that *Perini Construction* is affiliated with or sponsored by *Perini Corp.*, even after ascertaining that the two entities are separate.

Consider a variation on the *Habitat Design* case, in which the consumer is sufficiently motivated to determine that the maker of *Habitat* furniture is not the same entity as the maker of *Habitat* glassware.³⁶⁹ The sophistication

³⁶⁴ *Perini*, 915 F.2d at 128.

³⁶⁵ 185 F.3d 1084 (10th Cir. 1999).

³⁶⁶ *Id.* at 1092.

³⁶⁷ *Daddy’s Junky Music Stores v. Big Daddy’s Music Ctr.*, 109 F.3d 275, 286 (6th Cir. 1997) (concluding that sophistication with respect to a musical instrument should not be expected to dispel confusion as to whether two music stores with similar names may nonetheless be affiliated); see also *Champions Golf Club, Inc. v. The Champions Golf Club, Inc.*, 78 F.3d 1111, 1120–21 (6th Cir. 1996) (asserting that “[i]t is not particularly significant . . . that it is unlikely that any golfer would end up on the first tee at” one golf course “thinking he or she was on the first tee” at a similarly named golf course, and that “[t]he relevant question is whether a golfer, albeit sophisticated, would likely be confused about affiliation between the two clubs”).

³⁶⁸ *Perini*, 915 F.2d at 128.

³⁶⁹ See *Habitat Design Holdings Ltd. v. Habitat, Inc.*, 436 F. Supp. 327 (S.D.N.Y. 1977) (proposing a general hypothetical variation on the case throughout).

necessary to come to that conclusion falls far short of that necessary to dispel any appearance of sponsorship or affiliation. In order to dispel that confusion, the consumer would have to achieve rather heroic heights of sophistication, in which she not only identifies the furniture maker as a separate entity but also proves the absence of any licensing or sponsorship agreements between them.³⁷⁰ That level of sophistication would be the rare case indeed.³⁷¹

In fact, high levels of involvement might even be expected to exacerbate the likelihood of sponsorship confusion—particularly with respect to junior marks that are identical to the senior mark. An unauthorized sale of Habitat furniture might be most naturally connected (in a sponsorship or licensing sense) to the senior HABITAT mark by a consumer who is highly involved—since the exercise of consumer care can only increase the perception of a connection between two disparate uses of the same trademark, and no amount of additional comparison of the two marks is likely to dispel it.³⁷²

The same conclusions hold with respect to post-sale confusion. The prototypical case of post-sale confusion involves the purchase of a knockoff of a famous, exclusive item (like a Rolex watch) by a buyer who knows she is getting an imitation. Two principal justifications have been offered for imposing liability under such circumstances: (1) some sales are diverted from the senior user to buyers whose purchase is based on the expectation that third parties will mistakenly assume that their knockoff is genuine;³⁷³ and (2) some

³⁷⁰ See, e.g., *E. & J. Gallo Winery v. Gallo Cattle Co.*, 967 F.2d 1280 (9th Cir. 1992); *Nina Ricci, S.A.R.L., v. E.T.F. Enter., Inc.*, 889 F.2d 1070 (Fed. Cir. 1989); and *John B. Stetson Co. v. Stephen L. Stetson Co.*, 85 F.2d 586 (2d Cir. 1936).

³⁷¹ At the extreme, it is certainly conceivable that the most highly involved consumer could eventually determine the absence of any licensing or sponsorship agreement between the senior and junior entities. But the hypothetical consumer who would be involved to that degree is not only rare but she is also undoubtedly greatly outnumbered by those consumers who don't get quite to that level and whose likelihood of confusion as to sponsorship is only *enhanced* by her sophistication.

³⁷² This is a point that we develop at some length in a forthcoming article, which presents a theoretical model and the results of an empirical survey to demonstrate that (a) high involvement may increase the likelihood of sponsorship confusion, particularly where (b) the market has already been subject to "brand extension." Eric D. DeRosia, Thomas R. Lee & Glenn L. Christensen, *Sophisticated but Confused: Brand Extension and Motivation as Factors Increasing the Likelihood of Source Confusion* (unpublished manuscript, on file with authors).

³⁷³ See, e.g., *Mastercrafters Clock & Radio Co. v. Vacheron & Constantin-Le Coultre Watches, Inc.*, 221 F.2d 464, 466 (2d Cir. 1955) (finding infringement of ATMOS clock mark on cheap imitation and explaining that "at least some customers would buy [the copier's] cheaper clock for the purpose of acquiring the prestige gained by displaying what many visitors at the customers' homes would regard as a prestigious article," and that the copier's "wrong thus consisted of the fact that such a visitor would be likely to assume that the clock was an Atmos clock"); MCCARTHY, *supra* note 2, § 23:7 (discussing cases and explaining that "[t]he damage to the senior user in such a case is that consumers could acquire the prestige value of the senior user's product

potential consumers will attribute any negative experience with the knockoff to the senior trademark holder, resulting in a harm to the goodwill developed in the trademark and to a potential loss of future sales.³⁷⁴ Given these justifications, no amount of care or sophistication among point-of-sale purchasers will diminish the likelihood of cognizable confusion by third parties beyond the point of sale.

Consider a wholesaler of counterfeit Rolex watches who sells only to street peddlers who are highly motivated to expend cognitive resources in the source-identification judgment. These buyers are highly sophisticated and extremely unlikely to be confused about the source of the counterfeit watches they buy, but their sophistication is beside the point. Instead, in cases of cognizable post-sale confusion, the relevant sophistication is that of the third parties who may view the trademarked products in use. And such third parties are extremely unlikely to exercise the extended cognition necessary to perform the source-identification judgment with any accuracy, given that (1) there are unlikely to be any significant risk factors implicated in the context of a casual post-sale encounter with someone else's trademarked item; (2) there will often be time constraints and other situational limitations on the opportunity for extended cognition; and (3) the junior mark is often a bad-faith counterfeit carefully contrived so that only an expert would be able to distinguish it from an original.

Finally, our model also lends theoretical support to the judicial skepticism of the relevance of consumer sophistication in cases involving actionable "initial interest" confusion.³⁷⁵ The whole premise of the initial-interest cases is that a plaintiff's claim is not defeated by a showing that confusion will be dispelled by consumer care before the point of sale.³⁷⁶ Thus, where initial-

by buying the copier's cheap imitation," and that since the purchase depends on the expectation of third-party confusion "the senior user suffers a loss of sales diverted to the junior user, the same as if the actual buyer were confused").

³⁷⁴ See, e.g., *Payless Shoesource, Inc. v. Reebok Int'l Ltd.*, 998 F.2d 985, 989 (Fed. Cir. 1993); MCCARTHY, *supra* note 2, § 23:7 (discussing cases in which the purchaser knows that he or she is buying [an] imitation," but where "viewers who are prospective purchasers are confused, to the injury of the trademark owner").

³⁷⁵ See *supra* notes 43–46.

³⁷⁶ See MCCARTHY, *supra* note 2, § 23:6 (explaining the initial-interest confusion principle—that "[i]nfringement can be based upon confusion that creates initial customer interest, even though no actual sale is finally completed as a result of the confusion").

interest confusion is legally cognizable, the expectation of a high level of care at later stages of the transaction is simply irrelevant.³⁷⁷

Indeed, as with sponsorship confusion, certain forms of consumer sophistication may only exacerbate the likelihood of initial-interest confusion. Consider the *SecuraComm* case discussed above.³⁷⁸ The fact that consumers of high-end security systems are likely to expend extensive cognitive resources at later stages of the purchase process is beside the point if their initial-interest confusion is itself actionable,³⁷⁹ and highly involved consumers are those most

³⁷⁷ The caveat—limiting this point to cases involving *legally cognizable* initial-interest confusion—is necessary to prevent the exception from swallowing the rule. Some instances of initial-interest confusion have been deemed too evanescent to merit a finding of infringement, as in cases where the parties' products are unrelated and sold in disparate marketing channels, and/or where there is no evidence of bad faith by the junior user. *Checkpoint Sys., Inc. v. Check Point Software Techs., Inc.*, 269 F.3d 270, 299 (3d Cir. 2001); see also MCCARTHY, *supra* note 2, § 23:6 (discussing cases on initial-interest confusion). In cases where there is no actionable initial-interest confusion, the consumer sophistication factor will play the usual role outlined in this Article. Indeed, it is worth noting that some forms of sophistication will be likely to diminish the likelihood of confusion at the point of sale—since some highly motivated consumers will direct their cognitive energy at discovering differences between two trademarks that appear similar at first glance.

For the same reason, it may be that the same "sophistication" that can exacerbate the likelihood of initial interest confusion will minimize the risk of the "bait-and-switch" problem that animates the doctrine of initial interest confusion. See *Dorr-Oliver, Inc. v. Fluid-Quip, Inc.*, 94 F.3d 376, 382 (7th Cir. 1996) (describing initial interest confusion as the "bait and switch" of producers"). If an involved consumer's motivation makes her unlikely to be satisfied with a counterfeit, her initial interest confusion may be not cognizable if she can be expected to hold out for the genuine article. See *Original Appalachian Artworks, Inc. v. Blue Box Factory*, 577 F. Supp. 625, 632 (S.D.N.Y. 1983) (asserting that children will be bitterly disappointed by an imitation).

³⁷⁸ See text accompanying note 46 (discussing *SecuraComm Consulting, Inc. v. SecuraCom Inc.*, 984 F. Supp. 286 (D.N.J. 1997)).

³⁷⁹ Indeed, the legal notion of initial-interest confusion seems to correlate closely with another concept developed in the consumer psychology literature: "attention." See Celsi & Olson, *supra* note 71, at 210–24 (presenting the results of a study designed to test several hypotheses concerning the effects of intrinsic and situational sources of personal relevance on felt involvement and on the amount of attention and comprehension effort, the focus of attention and comprehension processes, and the extent of cognitive elaboration during comprehension); Mackenzie, *supra* note 105, at 174–95 (presenting results of two experiments designed to test the hypothesis that the amount of attention drawn to an attribute by an advertisement mediates the effect of advertising on attribute importance). Attention is the consumer's choice of some stimulus (e.g., a product) from among the many stimuli in an environment (e.g., a retail setting), with the result that the consumer focuses cognitive effort upon that stimulus rather than the other stimuli. As is popularly understood, consumers' attention can be attracted by blinking lights and sudden noises. Steven Yantis, *Control of Visual Attention*, in ATTENTION 223, 248 (Harold Pashler ed., 1998). Consumers' attention is also attracted to things in their environment that may fulfill a need and solve a problem, such as a needed product with a desirable brand. Rik Peters & Michel Wedel, *Goal Control of Attention to Advertising: The Yarbus Implication*, 34 J. CONSUMER RES. 224, 224 (2007). As a result, consumers' attention can be attracted by a junior mark if it is similar enough to the senior mark to attract attention but dissimilar enough to be distinguished from the senior mark under the closer scrutiny described in this Article. The consumer psychology literature suggests that attention has a wide variety of antecedents. See HOYER & MACINNIS, *supra*

likely to be familiar with the senior SECURACOMM mark and thus to draw the misleading initial connection when they first hear of the junior mark SECURACOM.³⁸⁰ Thus, where sophistication is rooted in enduring involvement in or repeated exposure to a senior mark or product category, the sophisticated consumer may be the one most likely to develop an initial interest in a junior mark that at first glance appears similar.³⁸¹

CONCLUSION

Trademark law is far too dependent on assumptions about consumer behavior to continue to evolve in ignorance of an entire body of scholarship devoted to that very subject. The law in this field has much to learn from the consumer behavior literature, and nowhere is that more evident than in the courts' ad hoc assessment of consumer care or sophistication. By making reference to the elements of the consumer behavior model, the courts can take significant steps beyond the stereotypes and often contradictory assertions that now dominate their treatment of this issue. The model can thus facilitate the sound development of the law in this area while also identifying course corrections like those identified above.

The consumer behavior model offers other insights that may help to shape the law in this area in ways not yet anticipated by the case law. One important, unexplored question is whether and to what extent the degree of consumer care may change over time and may be impacted by factors other than those identified by the courts—including, for example, the relative “strength” of the underlying trademark. Consumer care may tend to erode over time if perceived performance risk decreases as consumers become familiar with a new product line or brand and as the brand develops goodwill. If so, an initial finding of a high degree of consumer care may not stand as a reliable precedent over time, and a subsequent reassessment of such a finding may be necessary.

Consider the iPod brand. When the iPod was first introduced, various risk factors (primarily financial and performance risk) could be identified that would tend to heighten the motivation for increased consumer care. Over time,

note 100, at 80–83. We leave for another day—and perhaps a subsequent article—the analysis of the law's treatment of initial-interest confusion in light of the consumer behavior model of ~~attention~~.

³⁸⁰ See *SecuraComm Consulting, Inc.*, 984 F. Supp. at 299.

³⁸¹ See, e.g., *Lois Sportswear, U.S.A. v. Levi Strauss & Co.*, 799 F.2d 867, 875 (2d Cir. 1986) (concluding that ~~the~~ sophisticated buyer is more likely to be affected by the sight of [the famous Levi's] stitching pattern on [the junior user's] jeans”).

however, those risk factors may tend to diminish in importance, not only as the price of a new electronic device falls, but also as consumers become more familiar with the brand and iPod gains strength and consumer goodwill. As that happens, the motivation for consumer care may diminish. If so, the model suggests an inherent danger in according too much significance to the expected degree of sophistication.

The danger is something of a vicious cycle: If courts limit the breathing room afforded to the iPod brand on the basis of a finding of a high level of consumer sophistication, competitors will come relatively closer to that brand (with variations on "iPod" or "i" in portable music players and accessories³⁸²). And while that is happening, consumers may tend to become less careful over time, such that the courts' initial finding of a high level of consumer care will aggravate the likelihood of confusion among the now less "sophisticated" consumers.

On this and many other issues, the consumer behavior model developed here should facilitate a more sound evolution of the trademark law. If courts will tap into the substantial insights offered in the above-cited literature, the courts can begin a move away from the ad hoc stereotypes that have too long dominated the case law.

³⁸² See Shaun Nichols, *Apple Cracks Down on Use of the Word „Pod,”* (Sept. 26, 2006), <http://www.vnunet.com/vnunet/news/2164984/apple-goes-pod-makers> (reporting that Apple is asserting infringement claims against the "myPodder" download service).

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ROCKVILLE, MD--(Marketwire - Sep 18, 2012) - Throughout the recession and its aftermath of frugal spending, the nutritional supplements market has held steady as Americans embraced supplements as less costly alternatives to pure-play medical options such as doctor visits and prescription medications. According to "Nutritional Supplements in the U.S.," a just-released report from Packaged Facts, supplement sales rose 7% to \$11.5 billion in 2012, and are forecasted to reach \$15.5 billion by 2017.

Now, with U.S. consumers beginning to loosen their budgetary belts, nutritional supplement marketers must work to keep their products integral to consumer health regimens. Key to this pursuit are targeted products featuring highly publicized ingredients that are solidly backed by science and take a page from functional food competitors.

At the same time, supplement marketers must use adroit target marketing on their prime demographics: those over age 65 and the up-and-coming aging Baby Boomers currently swelling the senior brackets. Nor can the industry take its eye off the younger demographics who are its longer-term future, but whose supplement usage rates have been declining, or the key-to-growth Hispanic population, whose supplement usage rates are below average but gradually rising.

Marketwide, product efficacy and credibility remain crucial, with supplement developers increasingly relying on scientific evidence supporting the benefits of taking nutritional supplements to bolster the industry's image in the eyes of consumers and of the healthcare practitioners who advise them. With market regulation and scrutiny at an all-time high, it's more important than ever for the industry to produce and feature products with substantiated health benefit claims.

In this vein, according to Packaged Facts publisher David Sprinkle, condition-specific supplements continue to grow in range and importance, and will remain a key driver of sales and new product development across various segments including joint, brain, heart, and beauty, with many of these products honing in on age-related issues. At the other end of the condition-specific spectrum, children's supplements have been doing well, demographically book-ending the overall market and laying the foundation for the market's future prospects.

For more information, please visit <http://www.packagedfacts.com/Nutritional-Supplements-Edition-7131106/> or MarketResearch.com

About Packaged Facts - Packaged Facts, a division of MarketResearch.com, publishes market intelligence on a wide range of consumer market topics, including consumer demographics and shopper insights, consumer financial products and services, consumer goods and retailing, consumer packaged goods (including foods and beverages, health and beauty care, and household products), and pet products and services. Packaged Facts also offers a full range of custom research services. To learn more, visit: www.packagedfacts.com. Follow us on Facebook, LinkedIn, Twitter, and <http://packagedfacts.blogspot.com/>

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- Asterisks "*" identify additional (new) wording in the goods/services.

For: Nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 13, 2010
Use in Commerce: Mar. 13, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Amazon Planet, Inc.
Owner Address: 4260 Mt. Culebra Ave.
San Diego, CALIFORNIA 92117
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: AMAZON PLANET, INC.
4260 MOUNT CULEBRA AVE
SAN DIEGO, CALIFORNIA 92117-4835
UNITED STATES

Phone: (858) 361-2224

Correspondent e-mail: gabriel@amazonplanetacai.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 29, 2010	REGISTERED-PRINCIPAL REGISTER	
May 26, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 25, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	66121
May 24, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 18, 2010	STATEMENT OF USE PROCESSING COMPLETE	61813
May 01, 2010	USE AMENDMENT FILED	61813
May 18, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
May 01, 2010	TEAS STATEMENT OF USE RECEIVED	
Jan. 19, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 27, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 27, 2009	PUBLISHED FOR OPPOSITION	
Sep. 18, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Sep. 16, 2009	ASSIGNED TO LIE	66121
Sep. 08, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 08, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 08, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 08, 2009	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 08, 2009	EXAMINERS AMENDMENT -WRITTEN	72620
Sep. 08, 2009	ASSIGNED TO EXAMINER	72620
Jun. 10, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 10, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 25, 2010

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 44(e)

For: (Based on 44(e)) All purpose lubricants for household use; all of the aforementioned goods being environmentally friendly

International Class(es): 004 - Primary Class

U.S Class(es): 001, 006, 015

Class Status: ACTIVE

Basis: 44(e)

For: (Based on 44(e)) Nutritional supplements for human consumption for anti-wrinkles, namely, capsules, gel caps and tablets; dietary supplements for human consumption for anti-wrinkles, namely, pills, capsules, gel caps and tablets; nutraceuticals for use as a dietary supplement for anti-wrinkles, namely, pills, capsules, gel caps and tablets; medicated skin care preparations for anti-wrinkles, namely, daytime and nighttime pills, capsules, gel caps and tablets; household deodorants; antibacterial cleaners, anti-microbial handwash, all purpose disinfectants, air, car and carpet deodorizers, room freshener in spray form, and medicated pre-moistened towelettes; medicated lotions and creams for varicose veins and foot and leg muscle and joint pain; antibacterial alcohol skin sanitizer gel; Bars for human consumption, namely, meal replacement bars, vitamins and minerals formed and packaged as bars; powders for human consumption, namely, powdered nutritional supplement drink mixes, meal replacement powders; shakes for human consumption, namely, meal replacement shakes, vitamins for human consumption; nutritional supplements for human consumption for anti-aging, skin conditioning, skin firming, weight loss and weight maintenance, namely, capsules, gel caps and tablets; dietary supplements for human consumption for anti-aging, skin conditioning, skin firming, weight loss and weight maintenance, namely, pills, capsules, gel caps and tablets; nutraceuticals for use as a dietary supplement for anti-aging, skin conditioning, skin firming, weight loss and weight maintenance, namely, pills, capsules, gel caps and tablets; and medicated skin care preparations for anti-aging, skin conditioning and skin firming, namely, daytime and nighttime pills, capsules, gel caps and tablets; all of the aforementioned goods being environmentally friendly

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a) 44(e)

First Use: Oct. 03, 2006

Use in Commerce: Oct. 03, 2006

For: (Based on 44(e)) Cleaning cloths, pre-moistened towelettes and sponges for household cleaning purposes; all of the aforementioned goods being environmentally friendly

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: Yes

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: Yes

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Rwachsberg Holdings Inc.

Owner Address: 1 Apollo Place
Toronto, Ontario M3J0H2
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen R. Baird

Docket Number: 12418

Attorney Primary Email Address: sbaird@winthrop.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: STEPHEN R. BAIRD
WINTHROP & WEINSTINE, P.A.
225 SOUTH SIXTH STREET, SUITE 3500
MINNEAPOLIS, MINNESOTA 55402
UNITED STATES

Phone: (612) 604-6585

Fax: (612) 604-6985

Correspondent e-mail: sbaird@winthrop.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Stephen R. Baird
Name:

Prosecution History

Date	Description	Proceeding Number
Aug. 28, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 28, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 14, 2012	REGISTERED-PRINCIPAL REGISTER	
Jul. 13, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 12, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Jul. 10, 2012	ASSIGNED TO LIE	68123
Jun. 30, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 25, 2012	STATEMENT OF USE PROCESSING COMPLETE	69302
May 30, 2012	USE AMENDMENT FILED	69302
Jun. 25, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
May 31, 2012	TEAS STATEMENT OF USE RECEIVED	
Dec. 02, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 30, 2011	EXTENSION 1 GRANTED	98765
Nov. 30, 2011	EXTENSION 1 FILED	98765
Nov. 30, 2011	TEAS EXTENSION RECEIVED	
May 31, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 05, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 05, 2011	PUBLISHED FOR OPPOSITION	
Mar. 02, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Feb. 15, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 15, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 15, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 15, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 15, 2011	EXAMINERS AMENDMENT -WRITTEN	70729
Feb. 14, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 14, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 14, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 14, 2011	EXAMINERS AMENDMENT -WRITTEN	70729
Feb. 07, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	67287
Feb. 07, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
Feb. 03, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 06, 2010	DATA MODIFICATION COMPLETED	67287
Aug. 04, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 04, 2010	NON-FINAL ACTION E-MAILED	6325
Aug. 04, 2010	NON-FINAL ACTION WRITTEN	70729
Jul. 13, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 12, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 12, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Jun. 11, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	67287
Jun. 10, 2010	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jan. 11, 2010	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Jan. 11, 2010	INQUIRY TO SUSPENSION E-MAILED	
Jan. 11, 2010	SUSPENSION INQUIRY WRITTEN	70729

Jan. 11, 2010	LIE CHECKED SUSP - TO ATTY FOR ACTION	67287
Jul. 09, 2009	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jul. 09, 2009	LETTER OF SUSPENSION E-MAILED	6332
Jul. 09, 2009	SUSPENSION LETTER WRITTEN	70729
Jul. 09, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 09, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 09, 2009	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Mar. 02, 2009	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Mar. 02, 2009	INQUIRY TO SUSPENSION E-MAILED	
Mar. 02, 2009	SUSPENSION INQUIRY WRITTEN	70729
Sep. 02, 2008	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Sep. 02, 2008	LETTER OF SUSPENSION E-MAILED	6332
Sep. 02, 2008	SUSPENSION LETTER WRITTEN	70729
Aug. 25, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	67287
Aug. 25, 2008	ASSIGNED TO LIE	67287
Feb. 25, 2008	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Feb. 25, 2008	LETTER OF SUSPENSION E-MAILED	6332
Feb. 25, 2008	SUSPENSION LETTER WRITTEN	70729
Feb. 05, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 04, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 04, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 03, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 03, 2007	NON-FINAL ACTION E-MAILED	6325
Aug. 03, 2007	NON-FINAL ACTION WRITTEN	70729
Jul. 31, 2007	ASSIGNED TO EXAMINER	70729
Jul. 03, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 12, 2012

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Mark: HAPPY PLANET HEALTH SHOTS

HAPPY PLANET HEALTH SHOTS

US Serial Number: 85026705
Application Filing Date: Apr. 29, 2010
US Registration Number: 4336902
Registration Date: May 21, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 21, 2013
Publication Date: Mar. 05, 2013

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 2239717, 2820133, 3317399 and others

Foreign Information

Foreign Registration Number: 1469739
Foreign Registration Date: Nov. 09, 2012
Foreign Application/Registration Country: CANADA
Foreign Expiration Date: Nov. 09, 2027

Goods and Services

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

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

For: (Based on Use in Commerce) (Based on Section 44(e)) herbal supplements to increase energy and mental alertness, for reducing toxins from the body, for use in the treatment of nausea, for the treatment of cold and flu symptoms, to enhance immunity, and to improve the complexion of the skin; functional beverages, namely, non-alcoholic dietary supplement beverages that provide supplemental vitamins, strengthen the body's immune system and replace depleted minerals; and functional beverages, namely, non-alcoholic beverages fortified with herbs, vitamins and minerals to promote health and to strengthen the body's immune system

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a) 44(e)
First Use: Oct. 2009
Use in Commerce: Oct. 2009

For: (Based on Use in Commerce) functional beverages, namely, energy drinks

International Class(es): 032 - Primary Class
U.S Class(es): 045, 046, 048
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 2009
Use in Commerce: Oct. 2009

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: Yes	Currently 44D: No	Amended 44D: No

Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently 44E: Yes
Currently 66A: No
Currently No Basis: No

Amended 44E: No

Current Owner(s) Information

Owner Name: EARTH'S OWN FOOD COMPANY INC.
Owner Address: 200-4190 LOUGHEED HIGHWAY
BURNABY V5C 6A8
BRITISH COLUMBIA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tanya M. Reitzel
Attorney Primary Email Address: coastal@trademarkable.com
Docket Number: 1947-165
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Tanya M. Reitzel
Coastal Trademark Services
1081 Cambie Street
VANCOUVER, BC V6B5L7
CANADA
Phone: 604-687-7432
Fax: 604-687-3478
Correspondent e-mail: info@coastalip.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 06, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 21, 2013	REGISTERED-PRINCIPAL REGISTER	
Mar. 05, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 05, 2013	PUBLISHED FOR OPPOSITION	
Feb. 13, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 28, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Jan. 22, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 22, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Jan. 22, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Jan. 15, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 14, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 09, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 09, 2012	NON-FINAL ACTION E-MAILED	6325
Dec. 09, 2012	NON-FINAL ACTION WRITTEN	83706
Nov. 29, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Nov. 29, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Nov. 23, 2012	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Oct. 09, 2012	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Oct. 09, 2012	INQUIRY TO SUSPENSION E-MAILED	
Oct. 09, 2012	SUSPENSION INQUIRY WRITTEN	83706
Sep. 27, 2012	LIE CHECKED SUSP - TO ATTY FOR ACTION	68123
Mar. 15, 2012	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 15, 2012	LETTER OF SUSPENSION E-MAILED	6332
Mar. 15, 2012	SUSPENSION LETTER WRITTEN	83706

Mar. 14, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Mar. 14, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Feb. 10, 2012	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Sep. 06, 2011	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Sep. 06, 2011	INQUIRY TO SUSPENSION E-MAILED	
Sep. 06, 2011	SUSPENSION INQUIRY WRITTEN	83706
Sep. 01, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	68123
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 24, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Feb. 24, 2011	LETTER OF SUSPENSION E-MAILED	6332
Feb. 24, 2011	SUSPENSION LETTER WRITTEN	83706
Feb. 24, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Feb. 24, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Feb. 09, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 16, 2010	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Aug. 16, 2010	PRIORITY ACTION E-MAILED	6326
Aug. 16, 2010	PRIORITY ACTION WRITTEN	83706
Aug. 14, 2010	DATA MODIFICATION COMPLETED	68123
Aug. 10, 2010	ASSIGNED TO LIE	68123
Aug. 10, 2010	ASSIGNED TO EXAMINER	83706
May 05, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 03, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 21, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Happy Planet Foods, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5142/0172](#)

Pages: 11

Date Recorded: Oct. 30, 2013

Supporting Documents: [assignment-tm-5142-0172.pdf](#)

Assignor

Name: [HAPPY PLANET FOODS, INC.](#)

Execution Date: Oct. 26, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Assignee

Name: [EARTH'S OWN FOOD COMPANY INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 200-4190 LOUGHEED HIGHWAY
BURNABY, BRITISH COLUMBIA V5C 6A8

Correspondent

Correspondent Name: MICHAEL E. MANGELSON

Correspondent Address: 201 SOUTH MAIN STREET, SUITE 1100
SALT LAKE CITY, UT 84111

Domestic Representative

Domestic Representative Name: MICHAEL E. MANGELSON

Domestic Representative 201 SOUTH MAIN STREET, SUITE 1100
Address: SALT LAKE CITY, UT 84111

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Mark: HAPPY PLANET

HAPPY PLANET

US Serial Number: 85026678
Application Filing Date: Apr. 29, 2010
US Registration Number: 4336901
Registration Date: May 21, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 21, 2013
Publication Date: Mar. 05, 2013

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 2239717, 2820133, 3317399

Foreign Information

Foreign Registration Number: 1478900
Foreign Registration Date: Nov. 09, 2012
Foreign Application/Registration Country: CANADA
Foreign Expiration Date: Nov. 09, 2027

Goods and Services

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

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

For: (Based on Use in Commerce) (Based on Section 44(e)): herbal supplements to increase energy and mental alertness, for reducing toxins from the body, for use in the treatment of nausea, for the treatment of cold and flu symptoms, to enhance immunity, and to improve the complexion of the skin; functional beverages, namely, non-alcoholic dietary supplement beverages that provide supplemental vitamins, strengthen the body's immune system and replace depleted minerals; and functional beverages, namely, non-alcoholic beverages fortified with herbs, vitamins and minerals to promote health and to strengthen the body's immune system

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a) 44(e)
First Use: Apr. 2009
Use in Commerce: Oct. 2009

For: (Based on Use in Commerce) functional beverages, namely, energy drinks

International Class(es): 032 - Primary Class
U.S Class(es): 045, 046, 048
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 2009
Use in Commerce: Oct. 2009

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: Yes	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: Yes	Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: EARTH'S OWN FOOD COMPANY INC.

Owner Address: 200-4190 LOUGHEED HIGHWAY
BURNABY V5C 6A8
BRITISH COLUMBIA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tanya M. Reitzel

Docket Number: 1947-164

Attorney Primary Email Address: coastal@trademarkable.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Tanya M. Reitzel
Coastal Trademark Services
1081 Cambie Street
VANCOUVER, BC V6B5L7
CANADA

Phone: 604-687-7432

Fax: 604-687-3478

Correspondent e-mail: info@coastalip.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 06, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 21, 2013	REGISTERED-PRINCIPAL REGISTER	
Mar. 05, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 05, 2013	PUBLISHED FOR OPPOSITION	
Feb. 13, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 29, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Jan. 22, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 22, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Jan. 22, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Jan. 15, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 14, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 09, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 09, 2012	NON-FINAL ACTION E-MAILED	6325
Dec. 09, 2012	NON-FINAL ACTION WRITTEN	83706
Nov. 29, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Nov. 29, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Nov. 23, 2012	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Nov. 23, 2012	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Oct. 09, 2012	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Oct. 09, 2012	INQUIRY TO SUSPENSION E-MAILED	
Oct. 09, 2012	SUSPENSION INQUIRY WRITTEN	83706
Sep. 27, 2012	LIE CHECKED SUSP - TO ATTY FOR ACTION	68123
Mar. 15, 2012	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 15, 2012	LETTER OF SUSPENSION E-MAILED	6332
Mar. 15, 2012	SUSPENSION LETTER WRITTEN	83706

Mar. 14, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Mar. 14, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Feb. 10, 2012	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Sep. 06, 2011	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Sep. 06, 2011	INQUIRY TO SUSPENSION E-MAILED	
Sep. 06, 2011	SUSPENSION INQUIRY WRITTEN	83706
Sep. 01, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	68123
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 24, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Feb. 24, 2011	LETTER OF SUSPENSION E-MAILED	6332
Feb. 24, 2011	SUSPENSION LETTER WRITTEN	83706
Feb. 16, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Feb. 16, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Feb. 08, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 16, 2010	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Aug. 16, 2010	PRIORITY ACTION E-MAILED	6326
Aug. 16, 2010	PRIORITY ACTION WRITTEN	83706
Aug. 12, 2010	DATA MODIFICATION COMPLETED	68123
Aug. 10, 2010	ASSIGNED TO LIE	68123
Aug. 10, 2010	ASSIGNED TO EXAMINER	83706
May 05, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 03, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 21, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Happy Planet Foods, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5142/0172](#)

Pages: 11

Date Recorded: Oct. 30, 2013

Supporting Documents: [assignment-tm-5142-0172.pdf](#)

Assignor

Name: [HAPPY PLANET FOODS, INC.](#)

Execution Date: Oct. 26, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Assignee

Name: [EARTH'S OWN FOOD COMPANY INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 200-4190 LOUGHEED HIGHWAY
BURNABY, BRITISH COLUMBIA V5C 6A8

Correspondent

Correspondent Name: MICHAEL E. MANGELSON

Correspondent Address: 201 SOUTH MAIN STREET, SUITE 1100
SALT LAKE CITY, UT 84111

Domestic Representative

Domestic Representative Name: MICHAEL E. MANGELSON

Domestic Representative 201 SOUTH MAIN STREET, SUITE 1100
Address: SALT LAKE CITY, UT 84111

Generated on: This page was generated by TSDR on 2014-02-14 11:37:35 EST

Mark: HEALTHY PLANET NUTRITION

Healthy Planet Nutrition

US Serial Number: 85466647
Application Filing Date: Nov. 08, 2011
US Registration Number: 4433063
Registration Date: Nov. 12, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 12, 2013
Publication Date: Apr. 17, 2012
Notice of Allowance Date: Jun. 12, 2012

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 01, 2011
Use in Commerce: Nov. 30, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Healthy Planet Vitamins, LLC
Owner Address: 19620 Wells Drive
Tarzana, CALIFORNIA 91356
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Emanuel Orlando
Attorney Primary Email Address: eorlando4@gmail.com
Attorney Email Address: Yes
Authorized:

Correspondent

Correspondent Name/Address: EMANUEL ORLANDO
1204 ROXBURY DR UNIT 2C

LOS ANGELES, CALIFORNIA 90035-1024
UNITED STATES

Phone: 3104352830

Fax: 3105521033

Correspondent e-mail: eorlando4@gmail.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 12, 2013	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 04, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Oct. 04, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 30, 2013	ASSIGNED TO EXAMINER	77868
Sep. 25, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 24, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
Aug. 22, 2013	USE AMENDMENT FILED	65362
Sep. 24, 2013	EXTENSION 2 GRANTED	65362
Jun. 12, 2013	EXTENSION 2 FILED	65362
Sep. 24, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Aug. 22, 2013	NOTICE OF REVIVAL - E-MAILED	
Aug. 22, 2013	TEAS STATEMENT OF USE RECEIVED	
Aug. 22, 2013	EXTENSION RECEIVED WITH TEAS PETITION	
Aug. 22, 2013	PETITION TO REVIVE-GRANTED	88889
Aug. 22, 2013	TEAS PETITION TO REVIVE RECEIVED	
Jul. 15, 2013	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Jul. 15, 2013	ABANDONMENT - NO USE STATEMENT FILED	99999
Dec. 14, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 12, 2012	EXTENSION 1 GRANTED	98765
Dec. 12, 2012	EXTENSION 1 FILED	98765
Dec. 12, 2012	TEAS EXTENSION RECEIVED	
Jun. 12, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 17, 2012	PUBLISHED FOR OPPOSITION	
Mar. 28, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 13, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Mar. 12, 2012	ASSIGNED TO LIE	73797
Feb. 25, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 25, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 25, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 25, 2012	EXAMINERS AMENDMENT -WRITTEN	82425
Feb. 25, 2012	ASSIGNED TO EXAMINER	82425
Nov. 14, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 11, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 04, 2013

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Mark: HEALTHY PLANET NUTRITION

Healthy Planet Nutrition

US Serial Number: 85466647
Application Filing Date: Nov. 08, 2011
US Registration Number: 4433063
Registration Date: Nov. 12, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 12, 2013
Publication Date: Apr. 17, 2012
Notice of Allowance Date: Jun. 12, 2012

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 01, 2011
Use in Commerce: Nov. 30, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Healthy Planet Vitamins, LLC
Owner Address: 19620 Wells Drive
Tarzana, CALIFORNIA 91356
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Emanuel Orlando
Attorney Primary Email Address: eorlando4@gmail.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: EMANUEL ORLANDO
1204 ROXBURY DR UNIT 2C

LOS ANGELES, CALIFORNIA 90035-1024
UNITED STATES

Phone: 3104352830

Fax: 3105521033

Correspondent e-mail: eorlando4@gmail.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 12, 2013	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 04, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Oct. 04, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 30, 2013	ASSIGNED TO EXAMINER	77868
Sep. 25, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 24, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
Aug. 22, 2013	USE AMENDMENT FILED	65362
Sep. 24, 2013	EXTENSION 2 GRANTED	65362
Jun. 12, 2013	EXTENSION 2 FILED	65362
Sep. 24, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Aug. 22, 2013	NOTICE OF REVIVAL - E-MAILED	
Aug. 22, 2013	TEAS STATEMENT OF USE RECEIVED	
Aug. 22, 2013	EXTENSION RECEIVED WITH TEAS PETITION	
Aug. 22, 2013	PETITION TO REVIVE-GRANTED	88889
Aug. 22, 2013	TEAS PETITION TO REVIVE RECEIVED	
Jul. 15, 2013	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Jul. 15, 2013	ABANDONMENT - NO USE STATEMENT FILED	99999
Dec. 14, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 12, 2012	EXTENSION 1 GRANTED	98765
Dec. 12, 2012	EXTENSION 1 FILED	98765
Dec. 12, 2012	TEAS EXTENSION RECEIVED	
Jun. 12, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 17, 2012	PUBLISHED FOR OPPOSITION	
Mar. 28, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 13, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Mar. 12, 2012	ASSIGNED TO LIE	73797
Feb. 25, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 25, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 25, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 25, 2012	EXAMINERS AMENDMENT -WRITTEN	82425
Feb. 25, 2012	ASSIGNED TO EXAMINER	82425
Nov. 14, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 11, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 04, 2013

Correspondent

Correspondent Name/Address: BABAIE RUSSELL
 WORLD ONE TRADING
 9512 MIRA MAR RD
 WORLD ONE TRADING LLC
 SAN DIEGO, CALIFORNIA 92126
 UNITED STATES

Phone: 858-722-9145

Fax: 858-578-0208

Correspondent e-mail: russell@worldonetrading.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 25, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 23, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 22, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552
Aug. 21, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 20, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Aug. 20, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Aug. 06, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Aug. 04, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
Aug. 04, 2012	FINAL REFUSAL E-MAILED	
Aug. 04, 2012	SU - FINAL REFUSAL - WRITTEN	72505
Aug. 03, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 02, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 02, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 31, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jul. 31, 2012	NON-FINAL ACTION E-MAILED	
Jul. 31, 2012	SU - NON-FINAL ACTION - WRITTEN	72505
Jul. 30, 2012	STATEMENT OF USE PROCESSING COMPLETE	66154
Jul. 16, 2012	USE AMENDMENT FILED	66154
Jul. 27, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Jul. 16, 2012	TEAS STATEMENT OF USE RECEIVED	
Jun. 12, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 17, 2012	PUBLISHED FOR OPPOSITION	
Mar. 28, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 10, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Mar. 10, 2012	ASSIGNED TO LIE	68552
Feb. 23, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 23, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 23, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 23, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 23, 2012	EXAMINERS AMENDMENT -WRITTEN	72505
Feb. 23, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 23, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 23, 2012	NON-FINAL ACTION WRITTEN	72505
Feb. 16, 2012	ASSIGNED TO EXAMINER	72505
Nov. 02, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 02, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 22, 2012

Attorney Name: Stanley E. Soper and Alison Pitt

Attorney Primary Email Address: legal@nutracorp.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stanley E. Soper and Alison Pitt
NUTRAMARKS, INC.
1500 KEARNS BOULEVARD, SUITE B200
PARK CITY, UTAH 84060
UNITED STATES

Phone: 435-655-6000

Fax: 435-655-6080

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 19, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
May 19, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
May 04, 2010	TEAS SECTION 8 & 15 RECEIVED	
Mar. 02, 2004	REGISTERED-PRINCIPAL REGISTER	
Dec. 09, 2003	PUBLISHED FOR OPPOSITION	
Nov. 19, 2003	NOTICE OF PUBLICATION	
Sep. 30, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 30, 2003	EXAMINERS AMENDMENT E-MAILED	
Sep. 28, 2003	ASSIGNED TO EXAMINER	76741

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 114

Date in Location: May 19, 2010

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 21, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 19, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Nov. 18, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Nov. 18, 2010	ASSIGNED TO LIE	74221
Nov. 03, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 21, 2010	STATEMENT OF USE PROCESSING COMPLETE	76985
Oct. 05, 2010	USE AMENDMENT FILED	76985
Oct. 21, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76985
Oct. 05, 2010	TEAS STATEMENT OF USE RECEIVED	
Apr. 03, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Apr. 01, 2010	EXTENSION 1 GRANTED	98765
Apr. 01, 2010	EXTENSION 1 FILED	98765
Apr. 01, 2010	TEAS EXTENSION RECEIVED	
Mar. 17, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 06, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 14, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 14, 2009	PUBLISHED FOR OPPOSITION	
Jun. 24, 2009	NOTICE OF PUBLICATION	
Jun. 08, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Jun. 08, 2009	ASSIGNED TO LIE	71441
Jun. 05, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2009	ASSIGNED TO EXAMINER	74309
Mar. 17, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 14, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 18, 2010

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Registrant: NUTRICAP LABS, LLC.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4165/0067](#)

Pages: 3

Date Recorded: Mar. 08, 2010

Supporting Documents: [assignment-tm-4165-0067.pdf](#)**Assignor**Name: [NAC MARKETING COMPANY, LLC.](#)

Execution Date: Mar. 04, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

AssigneeName: [NUTRICAP LABS, LLC.](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: NEW YORK

Address: 70 CAROLYN BOULEVARD

FARMINGDALE, NEW YORK 11735

Correspondent

Correspondent Name: DILWORTH & BARRESE, LLP.

Correspondent Address: 1000 WOODBURY ROAD, SUITE 405
WOODBURY, NEW YORK 11797

Domestic Representative - Not Found

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Aug. 01, 2002

Use in Commerce: Aug. 01, 2002

For: [Water, namely, aerated, distilled, drinking, lithia, mineral, quinine, seltzer, soda, spring and table; Soft drinks, namely, fruit flavored soft drinks, carbonated, non-carbonated, low calorie and sweetened soft drinks, and soft drinks flavored with tea]

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Aug. 01, 2002

Use in Commerce: Aug. 01, 2002

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Zoomers, Inc.

Owner Address: 32 33rd Street
Brooklyn, NEW YORK 11232
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Rebecca Nunberg

Attorney Primary Email Address: munberg@erols.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Rebecca Nunberg
Rebecca Citron Nunberg, JD, PC
535 East 86th Street
New York, NEW YORK 10028
UNITED STATES

Phone: 212 570-0749

Fax: 212 570-0944

Correspondent e-mail: munberg@erols.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 18, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Jul. 18, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68973
Jul. 08, 2013	TEAS SECTION 8 & 9 RECEIVED	
Aug. 01, 2009	REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68973
Jul. 07, 2009	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 14, 2009	ASSIGNED TO PARALEGAL	68973
Jul. 07, 2009	TEAS SECTION 8 & 15 RECEIVED	
Dec. 21, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 21, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 12, 2008	CASE FILE IN TICRS	

Jul. 08, 2003	REGISTERED-PRINCIPAL REGISTER	
May 05, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 01, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Jan. 06, 2003	USE AMENDMENT FILED	
Jan. 06, 2003	PAPER RECEIVED	
Jul. 09, 2002	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 16, 2002	PUBLISHED FOR OPPOSITION	
Mar. 27, 2002	NOTICE OF PUBLICATION	
Dec. 06, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 05, 2001	EXAMINERS AMENDMENT MAILED	
Jul. 16, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 28, 2001	NON-FINAL ACTION MAILED	
Jun. 26, 2001	ASSIGNED TO EXAMINER	62126
Jun. 21, 2001	ASSIGNED TO EXAMINER	74308

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 08, 2013

Change in Registration: Yes

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jul. 18, 2013

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Mark: PURE PLANET

US Serial Number: 75081531
US Registration Number: 2049002
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Apr. 28, 2007
Publication Date: Jan. 07, 1997

Application Filing Date: Apr. 01, 1996
Registration Date: Apr. 01, 1997

Mark Information

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

Goods and Services

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

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

For: nutritional dietary food supplements, diet formulas in the nature of nutritional supplements, vitamins in liquid, tablet, capsule, and powder form

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 04, 1991
Use in Commerce: Dec. 04, 1991

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: ORGANIC BY NATURE, INC.
Owner Address: 1542 SEABRIGHT AVE
LONG BEACH, CALIFORNIA 90813
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JUDY A QUAN

Attorney Primary Email jquan@gandqlaw.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: JUDY A QUAN
GARDNER & QUAN, INCORPORATED
5000 BIRCH STREET
SUITE 4400
NEWPORT BEACH, CALIFORNIA 92660
UNITED STATES

Phone: (949) 851-9025

Fax: (949) 752-7132

Correspondent e-mail: jquan@gandqlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 28, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Apr. 28, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 27, 2007	ASSIGNED TO PARALEGAL	69471
Mar. 29, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 29, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 12, 2006	CASE FILE IN TICRS	
Jul. 30, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 07, 2003	CERTIFICATE OF CORRECTION ISSUED	
Mar. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 17, 2003	PAPER RECEIVED	
Mar. 17, 2003	SEC 7 REQUEST FILED	
Mar. 17, 2003	PAPER RECEIVED	
Apr. 01, 1997	REGISTERED-PRINCIPAL REGISTER	
Jan. 07, 1997	PUBLISHED FOR OPPOSITION	
Dec. 06, 1996	NOTICE OF PUBLICATION	
Oct. 21, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 16, 1996	EXAMINER'S AMENDMENT MAILED	
Oct. 01, 1996	NON-FINAL ACTION MAILED	
Sep. 20, 1996	ASSIGNED TO EXAMINER	65999
Sep. 03, 1996	ASSIGNED TO EXAMINER	72617

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 01, 2007

Change in Registration: Yes

Correction made to Registration: In the statement, Column 1, before line 1, ORGANIC BY NATURE, INC. (CALIFORNIA CORPORATION) 1542 SEABRIGHT AVE. LONG BEACH CA 90813 BY ASSIGNMENT should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Apr. 28, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: ORGANIC BY NATURE, INC.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2306/0629](#)

Pages: 2

Date Recorded: May 25, 2001

Supporting Documents: [assignment-tm-2306-0629.pdf](#)

Assignor

Name: [PURE PLANET PRODUCTS, INC.](#)

Execution Date: Mar. 19, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [ORGANIC BY NATURE INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: AMY SANDOVAL - PRES.
1542 SEABRIGHT AVE.
LONG BEACH, CALIFORNIA 90813

Correspondent

Correspondent Name: AMY SANDOVAL

Correspondent Address: 1542 SEABRIGHT AVE.
LONG BEACH, CA 90813

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2578/0133](#)

Pages: 2

Date Recorded: Sep. 04, 2002

Supporting Documents: [assignment-tm-2578-0133.pdf](#)

Assignor

Name: [PURE PLANET PRODUCTS, INC.](#)

Execution Date: Mar. 19, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Assignee

Name: [ORGANIC BY NATURE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 1542 SEABRIGHT AVE.
LONG BEACH, CALIFORNIA 90813

Correspondent

Correspondent Name: JUDY A. QUAN, ESQ.

Correspondent Address: STE. 4400
GARDNER AND QUAN
5000 BIRCH ST.
NEWPORT BEACH, CA 92660

Domestic Representative - Not Found

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Mark: THEWPLANET

THEWPLANET

US Serial Number: 79075562

Application Filing Date: Jul. 15, 2009

US Registration Number: 4010937

Registration Date: Aug. 16, 2011

Register: Principal

Mark Type: Trademark, Service Mark

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

Status Date: Aug. 16, 2011

Publication Date: May 31, 2011

Mark Information

Mark Literal Elements: THEWPLANET

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1020008

International Registration Date: Jul. 15, 2009

Goods and Services

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

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

For: Pharmaceutical and dietetic preparations for well-being and beauty, namely, pharmaceutical preparations for memory, sound sleep, digestion, weight control, skincare, mineral stimulation, and bone health; pharmaceuticals and dietetic preparations for well-being and beauty, namely, preparations for use in the treatment of age-related conditions and for slowing the aging process, namely, hypertension, diabetes, arthritis, memory loss, disorders of the nervous system, age-related macular degeneration, disorders of the digestive system, osteoporosis, skin dryness and sleep disorders, antioxidant products in the form of dietary supplements containing antioxidants and medicated skincare products containing antioxidants, and cognitive products in the form of preparations to improve memory and mental acuity; pharmaceutical and dietetic preparations for well-being and beauty, namely, medicated skin care lotions, gels, creams and solutions for dermatological use, medicated serums for treatment of hair, skin and lips; vitamins and mineral supplements; Veterinary preparations for dogs and cats for well-being and beauty, namely, medicated preparations for animal skincare, mineral stimulation, and bone health; veterinary preparations for dogs and cats for well-being and beauty, namely, medicated skin care lotions, vitamins, mineral supplements, antioxidants; Nutritional supplements for medical use and pharmaceuticals in all galenic formulations for well-being and beauty, namely, pharmaceutical preparations for memory, sound sleep, digestion, weight control, skin care, mineral stimulation, and bone health; nutritional supplements for medical use and pharmaceuticals in all galenic formulations, namely, preparations for use in the treatment of age-related conditions and for slowing the aging process, namely, hypertension, diabetes, arthritis, memory loss, disorders of the nervous system, age-related macular degeneration, disorders of the digestive system, osteoporosis, skin dryness and sleep disorders, antioxidant products in the form of dietary supplements containing antioxidants and medicated skincare products containing antioxidants, and cognitive products in the form of preparations to improve memory and mental acuity; nutritional supplements for medical use and pharmaceuticals in all galenic formulations, namely, medicated skin care lotions, gels, creams and solutions for dermatological use, medicated serums for treatment of hair, skin and lips, vitamins and mineral supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 66(a)

For: Provision of access to electronic sites featuring blogs; blogs, namely, providing an on-line forum in the fields of health, well-being, beauty, and economic, social and environmental issues; Sites, namely, provision of access to electronic sites in the fields of health, well-being, beauty, and economic, social and environmental issues; Audiovisual communication, namely, streaming of audiovisual material on the internet; Television broadcasting

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: ACTIVE

Basis: 66(a)

For: Consultancy in the field of energy-saving, namely, technological consulting services in the field of conserving energy, energy efficiency, and alternative energy generation; consultancy in the nature of technical information and advice in the field of global warming prevention, technical consultancy in the field of environmental science as it relates to the protection of biodiversity, consultancy in the field of building consultancy, namely, architectural consultancy and research on building construction or city planning; Maintenance of websites for third parties; Technical project studies in the field of computer science, namely, computer systems analysis, design and

development of computer software, research and design of computer software, computer project management, conducting of feasibility studies, scientific study and research in the field of computer science; Research in biology and chemistry in the fields of beauty care and health; research in cosmetology; Research in the fields of environmental protection and sustainable development relative to protecting the environment and environmental concerns; Research and development in the field of food and food supplements

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: LMS

Owner Address: 13 rue Elsa Triolet
F-77176 SAVIGNY-LE-TEMPLE
FRANCE

Legal Entity Type: Société à responsabilité limitée

State or Country Where Organized: FRANCE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mary Margaret L. O'Donnell

Docket Number: 66806-0999

Attorney Primary Email Address: tmocketing@raderfishman.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MARY MARGARET L O'DONNELL
RADER FISHMAN & GRAUER PLLC
39533 WOODWARD AVENUE
SUITE 140
BLOOMFIELD HILLS, MICHIGAN 48304
UNITED STATES

Phone: 248-594-0649

Fax: 248-594-0610

Correspondent e-mail: tmocketing@raderfishman.com

Correspondent e-mail Authorized: No

Domestic Representative

Domestic Representative Name: Mary Margaret L. O'Donnell

Phone: 248-594-0649

Fax: 248-594-0610

Domestic Representative e-mail: tmocketing@raderfishman.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
May 18, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Feb. 08, 2012	FINAL DISPOSITION NOTICE SENT TO IB	
Feb. 08, 2012	FINAL DISPOSITION PROCESSED	68359
Nov. 16, 2011	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Aug. 19, 2011	NOTIFICATION PROCESSED BY IB	
Aug. 16, 2011	REGISTERED-PRINCIPAL REGISTER	
May 31, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 31, 2011	PUBLISHED FOR OPPOSITION	
May 27, 2011	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
May 18, 2011	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	

May 18, 2011	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
May 11, 2011	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
May 11, 2011	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Apr. 25, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Apr. 21, 2011	ASSIGNED TO LIE	70138
Apr. 20, 2011	EXPARTE APPEAL TERMINATED	75562
Apr. 20, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 31, 2011	AMENDMENT FROM APPLICANT ENTERED	68658
Mar. 31, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68658
Mar. 29, 2011	JURISDICTION RESTORED TO EXAMINING ATTORNEY	75562
Feb. 04, 2011	NOTIFICATION OF ACTION DENYING REQ FOR RECON E-MAILED	
Feb. 04, 2011	ACTION DENYING REQ FOR RECON E-MAILED	
Feb. 04, 2011	ACTION CONTINUING FINAL - COMPLETED	72517
Feb. 01, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68658
Feb. 01, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68658
Jan. 31, 2011	ASSIGNED TO LIE	68658
Jan. 21, 2011	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jan. 21, 2011	EX PARTE APPEAL-INSTITUTED	75562
Jan. 21, 2011	JURISDICTION RESTORED TO EXAMINING ATTORNEY	75562
Jan. 21, 2011	EXPARTE APPEAL RECEIVED AT TTAB	
Jul. 26, 2010	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jul. 26, 2010	FINAL REFUSAL E-MAILED	
Jul. 26, 2010	FINAL REFUSAL WRITTEN	72517
Jun. 25, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 25, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 25, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 25, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 25, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 25, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 22, 2010	REFUSAL PROCESSED BY IB	
Dec. 28, 2009	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Dec. 28, 2009	REFUSAL PROCESSED BY MPU	67445
Dec. 24, 2009	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Dec. 23, 2009	NON-FINAL ACTION WRITTEN	72517
Dec. 19, 2009	APPLICATION FILING RECEIPT MAILED	
Dec. 15, 2009	ASSIGNED TO EXAMINER	72517
Dec. 15, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 10, 2009	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1020008

Priority Claimed Flag: Yes

Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED

Notification of Designation Date: Dec. 10, 2009

International Registration Renewal Date: Jul. 15, 2019

First Refusal Flag: Yes

International Registration Date: Jul. 15, 2009

Date of Section 67 Priority Claim: Jan. 16, 2009

Date of International Registration Status: Dec. 10, 2009

Date of Automatic Protection: Jun. 10, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 16, 2011

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Exparte Appeal

Proceeding Number: [79075562](#)

Filing Date: Jan 21, 2011

Status: Terminated

Status Date: Apr 20, 2011

Interlocutory Attorney:

Plaintiff(s)

Name: LMS

Correspondent Address: MARY MARGARET L O'DONNELL
RADER FISHMAN & GRAUER PLLC
39533 WOODWARD AVENUE, SUITE 140
BLOOMFIELD HILLS MI , 48304
UNITED STATES

Correspondent e-mail: tmcketing@raderfishman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THEWPLANET	Registered	79075562	4010937

Prosecution History

Entry Number	History Text	Date	Due Date
1	APPEAL TO BOARD	Jan 21, 2011	
2	Appeal Acknowledged; Case Remanded	Jan 21, 2011	
3	INSTITUTED	Jan 21, 2011	
4	REQUEST FOR RECONSIDERATION	Jan 21, 2011	
5	RECONSIDERATION DENIED	Feb 04, 2011	
6	PROCEEDINGS RESUMED	Feb 07, 2011	
7	APPLICANT'S REQUEST FOR REMAND	Mar 24, 2011	
8	REMANDED TO EXAMINER	Mar 29, 2011	
9	TERMINATED	Apr 20, 2011	

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Mark: TRANSFORMING THE PLANET ONE WARRIOR AT A TIME

TRANSFORMING THE PLANET
ONE WARRIOR AT A TIME

US Serial Number: 85588244
Application Filing Date: Apr. 03, 2012
US Registration Number: 4237534
Registration Date: Nov. 06, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark, Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 06, 2012
Publication Date: Aug. 21, 2012

Mark Information

Mark Literal Elements: TRANSFORMING THE PLANET ONE WARRIOR AT A TIME
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

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

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

For: Dietary and nutritional supplements; Dietary beverage supplements for human consumption in liquid and dry mix form for therapeutic purposes; Dietary supplements for human consumption; Food supplements; Herbal supplements; Liquid nutritional supplement; Mineral food supplements; Natural herbal supplements; Vitamin and mineral supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 2008

Use in Commerce: Mar. 01, 2008

For: On-line retail store services featuring dietary and nutritional supplements for human consumption

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 2008

Use in Commerce: Mar. 01, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: SUN BROTHERS, LLC
Owner Address: 754 West Pioneer Blvd
Suite 101
Mesquite, NEVADA 89027
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott D. Smiley **Docket Number:** Sunbrothers/
Attorney Primary Email Address: info@SmileyIP.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: Scott D. Smiley
The Concept Law Group, P.A.
200 South Andrews Avenue
Suite 100
Fort Lauderdale, FLORIDA 33301
UNITED STATES
Phone: 754.300.1500 **Fax:** 754.300.1501
Correspondent e-mail: info@ConceptLaw.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 06, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 06, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Dec. 19, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 19, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 06, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 21, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 21, 2012	PUBLISHED FOR OPPOSITION	
Aug. 01, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 16, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 16, 2012	ASSIGNED TO EXAMINER	80804
Apr. 11, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 06, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 06, 2012

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Mark: VITAMIN PLANET

Vitamin Planet

US Serial Number: 85569061
US Registration Number: 4388971
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 20, 2013
Publication Date: Nov. 13, 2012

Application Filing Date: Mar. 14, 2012
Registration Date: Aug. 20, 2013
Currently TEAS Plus: Yes
Notice of Allowance Date: Jan. 08, 2013

Mark Information

Mark Literal Elements: VITAMIN PLANET
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "VITAMIN" FOR INTERNATIONAL CLASS 5

Goods and Services

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

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

For: Dietary and nutritional supplements made in significant part of vitamins

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 11, 2013

Use in Commerce: Mar. 01, 2013

For: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 11, 2013

Use in Commerce: Mar. 01, 2013

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Richard Harary
Owner Address: 5443 International Drive
Orlando, FLORIDA 32819
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jason T. Daniel

Docket Number: 110403TM-02

Attorney Primary Email Address: jdaniel@cflpatents.com

Attorney Email Authorized: No

CorrespondentCorrespondent Name/Address: JASON T. DANIEL
DANIEL LAW OFFICES, P.A.
STE 100
605 E ROBINSON ST
ORLANDO, FLORIDA 32801
UNITED STATES

Phone: 4078418275

Fax: 4078418372

Correspondent e-mail: jdaniel@cflpatents.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Aug. 20, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 18, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 17, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Jul. 17, 2013	ASSIGNED TO LIE	73797
Jul. 16, 2013	ASSIGNED TO LIE	59554
Jul. 02, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 02, 2013	STATEMENT OF USE PROCESSING COMPLETE	69302
May 31, 2013	USE AMENDMENT FILED	69302
Jun. 28, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
May 31, 2013	TEAS STATEMENT OF USE RECEIVED	
Jan. 08, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 13, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 13, 2012	PUBLISHED FOR OPPOSITION	
Oct. 24, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 05, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Oct. 01, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 21, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 20, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 20, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 28, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 28, 2012	NON-FINAL ACTION E-MAILED	6325
Aug. 28, 2012	NON-FINAL ACTION WRITTEN	76508
Aug. 13, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jul. 29, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Jul. 17, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Jul. 17, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 09, 2012	EXAMINER'S AMENDMENT ENTERED	76568
Jul. 08, 2012	ASSIGNED TO LIE	76568
Jul. 07, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 07, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 07, 2012	EXAMINERS AMENDMENT -WRITTEN	76508
Jul. 07, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 07, 2012	NON-FINAL ACTION E-MAILED	6325
Jul. 07, 2012	NON-FINAL ACTION WRITTEN	76508

Jun. 21, 2012 ASSIGNED TO EXAMINER
Mar. 22, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Mar. 17, 2012 NEW APPLICATION ENTERED IN TRAM

76508

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 17, 2013

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Mark: WHOLENESS FOR THE PLANET

WHOLENESS FOR THE PLANET

US Serial Number: 78951212
Application Filing Date: Aug. 14, 2006
US Registration Number: 3500280
Registration Date: Sep. 09, 2008
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 09, 2008
Publication Date: Apr. 03, 2007
Notice of Allowance Date: Jun. 26, 2007

Mark Information

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

Goods and Services

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

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

For: wholesale dietary supplements, nutraceuticals for use as a dietary supplement, vitamins
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 2007
Use in Commerce: Apr. 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Wholeness for the Planet, INC
Owner Address: 670 Perimeter
Lexington, KENTUCKY 40517
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James A. Mitchell
Docket Number: CBA T305
Attorney Primary Email Address: trademarks@mitchelliplaw.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: James A. Mitchell
Mitchell Intellectual Property Law, PLLC

1595 Galbraith Avenue SE
Grand Rapids, MICHIGAN 49546
UNITED STATES

Phone: 616/965-2430

Correspondent e-mail: trademarks@mitchelliplaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 25, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 25, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 19, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 19, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 09, 2008	REGISTERED-PRINCIPAL REGISTER	
Aug. 01, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	71441
Jul. 31, 2008	ASSIGNED TO LIE	71441
Jul. 30, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 09, 2008	STATEMENT OF USE PROCESSING COMPLETE	69302
Jun. 26, 2008	USE AMENDMENT FILED	69302
Jun. 26, 2008	TEAS STATEMENT OF USE RECEIVED	
Dec. 19, 2007	EXTENSION 1 GRANTED	98765
Dec. 19, 2007	EXTENSION 1 FILED	98765
Dec. 19, 2007	TEAS EXTENSION RECEIVED	
Jun. 26, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 03, 2007	PUBLISHED FOR OPPOSITION	
Mar. 14, 2007	NOTICE OF PUBLICATION	
Feb. 12, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	68602
Feb. 10, 2007	ASSIGNED TO LIE	68602
Jan. 08, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 08, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 08, 2007	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 08, 2007	EXAMINERS AMENDMENT -WRITTEN	78048
Jan. 03, 2007	NON-FINAL ACTION E-MAILED	6325
Jan. 03, 2007	NON-FINAL ACTION WRITTEN	78048
Jan. 03, 2007	ASSIGNED TO EXAMINER	78048
Aug. 18, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 01, 2008

EXHIBIT P

Attorney Name: Lee Grosskreuz Hechtel

Attorney Primary Email lhechtel@nby.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Lee Grosskreuz Hechtel
NBTY, Inc.
90 Orville Drive
Bohemia, NEW YORK 11530
UNITED STATES

Phone: 631 - 218-7335

Fax: 631 - 218-7341

Correspondent e-mail: lhechtel@nby.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 03, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 29, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70619
May 29, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 21, 2007	ASSIGNED TO PARALEGAL	70619
Apr. 21, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 21, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 08, 2006	CASE FILE IN TICRS	
Oct. 15, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 15, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 28, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 25, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 24, 2003	TEAS SECTION 8 & 15 RECEIVED	
Jun. 24, 1997	REGISTERED-PRINCIPAL REGISTER	
Apr. 01, 1997	PUBLISHED FOR OPPOSITION	
Feb. 28, 1997	NOTICE OF PUBLICATION	
Jan. 09, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 02, 1997	EXAMINER'S AMENDMENT MAILED	
Dec. 23, 1996	ASSIGNED TO EXAMINER	73702

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 24, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: May 29, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: NBTY, INC.

Assignment 1 of 3

Conveyance: SECURITY AGREEMENT

Reel/Frame: [1675/0217](#)

Pages: 463

Date Recorded: Dec. 16, 1997

Supporting Documents: No Supporting Documents Available

Assignor

Name: [NBTY, INC.](#) Execution Date: Sep. 23, 1997
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [CHASE MANHATTAN BANK, THE](#)
Legal Entity Type: BANKING ORGANIZATION State or Country Where Organized: NEW YORK
Address: 270 PARK AVENUE
NEW YORK, NEW YORK 10016

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN
Correspondent Address: ANTHONY F. LO CICERO, ESQ.
90 PARK AVENUE
NEW YORK, NY 10016

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: RELEASE OF SECURITY INTEREST
Reel/Frame: [3240/0746](#) Pages: 12
Date Recorded: Aug. 11, 2003
Supporting Documents: [assignment-tm-3240-0746.pdf](#)

Assignor

Name: [JP MORGAN CHASE BANK, AS ADMINISTRATIVE AGENT](#) Execution Date: Jul. 23, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [NBTY, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 90 ORVILLE DRIVE
NEW YORK, NEW YORK 11716

Correspondent

Correspondent Name: TONYA CHAPPLE
Correspondent Address: C/O CSC
80 STATE ST.
ALBANY, NY 12207

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [4157/0062](#) Pages: 7
Date Recorded: Feb. 26, 2010
Supporting Documents: [assignment-tm-4157-0062.pdf](#)

Assignor

Name: [NBTY, INC.](#) Execution Date: Feb. 11, 2010
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [UNITED STATES NUTRITION, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: NBTY, INC.
Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NY 11779

Domestic Representative - Not Found

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Mark: STANDARDIZED HERBAL EXTRACT



US Serial Number: 77319722
US Registration Number: 3461349
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 08, 2008
Publication Date: Apr. 22, 2008

Application Filing Date: Nov. 02, 2007
Registration Date: Jul. 08, 2008
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: STANDARDIZED HERBAL EXTRACT
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of the words "STANDARDIZED" and "HERBAL EXTRACT" and a leaf design.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "STANDARDIZED" AND "HERBAL EXTRACT"
Acquired Distinctiveness Claim: In whole
Design Search Code(s): 05.03.25 - Leaf, single; Other leaves
26.01.12 - Circles with bars, bands and lines
26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles
26.01.21 - Circles that are totally or partially shaded.
26.11.21 - Rectangles that are completely or partially shaded
26.11.25 - Rectangles with one or more curved sides
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Goods and Services

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

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

For: Vitamins; Dietary food supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 27, 1996

Use in Commerce: Mar. 27, 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: UNITED STATES NUTRITION, INC.

Owner Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michael A. Painter
Attorney Primary Email Address: painter@ikplaw.com

Docket Number: 18200.673
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MICHAEL A. PAINTER
ISAACMAN, KAUFMAN & PAINTER
8484 WILSHIRE BLVD STE 850
BEVERLY HILLS, CALIFORNIA 90211-3217
UNITED STATES

Phone: (323) 782-7700

Fax: (323) 782-7744

Correspondent e-mail: painter@ikplaw.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 30, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 03, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 08, 2008	REGISTERED-PRINCIPAL REGISTER	
Apr. 22, 2008	PUBLISHED FOR OPPOSITION	
Apr. 02, 2008	NOTICE OF PUBLICATION	
Mar. 17, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Mar. 17, 2008	ASSIGNED TO LIE	70884
Feb. 26, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 26, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 26, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 26, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 26, 2008	EXAMINERS AMENDMENT -WRITTEN	80797
Feb. 15, 2008	ASSIGNED TO EXAMINER	80797
Nov. 07, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 06, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 08, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: LEINER HEALTH SERVICES CORP.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3892/0538](#)

Pages: 12

Date Recorded: Nov. 25, 2008

Supporting Documents: [assignment-tm-3892-0538.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: Jul. 14, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [NBTY ACQUISITION LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKAMA, NEW YORK 11779

Correspondent

Correspondent Name: LEE GROSSKREUZ HECHTEL

Correspondent Address: NBTY, INC.
LEGAL DEPT.
2100 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4233/0787](#)

Pages: 9

Date Recorded: Jun. 29, 2010

Supporting Documents: [assignment-tm-4233-0787.pdf](#)

Assignor

Name: [NBTY ACQUISITION LLC](#)

Execution Date: Jun. 28, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [UNITED STATES NUTRITION, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: NBTY, INC.

Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NY 11779

Domestic Representative - Not Found

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Mark: HANNA'S HERBAL SPECIAL-TEAS

HANNA'S HERBAL SPECIAL-TEAS

US Serial Number: 75556351
Application Filing Date: Sep. 21, 1998
US Registration Number: 2295808
Registration Date: Nov. 30, 1999
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jan. 16, 2009
Publication Date: Sep. 07, 1999

Mark Information

Mark Literal Elements: HANNA'S HERBAL SPECIAL-TEAS
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "HERBAL"

Goods and Services

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

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

For: Herbal beverages used as natural dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 10, 1987

Use in Commerce: Jul. 10, 1987

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Kroeger Herb Products Co., Inc.
Owner Address: 805 Walnut Street
Boulder, COLORADO 80302
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: COLORADO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: DAVID MASTBAUM
Attorney Primary Email Address: dmast@mastlaw.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: DAVID MASTBAUM
Law Office of David Mastbaum
P.O. Box 806
BOULDER, COLORADO 80306

UNITED STATES

Phone: (303) 442-1580

Fax: (303) 442-1588

Correspondent e-mail: dmast@mastlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 16, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Jan. 16, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 16, 2009	ASSIGNED TO PARALEGAL	76533
Dec. 10, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jun. 05, 2006	CASE FILE IN TICRS	
Jan. 05, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Dec. 08, 2005	ASSIGNED TO PARALEGAL	67603
Aug. 31, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 31, 2005	TEAS SECTION 8 & 15 RECEIVED	
Nov. 30, 1999	REGISTERED-PRINCIPAL REGISTER	
Sep. 07, 1999	PUBLISHED FOR OPPOSITION	
Aug. 06, 1999	NOTICE OF PUBLICATION	
May 04, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 22, 1999	ASSIGNED TO EXAMINER	75595

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 30, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jan. 16, 2009

Name/Address: Tishcon Corp
30 New York Ave
Westbury, NEW YORK 11590
UNITED STATES

Correspondent e-mail: james@tishcon.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 04, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 04, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 24, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED	68335
Apr. 24, 2009	ASSIGNED TO PARALEGAL	68335
Apr. 22, 2009	TEAS SECTION 8 RECEIVED	
Jul. 18, 2007	CASE FILE IN TICRS	
Sep. 16, 2003	REGISTERED-PRINCIPAL REGISTER	
Jul. 10, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 10, 2003	ASSIGNED TO EXAMINER	72503
Jun. 13, 2003	STATEMENT OF USE PROCESSING COMPLETE	
May 12, 2003	USE AMENDMENT FILED	
May 13, 2003	PAPER RECEIVED	
Nov. 12, 2002	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 20, 2002	PUBLISHED FOR OPPOSITION	
Jul. 31, 2002	NOTICE OF PUBLICATION	
Jun. 03, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 14, 2000	LETTER OF SUSPENSION MAILED	
Feb. 16, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 16, 1999	NON-FINAL ACTION MAILED	
Jul. 22, 1999	ASSIGNED TO EXAMINER	72503
Jul. 13, 1999	ASSIGNED TO EXAMINER	74290
Jul. 09, 1999	ASSIGNED TO EXAMINER	72617

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 24, 2009

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen Nemec

Attorney Primary Email Address: snemec@jvwlaw.net

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stephen Nemec
James, Vernon & Weeks, PA
1626 Lincoln Way
Coeur d' Alene, IDAHO 83814
UNITED STATES

Phone: 208-667-0683

Fax: 208-664-1684

Correspondent e-mail: snemec@jvwlaw.net s_nemec_esq@hotmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 09, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Aug. 09, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Aug. 09, 2012	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	64591
Aug. 09, 2012	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	64591
Jul. 26, 2012	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	64591
Aug. 09, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Aug. 01, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 27, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 27, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 26, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 26, 2012	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Mar. 20, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Feb. 01, 2008	ASSIGNED TO PARALEGAL	70132
Jan. 29, 2008	TEAS SECTION 8 & 15 RECEIVED	
Apr. 10, 2007	CASE FILE IN TICRS	
Jul. 31, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 14, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 29, 2002	REGISTERED-PRINCIPAL REGISTER	
Aug. 20, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 13, 2001	ASSIGNED TO EXAMINER	73703
Aug. 06, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Jul. 23, 2001	USE AMENDMENT FILED	
Jan. 23, 2001	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 31, 2000	PUBLISHED FOR OPPOSITION	
Sep. 29, 2000	NOTICE OF PUBLICATION	
Apr. 07, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 22, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 21, 1999	NON-FINAL ACTION MAILED	
Jul. 16, 1999	ASSIGNED TO EXAMINER	73703

Maintenance Filings or Post Registration Information

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Jan. 29, 2012

Change in Registration: Yes

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 115

Date in Location: Aug. 09, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: MJP Botanicals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4829/0645](#)

Pages: 2

Date Recorded: Jul. 26, 2012

Supporting Documents: [assignment-tm-4829-0645.pdf](#)

Assignor

Name: [MJP BOTANICALS, INC.](#)

Execution Date: Jul. 19, 2012

Legal Entity Type: CORPORATION

State or Country Where
Organized: NEVADA

Assignee

Name: [PARKER, MARGARET](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 2106 SOUTH BIG BEAR ROAD
COEUR D ALENE, IDAHO 83814

Correspondent

Correspondent Name: STEPHEN NEMEC

Correspondent Address: 1626 LINCOLN WAY
COEUR D ALENE, ID 83814

Domestic Representative - Not Found

Attorney Primary Email info@mhdpatents.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Dale Paul DiMaggio
MALIN HALEY DIMAGGIO & BOWEN, P.A.
1936 S. ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA 33316
UNITED STATES

Phone: 954-763-3303

Fax: 954-522-6507

Correspondent e-mail: info@mhdpatents.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 10, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 10, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
May 10, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
May 08, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Apr. 16, 2013	TEAS SECTION 8 & 9 RECEIVED	
Feb. 03, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 28, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 19, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Oct. 17, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Oct. 01, 2009	TEAS SECTION 8 & 15 RECEIVED	
May 20, 2008	CASE FILE IN TICRS	
May 06, 2003	REGISTERED-PRINCIPAL REGISTER	
Feb. 11, 2003	PUBLISHED FOR OPPOSITION	
Jan. 22, 2003	NOTICE OF PUBLICATION	
Oct. 25, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2002	ASSIGNED TO EXAMINER	76612
Sep. 27, 2001	LETTER OF SUSPENSION MAILED	
Apr. 30, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 22, 2000	LETTER OF SUSPENSION MAILED	
Aug. 24, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 24, 2000	NON-FINAL ACTION MAILED	
Feb. 14, 2000	ASSIGNED TO EXAMINER	76582
Feb. 11, 2000	ASSIGNED TO EXAMINER	76684

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 06, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 10, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: SLIM FOR LIFE, INC.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4138/0185](#)

Pages: 3

Date Recorded: Jan. 27, 2010

Supporting Documents: [assignment-tm-4138-0185.pdf](#)

Assignor

Name: [SLIM FOR LIFE, INC.](#)

Execution Date: Jan. 26, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Assignee

Name: [PHILLIP R. SCHUMAN TRUST](#)

Legal Entity Type: TRUST

State or Country Where Organized: FLORIDA

Address: 60 BAY COLONY LANE
FORT LAUDERDALE, FLORIDA 33308

Composed Of: COMPOSED OF PHILLIP A. SCHUMAN,
TRUSTEE

Correspondent

Correspondent Name: CATHERINE FERGUSON, ESQ.

Correspondent Address: 1936 SOUTH ANDREWS AVENUE
FORT LAUDERDALE, FL 33316

Domestic Representative - Not Found

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Mark: HERBAL NITRO



US Serial Number: 75843917
Application Filing Date: Nov. 09, 1999
US Registration Number: 2395815
Registration Date: Oct. 17, 2000
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jan. 16, 2010
Publication Date: Jul. 25, 2000

Mark Information

Mark Literal Elements: HERBAL NITRO
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM
Disclaimer: "HERBAL"

Goods and Services

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

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

For: dietary supplement
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 01, 1998
Use in Commerce: Oct. 04, 1999

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: HERBAL NITRO INC.
Owner Address: 1025 CALIMESA BLVD. 5B
CALIMESA, CALIFORNIA 92320
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: DANTE P SPANO
FAT FREE INTERNATIONAL
35133 RAVENCREST
YUCAIPA, CALIFORNIA 92399
UNITED STATES

Prosecution History

Date	Description	Proceeding Number
Jul. 31, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 16, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jan. 16, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 12, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Jan. 07, 2010	TEAS SECTION 8 & 9 RECEIVED	
Feb. 18, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED	65765
Feb. 02, 2006	CASE FILE IN TICRS	
Nov. 28, 2005	REGISTERED - SEC. 8 (6-YR) FILED	
Nov. 28, 2005	TEAS SECTION 8 RECEIVED	
Oct. 17, 2000	REGISTERED-PRINCIPAL REGISTER	
Jul. 25, 2000	PUBLISHED FOR OPPOSITION	
Jun. 26, 2000	NOTICE OF PUBLICATION	
Apr. 18, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 18, 2000	ASSIGNED TO EXAMINER	72150
Apr. 13, 2000	EXAMINER'S AMENDMENT MAILED	
Mar. 13, 2000	NON-FINAL ACTION MAILED	
Mar. 09, 2000	ASSIGNED TO EXAMINER	72150

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Oct. 17, 2010

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Jan. 16, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Spano, Dante P.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5076/0476](#)

Pages: 2

Date Recorded: Jul. 23, 2013

Supporting Documents: [assignment-tm-5076-0476.pdf](#)

Assignor

Name: [SPANO, DANTE P.](#)

Execution Date: Jul. 22, 2013

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

DBA, AKA, TA, Formerly: FORMERLY DANTE P. SPANO DBA FAT FREE INTERNATIONAL

Assignee

Name: [HERBAL NITRO INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 1025 CALIMESA BLVD. 5B
CALIMESA, CALIFORNIA 92320

Correspondent

Correspondent Name: DANTE P. SPANO

Correspondent Address: 35133 RAVENCREST CT.
YUCAIPA, CA 92399

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Cancellation

Proceeding Number: [92050127](#)

Filing Date: Oct 30, 2008

Status: Terminated

Status Date: Sep 15, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Blue Beverages Envasadora Ltd.

Correspondent Address: JEFFREY M FURR
2622 DEBOLT RD
UTICA OH , 43080-9604
UNITED STATES

Correspondent e-mail: JeffMFurr@aol.com , jeffmurr@furrllawfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
NITRO ENERGY DRINK	Registered	78472068	3146505

Plaintiff(s)

Name: Dante Peter Spano

Correspondent Address: SHELLEY M. COBOS
LOZA & LOZA LLP
305 N 2ND AVE #127
UPLAND CA , 91786-6064
UNITED STATES

Correspondent e-mail: shelley@lozaip.com , tina@lozaip.com , shirley@lozaip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL NITRO	Renewed	75843917	2395815
LIQUID HERBAL NITRO	Registered	77508066	3816147

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 30, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 30, 2008	Dec 09, 2008
3	PENDING, INSTITUTED	Oct 30, 2008	
4	ANSWER	Dec 10, 2008	
5	STIPULATED PROTECTIVE ORDER	Feb 05, 2009	
6	P'S MOTION TO COMPEL DISCOVERY	Feb 13, 2009	
7	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 19, 2009	
8	D'S OPPOSITION/RESPONSE TO MOTION	Mar 06, 2009	
9	PROCEEDINGS RESUMED	Mar 12, 2009	
10	P'S MOT FOR SUM JUDGMENT (CONFIDENTIAL)	Jun 04, 2009	
11	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jun 22, 2009	
12	MOT TO AMEND ANSWER & AMENDED ANSWER	Jun 30, 2009	
13	P'S MOT FOR SUM JUDGMENT (PUBLIC)	Jun 30, 2009	
14	D'S OPPOSITION/RESPONSE TO MOTION	Jul 06, 2009	
15	P'S MOTION TO STRIKE	Jul 10, 2009	
16	D'S OPPOSITION TO MOTION FOR SUMM. JUDGEMENT	Jul 06, 2009	
17	P'S REPLY IN SUPPORT OF MOTION	Jul 20, 2009	
18	D'S OPPOSITION/RESPONSE TO MOTION	Jul 27, 2009	

19	PL'S MOT. FOR SUMM. JUDGMENT DENIED	Dec 07, 2009	
20	P'S NOTICE OF DISCOVERY DEPOSITION	Feb 05, 2010	
21	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 08, 2010	
22	SUSPENDED	Feb 08, 2010	
23	WITHDRAWAL OF PETITION FOR CANCELLATION	Aug 10, 2010	
24	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 20, 2010	Sep 19, 2010
25	WITHDRAWAL OF PETITION FOR CANCELLATION	Aug 26, 2010	
26	BOARD'S DECISION: DISMISSED	Sep 15, 2010	
27	TERMINATED	Sep 15, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91158258](#)

Filing Date: Sep 29, 2003

Status: Terminated

Status Date: Jul 26, 2004

Interlocutory Attorney: ANGELA LYKOS

Defendant

Name: Doctors for Nutrition, Inc.

Correspondent Address: Doctors for Nutrition, Inc.
415 South Granados Avenue
Solana Beach CA , 92075
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
LIQUID NITRO	Abandoned - After Inter-Partes Decision	78155908	

Plaintiff(s)

Name: Spano, Dante P.

Correspondent Address: DANTE P. SPANO
FAT FREE INTERNATIONAL
35133 RAVENCREST CT.
YUCAIPA CA , 92399
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL NITRO	Renewed	75843917	2395815

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 29, 2003	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 28, 2003	Dec 07, 2003
3	PENDING, INSTITUTED	Oct 28, 2003	
4	NOTICE OF DEFAULT	May 26, 2004	
5	BOARD'S DECISION: SUSTAINED	Jul 26, 2004	
6	TERMINATED	Jul 26, 2004	

Attorney of Record

Attorney Name: John S. Egbert

Docket Number: 1573-61

Attorney Primary Email Address: mail@egbertlawoffices.com

Attorney Email Authorized: Yes

CorrespondentCorrespondent Name/Address: John S. Egbert
EGBERT LAW OFFICES, PLLC
412 Main St., 7th Floor
HOUSTON, TEXAS 77002
UNITED STATES

Phone: 713-224-8080

Fax: 713-223-4873

Correspondent e-mail: mail@egbertlawoffices.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: John S. Egbert

Phone: 713-224-8080

Fax: 713-223-4873

Domestic Representative e-mail: mail@egbertlawoffices.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Feb. 18, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 18, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 09, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 09, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 30, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Apr. 30, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
Apr. 27, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Apr. 27, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 27, 2012	TEAS SECTION 8 & 9 RECEIVED	
Mar. 31, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 04, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 28, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 27, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
May 19, 2008	ASSIGNED TO PARALEGAL	67723
May 12, 2008	CASE FILE IN TICRS	
May 02, 2008	TEAS SECTION 8 & 15 RECEIVED	
Sep. 05, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 01, 2003	REGISTERED-PRINCIPAL REGISTER	
Jan. 07, 2003	PUBLISHED FOR OPPOSITION	
Dec. 18, 2002	NOTICE OF PUBLICATION	
Oct. 28, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 16, 2002	ASSIGNED TO EXAMINER	72503
Sep. 02, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 02, 2002	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 26, 2002	FINAL REFUSAL MAILED	
Aug. 13, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 13, 2002	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 26, 2002	NON-FINAL ACTION MAILED	
Jul. 19, 2002	ASSIGNED TO EXAMINER	78198
Jul. 18, 2002	ASSIGNED TO EXAMINER	68982

May 30, 2002 ASSIGNED TO EXAMINER
May 10, 2002 CORRESPONDENCE RECEIVED IN LAW OFFICE
May 10, 2002 PAPER RECEIVED
Nov. 06, 2001 NON-FINAL ACTION MAILED
Nov. 02, 2001 ASSIGNED TO EXAMINER

78063

78306

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 01, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Apr. 30, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Ayurvedic Concepts, Ltd.

Assignment 1 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: [3610/0564](#)

Pages: 4

Date Recorded: Aug. 28, 2007

Supporting Documents: [assignment-tm-3610-0564.pdf](#)

Assignor

Name: [AYURVEDIC CONCEPTS LTD.](#)

Execution Date: Aug. 28, 2007

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: TEXAS

Assignee

Name: [THE HIMALAYA DRUG COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 10440 WESTOFFICE DR.
HOUSTON, TEXAS 77042

Correspondent

Correspondent Name: JOHN S. EGBERT

Correspondent Address: 412 MAIN ST., 7TH FLOOR
HOUSTON, TX 77002

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4082/0545](#)

Pages: 12

Date Recorded: Oct. 21, 2009

Supporting Documents: [assignment-tm-4082-0545.pdf](#)

Assignor

Name: [THE HIMALAYA DRUG COMPANY](#)

Execution Date: Sep. 22, 2009

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [HIMALAYA GLOBAL HOLDINGS LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CAYMAN ISLANDS

Address: P.O. BOX 1162, ELIZABETHAN SQUARE, BLOCK B
GRAND CAYMAN, CAYMAN ISLANDS KY1-1102

Correspondent

Correspondent Name: JOHN S. EGBERT

Correspondent Address: 412 MAIN ST., 7TH FLOOR
HOUSTON, TX 77002

Domestic Representative

Domestic Representative Name: JOHN S. EGBERT

Domestic Representative Address: 412 MAIN ST., 7TH FLOOR
HOUSTON, TX 77002

Assignment 3 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: [4174/0090](#)

Pages: 4

Date Recorded: Mar. 25, 2010

Supporting Documents: [assignment-tm-4174-0090.pdf](#)

Assignor

Name: [HIMALAYA GLOBAL HOLDINGS LTD.](#)

Execution Date: Jan. 14, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: CAYMAN ISLANDS

Assignee

Name: [HIMALAYA GLOBAL HOLDINGS LTD.](#)

Legal Entity Type: COMPANY

State or Country Where Organized: UNITED ARAB EMIRATES

Address: DIFC, THE GATE, LEVEL 12, STE. 27 PO BOX 506807
DUBAI, UNITED ARAB EMIRATES

Correspondent

Correspondent Name: JOHN S. EGBERT

Correspondent Address: 412 MAIN ST., 7TH FLOOR
HOUSTON, TX 77002

Domestic Representative

Domestic Representative Name: JOHN S. EGBERT

Domestic Representative Address: 412 MAIN ST., 7TH FLOOR
HOUSTON, TX 77002

Correspondent LAWRENCE E. ABELMAN
Name/Address: ABELMAN FRAYNE & SCHWAB
666 THIRD AVENUE 10TH FLOOR
NEW YORK, NEW YORK 10017-5621
UNITED STATES

Phone: 212-949-9022

Fax: 212-949-9190

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 22, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Feb. 22, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 22, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Feb. 22, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Feb. 04, 2013	TEAS SECTION 8 & 9 RECEIVED	
Aug. 11, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 11, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 20, 2008	CASE FILE IN TICRS	
May 13, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
May 13, 2008	ASSIGNED TO PARALEGAL	77315
Apr. 28, 2008	TEAS SECTION 8 & 15 RECEIVED	
Feb. 25, 2003	REGISTERED-PRINCIPAL REGISTER	
Dec. 03, 2002	PUBLISHED FOR OPPOSITION	
Nov. 13, 2002	NOTICE OF PUBLICATION	
Sep. 22, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 08, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 08, 2002	PAPER RECEIVED	
Mar. 05, 2002	NON-FINAL ACTION MAILED	
Feb. 20, 2002	ASSIGNED TO EXAMINER	78366

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 25, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 22, 2013

Generated on: This page was generated by TSDR on 2014-02-14 11:43:32 EST

Mark: DOUBLE DEERS FORMULA



US Serial Number: 76538011

Application Filing Date: Aug. 06, 2003

US Registration Number: 3745628

Registration Date: Feb. 09, 2010

Register: Principal

Mark Type: Trademark

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

Status Date: Feb. 09, 2010

Publication Date: Nov. 24, 2009

Mark Information

Mark Literal Elements: DOUBLE DEERS FORMULA

Standard Character Claim: No

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

Disclaimer: "FORMULA" AND THE NON-LATIN CHARACTERS THAT MEAN "LANZHOU", "HERBAL MEDICINE", AND "GLOSSY GANODERMA"

Translation: The non-Latin characters in the mark transliterate to "LAN ZHOU", "ZHONG YUE", "SHUANG LU", and "LING ZHI", and this means "the capital of Ganshu Province, China", "herbal medicine, or alternative medicine", "double deer", and "glossy ganoderma", respectively in English.

Design Search Code(s): 03.07.07 - Gazelle; Fawns; Caribou; Deer, elk, reindeer, fawns, antelopes, moose, gazelles; Impala
26.01.02 - Plain single line circles; Circles, plain single line
26.01.17 - Concentric circles, two; Circles, two concentric; Two concentric circles
26.01.21 - Circles that are totally or partially shaded.
28.01.03 - Japanese characters; Chinese characters; Asian characters

Goods and Services

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

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

For: Natural herbal supplements; herbal teas for medicinal purposes; food for medically restricted diets

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 02, 1998

Use in Commerce: Aug. 02, 1998

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: T.Y. NG, Franklin

Owner Address: 66 John Street
Brooklyn, NEW YORK 11201
UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kenneth Cang Li

Docket Number: CLLJ-ITUTM-0

Correspondent

Correspondent Name/Address: KENNETH CANG LI
LIN & LI, LLC
65 BROADWAY STE 801/802
NEW YORK, NEW YORK 10006
UNITED STATES

Phone: (212) 430-6810

Fax: (212) 430-6815

Domestic Representative

Domestic Representative Name: Lin & Li, LLC

Phone: (212) 430-6810

Fax: (212) 430-6815

Prosecution History

Date	Description	Proceeding Number
Feb. 09, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 24, 2009	PUBLISHED FOR OPPOSITION	
Nov. 04, 2009	NOTICE OF PUBLICATION	
Oct. 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Oct. 20, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 15, 2009	EXAMINERS AMENDMENT MAILED	
Oct. 15, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 15, 2009	EXAMINERS AMENDMENT -WRITTEN	85321
Apr. 14, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	67215
Oct. 14, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Oct. 01, 2008	ASSIGNED TO EXAMINER	85321
Apr. 10, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Mar. 31, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	67215
Mar. 28, 2008	ASSIGNED TO LIE	67215
Sep. 25, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	69350
Sep. 25, 2007	ASSIGNED TO LIE	69350
Feb. 16, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70824
Feb. 16, 2007	ASSIGNED TO LIE	70824
Aug. 04, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77975
Jan. 20, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77975
Jun. 01, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 23, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76532
May 04, 2004	LETTER OF SUSPENSION MAILED	
Mar. 23, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 23, 2004	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 04, 2004	NON-FINAL ACTION MAILED	
Feb. 25, 2004	ASSIGNED TO EXAMINER	76926

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 09, 2010

Generated on: This page was generated by TSDR on 2014-02-14 11:43:43 EST

Mark: HERBACOY



US Serial Number: 76600639

Application Filing Date: Jul. 02, 2004

US Registration Number: 2914395

Registration Date: Dec. 28, 2004

Register: Principal

Mark Type: Trademark

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

Status Date: Dec. 28, 2004

Publication Date: Oct. 05, 2004

Mark Information

Mark Literal Elements: HERBACOY

Standard Character Claim: No

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

Design Search Code(s): 02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures
04.07.01 - Plants forming a person; Plants or combinations of plants representing a person; Plants representing a person; Person formed by plants
05.15.02 - Laurel leaves or branches (borders or frames); Wreaths
05.15.25 - Other decorations made of plants
26.01.02 - Plain single line circles; Circles, plain single line
26.01.20 - Circles within a circle

Goods and Services

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

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

For: herbal preparations to be use as nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 10, 1980

Use in Commerce: Mar. 16, 1982

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Herbacoy Natural Products Inc

Owner Address: 6714 NW 72 AVE
MIAMI, FLORIDA 33166
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: RAUL GONZALEZ
HERBACCOY NATURAL PRODUCTS INC
6714 NW 72ND AVE
MIAMI, FLORIDA 33166-3045
UNITED STATES

Phone: (305) 884-6818

Fax: (305) 883-0910

Correspondent e-mail: herbacoy@bellsouth.net

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 28, 2004	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2004	PUBLISHED FOR OPPOSITION	
Sep. 15, 2004	NOTICE OF PUBLICATION	
Aug. 04, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	76532
Jul. 30, 2004	ASSIGNED TO LIE	76532
Jul. 27, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 27, 2004	EXAMINER'S AMENDMENT MAILED	
Jul. 23, 2004	EXAMINER'S AMENDMENT ENTERED	76985
Jul. 23, 2004	ASSIGNED TO EXAMINER	69196
Jul. 15, 2004	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 28, 2004

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Mark: HERBAL 3+

HERBAL 3+

US Serial Number: 76630040 Application Filing Date: Jan. 26, 2005
US Registration Number: 3122433 Registration Date: Aug. 01, 2006
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Sep. 14, 2011
Publication Date: May 09, 2006

Mark Information

Mark Literal Elements: HERBAL 3+
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "HERBAL"

Goods and Services

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

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

For: dietary supplements
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 1998 Use in Commerce: Sep. 1998

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: FORM YOU 3 INTERNATIONAL, INC.
Owner Address: 395 Springside Drive
Akron, OHIO 443332496
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: OHIO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tama R. Drenski Docket Number: FY3.T.US0014
Attorney Primary Email Address: pto@rennerkenner.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tama R. Drenski
RENNER KENNER GREIVE BOBAK TAYLOR ET AL

106 S. Main Street
First National Tower, 4th Floor
AKRON, OHIO 44308-1456
UNITED STATES

Phone: 330/376-1242

Fax: 330/376-9646

Correspondent e-mail: pto@rennerkenner.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 14, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 14, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Sep. 14, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Aug. 09, 2011	TEAS SECTION 8 & 15 RECEIVED	
Aug. 01, 2006	REGISTERED-PRINCIPAL REGISTER	
May 09, 2006	PUBLISHED FOR OPPOSITION	
Apr. 19, 2006	NOTICE OF PUBLICATION	
Mar. 20, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Mar. 17, 2006	ASSIGNED TO LIE	78289
Mar. 14, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	77978
Feb. 22, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	77978
Feb. 22, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 30, 2005	NON-FINAL ACTION MAILED	
Aug. 30, 2005	NON-FINAL ACTION WRITTEN	81098
Aug. 24, 2005	ASSIGNED TO EXAMINER	81098
Mar. 02, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Sep. 14, 2011

Generated on: This page was generated by TSDR on 2014-02-14 11:43:50 EST

Mark: HERBAL WAY

HERBAL WAY

US Serial Number: 76650850 **Application Filing Date:** Nov. 28, 2005
US Registration Number: 3330121 **Registration Date:** Nov. 06, 2007
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 06, 2007
Publication Date: Sep. 26, 2006 **Notice of Allowance Date:** Dec. 19, 2006

Mark Information

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

Goods and Services

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

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

For: Vitamins and Dietary Supplements
International Class(es): 005 - Primary Class **U.S Class(es):** 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 20, 2006 **Use in Commerce:** Oct. 20, 2006

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: E J Industries, Inc.
Owner Address: 8045 Highway 72 West, Suite 200
Madison, ALABAMA 35758
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** ALABAMA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen R. Greiner **Docket Number:** 4020.00

Correspondent

Correspondent Name/Address: STEPHEN R GREINER
GREINER LAW OFFICES PC
6701 DEMOCRACY BLVD STE 110
BETHESDA, MARYLAND 20817-1589
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 06, 2007	REGISTERED-PRINCIPAL REGISTER	
Sep. 28, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	76243
Sep. 28, 2007	ASSIGNED TO LIE	76243
Aug. 28, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 06, 2007	STATEMENT OF USE PROCESSING COMPLETE	76985
May 31, 2007	USE AMENDMENT FILED	76985
May 31, 2007	PAPER RECEIVED	
Dec. 19, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 26, 2006	PUBLISHED FOR OPPOSITION	
Sep. 06, 2006	NOTICE OF PUBLICATION	
Aug. 08, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76538
Aug. 08, 2006	ASSIGNED TO LIE	76538
Jul. 24, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 22, 2006	AMENDMENT FROM APPLICANT ENTERED	76529
Jul. 12, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	76529
Jul. 12, 2006	PAPER RECEIVED	
Jun. 01, 2006	NON-FINAL ACTION MAILED	
Jun. 01, 2006	NON-FINAL ACTION WRITTEN	74288
Jun. 01, 2006	ASSIGNED TO EXAMINER	74288
Dec. 09, 2005	APPLICATION FILING RECEIPT MAILED	
Dec. 05, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 28, 2007

Generated on: This page was generated by TSDR on 2014-02-14 11:44:17 EST

Mark: LEE HERB



US Serial Number: 77064440

Application Filing Date: Dec. 14, 2006

US Registration Number: 3493222

Registration Date: Aug. 26, 2008

Register: Principal

Mark Type: Trademark

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

Status Date: Aug. 26, 2008

Publication Date: Oct. 02, 2007

Notice of Allowance Date: Dec. 25, 2007

Mark Information

Mark Literal Elements: LEE HERB

Standard Character Claim: No

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

Description of Mark: The mark consists of the wording "LEE HERB" above Chinese characters, all inside a rectangle that is divided in two horizontally between "LEE HERB" and the Chinese characters.

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

Disclaimer: "HERB" AND "BEN CAO WU"

Transliteration: The non-Latin characters in the mark transliterate to "LEE", "SHI", "ZHEN", "BEN", "CAO", and "WU" and this means LEE SHI ZHEN'S HERBAL HOUSE in English.

Design Search Code(s): 26.11.10 - Rectangles divided once into two sections
26.11.21 - Rectangles that are completely or partially shaded
28.01.03 - Chinese characters; Japanese characters; Asian characters

Goods and Services

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

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

For: PHARMACEUTICALS IN THE NATURE OF TRADITIONAL CHINESE AND WESTERN MEDICINE, NAMELY, GINSENG FOR MEDICINAL USE, HERBAL TEAS FOR MEDICINAL PURPOSES, VITAMIN C PREPARATIONS, PHARMACEUTICAL PREPARATION FOR ANTI-ALLERGY, ANTI-INFECTIVE, ANTI-CANCER PREPARATIONS; NUTRITIONAL ADDITIVES FOR USE IN FOODS AND DIETARY SUPPLEMENTS FOR HUMAN CONSUMPTION; NUTRITIONAL SUPPLEMENTS; EDIBLE PASTE COMPOSED OF TORTOISE MEAT AND SHELL AND TUCKAHOE PLANT, FOR USE AS A NUTRITIONAL SUPPLEMENT

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 30, 2008

Use in Commerce: Apr. 30, 2008

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Microbio Co., Ltd.

Owner Address: 14F.-1, No.3, Yuanqu St., Nangang Dist.
Taipei
TAIWAN

Legal Entity Type: CORPORATION

State or Country Where Organized: TAIWAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen G. Janoski **Docket Number:** 51988
Attorney Primary Email Address: SGJdocketing@roylance.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: STEPHEN G. JANOSKI
ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.
1300 19TH ST NW STE 600
WASHINGTON, DC 20036-1649
Phone: 202-659-9076 **Fax:** 202-659-9344
Correspondent e-mail: SGJdocketing@roylance.com **Correspondent e-mail Authorized:** No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2008	REGISTERED-PRINCIPAL REGISTER	
Jul. 18, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Jul. 18, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 16, 2008	AMENDMENT FROM APPLICANT ENTERED	70884
Jul. 16, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Jul. 02, 2008	STATEMENT OF USE PROCESSING COMPLETE	64657
Jun. 24, 2008	USE AMENDMENT FILED	64657
Jun. 24, 2008	PAPER RECEIVED	
Dec. 25, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 02, 2007	PUBLISHED FOR OPPOSITION	
Sep. 12, 2007	NOTICE OF PUBLICATION	
Aug. 24, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Aug. 24, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 08, 2007	AMENDMENT FROM APPLICANT ENTERED	70884
Aug. 08, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Aug. 02, 2007	PAPER RECEIVED	
Jun. 28, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 28, 2007	NON-FINAL ACTION E-MAILED	6325
Jun. 28, 2007	NON-FINAL ACTION WRITTEN	82436
Jun. 07, 2007	AMENDMENT FROM APPLICANT ENTERED	70884
Jun. 07, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Jun. 07, 2007	ASSIGNED TO LIE	70884
May 22, 2007	PAPER RECEIVED	
Apr. 13, 2007	NON-FINAL ACTION E-MAILED	6325
Apr. 13, 2007	NON-FINAL ACTION WRITTEN	82436
Apr. 09, 2007	ASSIGNED TO EXAMINER	82436
Dec. 21, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Dec. 20, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 18, 2008

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Mark: PRISTINE HERBAL TOUCH

Pristine Herbal Touch

US Serial Number: 77072448
Application Filing Date: Dec. 28, 2006
US Registration Number: 3364442
Registration Date: Jan. 08, 2008
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Aug. 21, 2013
Publication Date: Oct. 23, 2007

Mark Information

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

Goods and Services

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

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

For: Herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 01, 2002
Use in Commerce: Oct. 01, 2002

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Pristine Enterprises, Inc.
Owner Address: 3640 S. Sepulveda Blvd #2-346
Los Angeles, CALIFORNIA 90034
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Harvey Mechanic
Attorney Primary Email Address: Harvey108@hotmail.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Harvey Mechanic
Harvey Mechanic, Attorney at Law
3755 Watseka Ave Apt 201
Los Angeles, CALIFORNIA 90034
UNITED STATES

Phone: 3108158936

Fax: 2069844689

Correspondent e-mail: Harvey108@hotmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 21, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Aug. 21, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Aug. 03, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	64591
Aug. 21, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Aug. 03, 2013	TEAS SECTION 8 & 15 RECEIVED	
Sep. 17, 2008	ASSIGNMENT CHANGE WITHDRAWN	
Sep. 17, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 03, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 08, 2008	REGISTERED-PRINCIPAL REGISTER	
Oct. 23, 2007	PUBLISHED FOR OPPOSITION	
Oct. 03, 2007	NOTICE OF PUBLICATION	
Sep. 18, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Sep. 18, 2007	ASSIGNED TO LIE	68123
Aug. 13, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 23, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 23, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 23, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 18, 2007	NON-FINAL ACTION E-MAILED	6325
Apr. 18, 2007	NON-FINAL ACTION WRITTEN	78326
Apr. 18, 2007	ASSIGNED TO EXAMINER	78326
Jan. 03, 2007	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 105

Date in Location: Aug. 21, 2013

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Mark: THE SPIRIT OF TRADITIONAL CHINESE HERBS

敦鑒上古神農宗旨
秉持現代草藥精神
THE SPIRIT OF
TRADITIONAL CHINESE HERBS

US Serial Number: 77073667
Application Filing Date: Dec. 29, 2006
US Registration Number: 3328466
Registration Date: Nov. 06, 2007
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 06, 2007
Publication Date: Jul. 31, 2007

Mark Information

Mark Literal Elements: THE SPIRIT OF TRADITIONAL CHINESE HERBS
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of sixteen Chinese characters across the top portion of the mark, and the letters "The Spirit of Traditional Chinese Herbs" across the bottom portion of the mark. A horizontal line appears right below the Chinese characters and right above the letters "The Spirit of Traditional Chinese Herbs".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "TRADITIONAL CHINESE HERBS"
Transliteration: The non-Latin character(s) in the mark transliterate into "dun kam sheung gu shen loong zhong zhi bing chi yin doi hua tuo jing sheng", and this means "using ancient traditional principles to maintain modern Chinese herbal spirit" in English.
Design Search Code(s): 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
28.01.03 - Asian characters; Chinese characters; Japanese characters

Goods and Services

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

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

For: Antiseptics; Cough syrups; Dietary supplements; Herbal supplements; Vitamins

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 24, 2006

Use in Commerce: May 24, 2006

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Dung Huynh
Owner Address: 100 E. Linda Vista Ave.
Alhambra, CALIFORNIA 91801
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: CHINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maria K. Mak, Esq.

Attorney Primary Email Address: regina@wongandmak.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MARIA K. MAK, ESQ.
WONG & MAK, LLP
790 E COLORADO BLVD STE 790
PASADENA, CA 91101-2113

Phone: 626-795-2880

Fax: 626-795-2890

Correspondent e-mail: regina@wongandmak.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 06, 2007	REGISTERED-PRINCIPAL REGISTER	
Sep. 24, 2007	WITHDRAWN FROM ISSUE - TQR/NON-ATTY REQUEST	66970
Jul. 31, 2007	PUBLISHED FOR OPPOSITION	
Jul. 11, 2007	NOTICE OF PUBLICATION	
May 11, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70824
May 11, 2007	ASSIGNED TO LIE	70824
Apr. 24, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 24, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 24, 2007	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 24, 2007	EXAMINERS AMENDMENT -WRITTEN	76464
Apr. 19, 2007	ASSIGNED TO EXAMINER	76464
Jan. 04, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 03, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 06, 2007

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Mark: HERBAL REGULARITY

HERBAL REGULARITY

US Serial Number: 77084960
Application Filing Date: Jan. 17, 2007
US Registration Number: 3403770
Registration Date: Mar. 25, 2008
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jan. 11, 2008
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 25, 2008

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 2515924

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 2007
Use in Commerce: Oct. 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Whole Foods Market IP, L.P.
Composed of: WFM IP MANAGEMENT, INC. (a Delaware Corporation)
Owner Address: 6th Floor
550 Bowie Street
Austin, TEXAS 78703
UNITED STATES
Legal Entity Type: LIMITED PARTNERSHIP
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Christopher L. Graff
Attorney Primary Email Address: tphto@tphm.com

Docket Number: WFM.0371A2US
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: CHRISTOPHER L GRAFF
 Pirkey Barber LLP
 600 Congress Avenue, Suite 2120
 Austin, TEXAS 78701
 UNITED STATES

Phone: 512-322-5200

Fax: 512-322-5201

Correspondent e-mail: tmcentral@pirkeybarber.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Sep. 24, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 25, 2008	REGISTERED-SUPPLEMENTAL REGISTER	
Feb. 19, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Feb. 19, 2008	ASSIGNED TO LIE	66121
Jan. 17, 2008	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jan. 17, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 17, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 17, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 17, 2008	EXAMINERS AMENDMENT -WRITTEN	80815
Jan. 16, 2008	USE AMENDMENT ACCEPTED	80815
Jan. 11, 2008	AMENDMENT TO USE PROCESSING COMPLETE	88889
Jan. 11, 2008	USE AMENDMENT FILED	88889
Jan. 10, 2008	TEAS AMENDMENT OF USE RECEIVED	
Nov. 24, 2007	NOTIFICATION OF FINAL REFUSAL EMAILED	
Nov. 24, 2007	FINAL REFUSAL E-MAILED	
Nov. 24, 2007	FINAL REFUSAL WRITTEN	80815
Nov. 01, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 01, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 01, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 01, 2007	NON-FINAL ACTION E-MAILED	6325
May 01, 2007	NON-FINAL ACTION WRITTEN	80815
Apr. 23, 2007	ASSIGNED TO EXAMINER	80815
Jan. 22, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 25, 2008

Generated on: This page was generated by TSDR on 2014-02-14 11:44:43 EST

Mark: EARTHLY MAMA HERBALS, INC. "PLANTING TOGETHER TODAY, SOWING NEW SEEDS FOR TOMORROW" S.C.C.



US Serial Number: 77086293

Application Filing Date: Jan. 19, 2007

US Registration Number: 3322943

Registration Date: Oct. 30, 2007

Register: Principal

Mark Type: Trademark

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

Status Date: Oct. 30, 2007

Publication Date: Aug. 14, 2007

Mark Information

Mark Literal Elements: EARTHLY MAMA HERBALS, INC. "PLANTING TOGETHER TODAY, SOWING NEW SEEDS FOR TOMORROW" S.C.C.

Standard Character Claim: No

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

Description of Mark: The mark consists of a circle surrounded by leaves with the ying yang symbol in the background with two bears facing each other, a panda bear on the left and a polar bear on the right holding a vine with a heart attached on each end.

Disclaimer: "HERBALS, INC."

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
03.01.13 - Panda bears
03.01.14 - Grizzly bears; Koala bears; Polar bears; Black bears; Bears other than Panda bears; Bears, polar; Bears, koala
03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers
05.01.04 - Vines
05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
05.03.25 - Other leaves; Leaf, single
24.17.18 - Yin-Yang symbol
26.01.09 - Circles having humans as a border; Circles having animals as a border; Circles having objects as a border; Circles having plants as a border; Geometric figures, objects, humans, plants or animals forming or bordering the perimeter of a circle.; Circles having geometric figures as a border
26.01.21 - Circles that are totally or partially shaded.

Goods and Services

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

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

For: Herbal supplements; Herbal teas for medicinal purposes; Medicinal herbal extracts for medical purposes

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 2006

Use in Commerce: Jan. 02, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Earthly Mama Herbals, Inc

Owner Address: 12132 Marshall St
Culver City, CALIFORNIA 90230
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Anthony rinaldi

Attorney Primary Email Address: ajrlaw@pacbell.net

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: ANTHONY RINALDI
RINALDI AND ASSOCIATES
23548 CALABASAS RD STE 107
CALABASAS, CALIFORNIA 91302-1341
UNITED STATES

Phone: 818-999-9003

Fax: 818-999-9018

Correspondent e-mail: ajrlaw@pacbell.net

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 14, 2007	PUBLISHED FOR OPPOSITION	
Jul. 25, 2007	NOTICE OF PUBLICATION	
Jul. 06, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Jul. 06, 2007	ASSIGNED TO LIE	67215
Jun. 04, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 01, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 31, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 31, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 15, 2007	NON-FINAL ACTION E-MAILED	6325
May 15, 2007	NON-FINAL ACTION WRITTEN	72620
May 08, 2007	ASSIGNED TO EXAMINER	72620
Jan. 24, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 23, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 30, 2007

Generated on: This page was generated by TSDR on 2014-02-14 11:45:10 EST

Mark: EARTHLY MAMA HERBALS, INC. "PLANTING TOGETHER TODAY, SOWING NEW SEEDS FOR TOMORROW" S.C.C.



US Serial Number: 77086293

Application Filing Date: Jan. 19, 2007

US Registration Number: 3322943

Registration Date: Oct. 30, 2007

Register: Principal

Mark Type: Trademark

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

Status Date: Oct. 30, 2007

Publication Date: Aug. 14, 2007

Mark Information

Mark Literal Elements: EARTHLY MAMA HERBALS, INC. "PLANTING TOGETHER TODAY, SOWING NEW SEEDS FOR TOMORROW" S.C.C.

Standard Character Claim: No

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

Description of Mark: The mark consists of a circle surrounded by leaves with the ying yang symbol in the background with two bears facing each other, a panda bear on the left and a polar bear on the right holding a vine with a heart attached on each end.

Disclaimer: "HERBALS, INC."

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
03.01.13 - Panda bears
03.01.14 - Grizzly bears; Koala bears; Polar bears; Black bears; Bears other than Panda bears; Bears, polar; Bears, koala
03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers
05.01.04 - Vines
05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
05.03.25 - Other leaves; Leaf, single
24.17.18 - Yin-Yang symbol
26.01.09 - Circles having humans as a border; Circles having animals as a border; Circles having objects as a border; Circles having plants as a border; Geometric figures, objects, humans, plants or animals forming or bordering the perimeter of a circle.; Circles having geometric figures as a border
26.01.21 - Circles that are totally or partially shaded.

Goods and Services

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

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

For: Herbal supplements; Herbal teas for medicinal purposes; Medicinal herbal extracts for medical purposes

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 2006

Use in Commerce: Jan. 02, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Earthly Mama Herbals, Inc

Owner Address: 12132 Marshall St
Culver City, CALIFORNIA 90230
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Anthony rinaldi

Attorney Primary Email Address: ajrlaw@pacbell.net

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: ANTHONY RINALDI
RINALDI AND ASSOCIATES
23548 CALABASAS RD STE 107
CALABASAS, CALIFORNIA 91302-1341
UNITED STATES

Phone: 818-999-9003

Fax: 818-999-9018

Correspondent e-mail: ajrlaw@pacbell.net

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 14, 2007	PUBLISHED FOR OPPOSITION	
Jul. 25, 2007	NOTICE OF PUBLICATION	
Jul. 06, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Jul. 06, 2007	ASSIGNED TO LIE	67215
Jun. 04, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 01, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 31, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 31, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 15, 2007	NON-FINAL ACTION E-MAILED	6325
May 15, 2007	NON-FINAL ACTION WRITTEN	72620
May 08, 2007	ASSIGNED TO EXAMINER	72620
Jan. 24, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 23, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 30, 2007

Generated on: This page was generated by TSDR on 2014-02-14 11:44:36 EST

Mark: EARTHLY MAMA HERBALS, INC. "PLANTING TOGETHER TODAY, SOWING NEW SEEDS FOR TOMORROW" S.C.C.



US Serial Number: 77086293

Application Filing Date: Jan. 19, 2007

US Registration Number: 3322943

Registration Date: Oct. 30, 2007

Register: Principal

Mark Type: Trademark

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

Status Date: Oct. 30, 2007

Publication Date: Aug. 14, 2007

Mark Information

Mark Literal Elements: EARTHLY MAMA HERBALS, INC. "PLANTING TOGETHER TODAY, SOWING NEW SEEDS FOR TOMORROW" S.C.C.

Standard Character Claim: No

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

Description of Mark: The mark consists of a circle surrounded by leaves with the ying yang symbol in the background with two bears facing each other, a panda bear on the left and a polar bear on the right holding a vine with a heart attached on each end.

Disclaimer: "HERBALS, INC."

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
03.01.13 - Panda bears
03.01.14 - Grizzly bears; Koala bears; Polar bears; Black bears; Bears other than Panda bears; Bears, polar; Bears, koala
03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers
05.01.04 - Vines
05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
05.03.25 - Other leaves; Leaf, single
24.17.18 - Yin-Yang symbol
26.01.09 - Circles having humans as a border; Circles having animals as a border; Circles having objects as a border; Circles having plants as a border; Geometric figures, objects, humans, plants or animals forming or bordering the perimeter of a circle.; Circles having geometric figures as a border
26.01.21 - Circles that are totally or partially shaded.

Goods and Services

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

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

For: Herbal supplements; Herbal teas for medicinal purposes; Medicinal herbal extracts for medical purposes

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 2006

Use in Commerce: Jan. 02, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Earthly Mama Herbals, Inc

Owner Address: 12132 Marshall St
Culver City, CALIFORNIA 90230
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Anthony rinaldi

Attorney Primary Email Address: ajrlaw@pacbell.net

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: ANTHONY RINALDI
RINALDI AND ASSOCIATES
23548 CALABASAS RD STE 107
CALABASAS, CALIFORNIA 91302-1341
UNITED STATES

Phone: 818-999-9003

Fax: 818-999-9018

Correspondent e-mail: ajrlaw@pacbell.net

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 14, 2007	PUBLISHED FOR OPPOSITION	
Jul. 25, 2007	NOTICE OF PUBLICATION	
Jul. 06, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Jul. 06, 2007	ASSIGNED TO LIE	67215
Jun. 04, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 01, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 31, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 31, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 15, 2007	NON-FINAL ACTION E-MAILED	6325
May 15, 2007	NON-FINAL ACTION WRITTEN	72620
May 08, 2007	ASSIGNED TO EXAMINER	72620
Jan. 24, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 23, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 30, 2007

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Mark: HERBAL DYNAMITE

HERBAL DYNAMITE

US Serial Number: 77161598
Application Filing Date: Apr. 20, 2007
US Registration Number: 3364854
Registration Date: Jan. 08, 2008
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 08, 2008
Publication Date: Oct. 23, 2007

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 01, 1991
Use in Commerce: Apr. 01, 1991

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: 206 MACOPIN CORP
Owner Address: 206 MACOPIN RD
BLOOMINGDALE, NEW JERSEY 07403
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: 206 MACOPIN CORP
206 MACOPIN CORP
206 MACOPIN RD
BLOOMINGDALE, NEW JERSEY 07403-1001
UNITED STATES

Phone: 973-838-8300

Fax: 973-838-0560

Correspondent e-mail: MELISSACA@DNEPHARM.COM

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 08, 2008	REGISTERED-PRINCIPAL REGISTER	
Oct. 23, 2007	PUBLISHED FOR OPPOSITION	
Oct. 03, 2007	NOTICE OF PUBLICATION	
Sep. 15, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Sep. 15, 2007	ASSIGNED TO LIE	76243
Aug. 07, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 03, 2007	ASSIGNED TO EXAMINER	77764
Apr. 25, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 08, 2008

Owner Address: 4515 Ross Road
Sebastopol, CALIFORNIA 95472
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeremy Johnson

Attorney Primary Email Address: jjohnson@tradmed.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Jeremy Johnson
Traditional Medicinals, Inc.
4515 Ross Road
Sebastopol, CALIFORNIA 95472
UNITED STATES

Phone: 707-823-8911

Correspondent e-mail: jjohnson@tradmed.com khuggins@tradmed.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 05, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 05, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 21, 2008	REGISTERED-PRINCIPAL REGISTER	
Sep. 12, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	76539
Sep. 12, 2008	ASSIGNED TO LIE	76539
Sep. 11, 2008	ASSIGNED TO LIE	59554
Aug. 08, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 11, 2008	STATEMENT OF USE PROCESSING COMPLETE	76874
Jun. 06, 2008	USE AMENDMENT FILED	76874
Jun. 06, 2008	TEAS STATEMENT OF USE RECEIVED	
Feb. 05, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 13, 2007	PUBLISHED FOR OPPOSITION	
Oct. 24, 2007	NOTICE OF PUBLICATION	
Oct. 07, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	68602
Oct. 07, 2007	ASSIGNED TO LIE	68602
Sep. 17, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 16, 2007	ASSIGNED TO EXAMINER	76720
Jun. 13, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 12, 2008

Attorney Name: Mark B. Harrison,

Docket Number: 047870-0340

Attorney Primary Email mbharrison@Venable.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: Mark B. Harrison,
Venable LLP
575 7th Street, NW
WASHINGTON, DISTRICT OF COLUMBIA 20004
UNITED STATES

Phone: 202-344-4019

Fax: 202-344-8300

Correspondent e-mail: mbharrison@Venable.com mbharrison@Venable.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 17, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 17, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 15, 2012	REVIEW OF CORRESPONDENCE COMPLETE - ADDRESS UPDATED	71427
May 31, 2012	TEAS WITHDRAWAL AS DOMESTIC REPRESENTATIVE RECEIVED	
Dec. 29, 2010	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 26, 2010	REGISTERED-PRINCIPAL REGISTER	
Dec. 18, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	70138
Dec. 15, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 09, 2009	STATEMENT OF USE PROCESSING COMPLETE	70565
Oct. 22, 2009	USE AMENDMENT FILED	70565
Nov. 09, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Oct. 22, 2009	TEAS STATEMENT OF USE RECEIVED	
Sep. 08, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 16, 2009	PUBLISHED FOR OPPOSITION	
May 27, 2009	NOTICE OF PUBLICATION	
May 11, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
May 08, 2009	EXAMINERS AMENDMENT MAILED	
May 07, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 07, 2009	EXAMINER'S AMENDMENT ENTERED	88888
May 07, 2009	EXAMINERS AMENDMENT -WRITTEN	72506
Mar. 02, 2009	NON-FINAL ACTION MAILED	
Mar. 02, 2009	NON-FINAL ACTION WRITTEN	72506
Nov. 19, 2008	ASSIGNED TO EXAMINER	72506
Nov. 19, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Nov. 19, 2008	WITHDRAWN FROM PUB - SENIOR ATTORNEY REQUEST	81859
Nov. 17, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Nov. 05, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Nov. 04, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 07, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 07, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 07, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 08, 2008	PRIORITY ACTION MAILED	
Apr. 07, 2008	PRIORITY ACTION WRITTEN	81859
Apr. 07, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 07, 2008	EXAMINERS AMENDMENT -WRITTEN	81859
Feb. 23, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	70138

Feb. 23, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	70138
Feb. 15, 2008	ASSIGNED TO LIE	70138
Jan. 15, 2008	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Dec. 27, 2007	LETTER OF SUSPENSION MAILED	
Dec. 27, 2007	SUSPENSION LETTER WRITTEN	81859
Dec. 21, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 21, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 21, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 17, 2007	NON-FINAL ACTION MAILED	
Aug. 16, 2007	NON-FINAL ACTION WRITTEN	81859
Aug. 14, 2007	ASSIGNED TO EXAMINER	81859
Jun. 15, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 18, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 4

Registrant: Healthy Directions, LLC

Assignment 1 of 4

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: [4437/0339](#)

Pages: 17

Date Recorded: Dec. 23, 2010

Supporting Documents: [assignment-tm-4437-0339.pdf](#)

Assignor

Name: [HEALTHY DIRECTIONS, LLC](#)

Execution Date: Dec. 21, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Name: [HEALTHY DIRECTIONS PUBLISHING, LLC](#)

Execution Date: Dec. 21, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [ABLECO, L.L.C.](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 299 PARK AVENUE
NEW YORK, NEW YORK 10171

Correspondent

Correspondent Name: M. DAVIDSON C/O SCHULTE ROTH & ZABEL LLP

Correspondent Address: 919 THIRD AVENUE
22ND FLOOR
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: SECURITY INTEREST

Reel/Frame: [4438/0862](#)

Pages: 11

Date Recorded: Dec. 22, 2010

Supporting Documents: [assignment-tm-4438-0862.pdf](#)

Assignor

Name: [HEALTH DIRECTIONS, LLC](#)

Execution Date: Dec. 21, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [GENERAL ELECTRIC CAPITAL CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 500 MONROE STREET
CHICAGO, ILLINOIS 60661

Correspondent

Correspondent Name: JAMES M. HANNON

Correspondent Address: 1180 PEACHTREE STREET
KING & SPALDING LLP
ATLANTA, GA 30309

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: SECURITY INTEREST

Reel/Frame: [5086/0027](#)

Pages: 16

Date Recorded: Aug. 09, 2013

Supporting Documents: [assignment-tm-5086-0027.pdf](#)

Assignor

Name: [HEALTHY DIRECTIONS, LLC](#)

Execution Date: Aug. 09, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [HEALTHY DIRECTIONS PUBLISHING, LLC](#)

Execution Date: Aug. 09, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GENERAL ELECTRIC CAPITAL CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 500 WEST MONROE STREET
CHICAGO, ILLINOIS 60661

Correspondent

Correspondent Name: KING & SPALDING LLP

Correspondent Address: 1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [5086/0128](#)

Pages: 15

Date Recorded: Aug. 09, 2013

Supporting Documents: [assignment-tm-5086-0128.pdf](#)

Assignor

Name: [ABLECO, L.L.C.](#)

Execution Date: Aug. 09, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [HEALTHY DIRECTIONS, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 7811 MONTROSE ROAD
POTOMAC, MARYLAND 20854

Name: [HEALTHY DIRECTIONS PUBLISHING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 7811 MONTROSE ROAD
POTOMAC, MARYLAND 20854

Correspondent

Correspondent Name: KING & SPALDING LLP

Correspondent Address: 1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

Domestic Representative - Not Found

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Mark: HERBAL MELANGE

Herbal Melange

US Serial Number: 77228184
US Registration Number: 3618081
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 12, 2009
Publication Date: Feb. 24, 2009

Application Filing Date: Jul. 12, 2007
Registration Date: May 12, 2009
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: HERBAL MELANGE
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM
Description of Mark: The mark consists of the wording "HERBAL MELANGE" with the "H" of "HERBAL" and the "M" of "MELANGE" in upper case, and all the other letters in lower case.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "HERBAL"
Acquired Distinctiveness Claim: In whole

Goods and Services

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

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

For: Herbal supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 02, 1985

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: May 30, 1986

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Norimoor, LLC
Owner Address: 42-23 235th Street
Douglaston Manor, NEW YORK 11363
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: NORIMOOR, LLC
 NORIMOOR, LLC
 42-23 48th Street
 Douglaston Manor, NEW YORK 11363
 UNITED STATES

Phone: 718-423-6667

Fax: 718-721-6668

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jun. 24, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 24, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 24, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 24, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 11, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 11, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 11, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 28, 2009	UNDELIVERABLE MAIL - COURTESY COPY MAILED	48349
May 12, 2009	REGISTERED-PRINCIPAL REGISTER	
Feb. 24, 2009	PUBLISHED FOR OPPOSITION	
Feb. 04, 2009	NOTICE OF PUBLICATION	
Jan. 18, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 18, 2009	ASSIGNED TO LIE	74221
Jan. 04, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 23, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 22, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 22, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 11, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 11, 2008	NON-FINAL ACTION E-MAILED	6325
Jul. 11, 2008	NON-FINAL ACTION WRITTEN	69225
Mar. 28, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 28, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 28, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 04, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 04, 2007	NON-FINAL ACTION E-MAILED	6325
Oct. 04, 2007	NON-FINAL ACTION WRITTEN	69225
Oct. 04, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 04, 2007	NON-FINAL ACTION E-MAILED	6325
Oct. 04, 2007	NON-FINAL ACTION WRITTEN	69225
Oct. 03, 2007	ASSIGNED TO EXAMINER	69225
Jul. 17, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 12, 2009

Generated on: This page was generated by TSDR on 2014-02-14 11:45:32 EST

Mark: VITAMIN & HERBAL TECHNOLOGY



US Serial Number: 77233303

Application Filing Date: Jul. 19, 2007

US Registration Number: 3915406

Registration Date: Feb. 08, 2011

Register: Principal

Mark Type: Trademark

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

Status Date: Feb. 08, 2011

Publication Date: Nov. 23, 2010

Mark Information

Mark Literal Elements: VITAMIN & HERBAL TECHNOLOGY

Standard Character Claim: No

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

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

Disclaimer: "VITAMIN & HERBAL TECHNOLOGY"

Design Search Code(s): 26.03.21 - Ovals that are completely or partially shaded
26.11.21 - Rectangles that are completely or partially shaded
26.11.25 - Rectangles with one or more curved sides

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 55663

Foreign Application Filing Date: Apr. 28, 2007

Foreign Registration Number: 55663

Foreign Registration Date: Jun. 06, 2010

Foreign Application/Registration Country: BAHRAIN

Foreign Expiration Date: Apr. 28, 2017

Goods and Services

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

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

For: Supplements, namely, dietary food supplements, dietary supplements, food supplements, herbal supplements, meal replacement and dietary supplement drink mixes, mineral nutritional supplements, mineral supplements, nutritional supplements, nutritional supplement drink mixes, vitamin and mineral supplements, vitamin supplements, meal replacement bars

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: Yes

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: Yes

Amended 44E: Yes

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: A&A Research and Development W.L.L. (Holding)
Owner Address: PO Box 21161
Manama
BAHRAIN
Legal Entity Type: CORPORATION
State or Country Where Organized: BAHRAIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lawrence E. Abelman
Attorney Primary Email Address: ferranella@lawabel.com
Docket Number: 872563
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Lawrence E. Abelman
Abelman Frayne & Schwab
666 Third Avenue
10th Floor
New York, NEW YORK 10017
UNITED STATES
Phone: (212) 949-9022
Fax: 212-949-9190
Correspondent e-mail: ferranella@lawabel.com
Correspondent e-mail Authorized: No

Domestic Representative

Domestic Representative Name: Lawrence E. Abelman
Phone: (212) 949-9022
Fax: 212-949-9190
Domestic Representative e-mail: ferranella@lawabel.com
Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Feb. 08, 2011	REGISTERED-PRINCIPAL REGISTER	
Nov. 23, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 23, 2010	PUBLISHED FOR OPPOSITION	
Oct. 16, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Oct. 13, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 23, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Sep. 23, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Sep. 23, 2010	ASSIGNED TO LIE	68552
Sep. 15, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 16, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 16, 2010	NON-FINAL ACTION E-MAILED	6325
Jun. 16, 2010	NON-FINAL ACTION WRITTEN	76855
Jun. 07, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 07, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 07, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Feb. 04, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Feb. 04, 2010	LETTER OF SUSPENSION E-MAILED	6332
Feb. 04, 2010	SUSPENSION LETTER WRITTEN	76855
Feb. 01, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	76984
Feb. 01, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	76984
Jan. 28, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 28, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Aug. 18, 2009	INQUIRY AS TO SUSPENSION MAILED	
Aug. 17, 2009	SUSPENSION INQUIRY WRITTEN	76855

Jul. 28, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76984
Jul. 28, 2009	ASSIGNED TO LIE	76984
Jan. 28, 2009	LETTER OF SUSPENSION MAILED	
Jan. 27, 2009	SUSPENSION LETTER WRITTEN	76855
Jan. 27, 2009	AMENDMENT FROM APPLICANT ENTERED	76985
Jan. 27, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	76985
Jan. 26, 2009	ASSIGNED TO LIE	76985
Jan. 23, 2009	PAPER RECEIVED	
Nov. 18, 2008	INQUIRY AS TO SUSPENSION MAILED	
Nov. 18, 2008	SUSPENSION INQUIRY WRITTEN	76855
Nov. 04, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	76984
May 02, 2008	LETTER OF SUSPENSION MAILED	
May 02, 2008	SUSPENSION LETTER WRITTEN	76855
Apr. 28, 2008	ASSIGNED TO LIE	76984
Apr. 23, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 23, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 23, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 30, 2007	NON-FINAL ACTION MAILED	
Oct. 30, 2007	NON-FINAL ACTION WRITTEN	76855
Oct. 24, 2007	ASSIGNED TO EXAMINER	76855
Jul. 25, 2007	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Jul. 24, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 08, 2011

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Mark: HERBAL ADRENAL SUPPORT FORMULA

Herbal Adrenal Support
Formula

US Serial Number: 77257490

Application Filing Date: Aug. 16, 2007

US Registration Number: 3464750

Registration Date: Jul. 08, 2008

Register: Supplemental

Mark Type: Trademark

Date Amended to Current Register: Aug. 16, 2007

Register:

Status: A Section 8 declaration has been accepted.

Status Date: Jul. 24, 2013

Mark Information

Mark Literal Elements: HERBAL ADRENAL SUPPORT FORMULA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FORMULA"

Goods and Services

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

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

For: Animal feed additive for use as a nutritional supplement for medical purposes; Animal feed supplements; Biscuits, bread, bread rolls, cakes, cereal products, confectionery, crackers, noodles, fish sauce, relish, sauces, cereal-based snack-foods and prepared dietary items that are gluten-free to accommodate special medical and health conditions; Dietary and nutritional supplements; Dietary and nutritionally fortified food products adapted for medical use; Dietary drink mix for use as a meal replacement; Dietary food supplements; Dietary supplements; Dietary supplements for animals; Dietary supplements for human consumption; Feed supplements for household pets; Fish, pickles, preserved olives and dietary foods and food-items that are gluten-free to accommodate special medical and health conditions; Food supplements; Food supplements, namely, anti-oxidants; Herbal supplements; Homeopathic supplements; Mineral nutritional supplements; Mineral supplements; Nutraceuticals for use as a dietary supplement; Nutritional additives for medical purposes for use in foods and dietary supplements for human consumption; Nutritional supplements; Nutritional supplements in lotion form sold as a component of nutritional skin care products; Powdered fruit-flavored dietary supplement drink mix; Powdered nutritional supplement drink mix; Vitamin and mineral supplements; Vitamin supplement in tablet form for use in making an effervescent beverage when added to water; Vitamin supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 29, 2002

Use in Commerce: Aug. 29, 2002

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Mind Mine

Owner Address: 4142 E. 5th Street
Tucson, ARIZONA 85711
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Mind Mine, LLC
4142 E. 5th Street
TUCSON, ARIZONA 85711
UNITED STATES

Phone: 520 748-0388

Fax: 520 514-1917

Correspondent e-mail: jessica@drwilsons.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 24, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Jul. 24, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED	76874
Jul. 24, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874
Jul. 09, 2013	TEAS SECTION 8 RECEIVED	
Jul. 09, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 11, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 11, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 08, 2008	REGISTERED-SUPPLEMENTAL REGISTER	
May 30, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
May 30, 2008	EXAMINERS AMENDMENT MAILED	
May 29, 2008	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
May 29, 2008	EXAMINER'S AMENDMENT ENTERED	88888
May 29, 2008	EXAMINERS AMENDMENT -WRITTEN	81899
May 29, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 04, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Mar. 24, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Mar. 24, 2008	ASSIGNED TO LIE	77075
Mar. 08, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 07, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 07, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 16, 2007	NON-FINAL ACTION MAILED	
Oct. 15, 2007	NON-FINAL ACTION WRITTEN	81899
Oct. 12, 2007	ASSIGNED TO EXAMINER	81899
Aug. 21, 2007	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 104

Date in Location: Jul. 24, 2013

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Mark: WHITE DOVE HERBALS



US Serial Number: 77274705
US Registration Number: 3491575
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 26, 2008
Publication Date: Mar. 04, 2008

Application Filing Date: Sep. 07, 2007
Registration Date: Aug. 26, 2008
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: WHITE DOVE HERBALS
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The color black appears in the wording "WHITE DOVE HERBALS" and the dove design element. The color white appears in the wording "WHITE DOVE" and in the dove design element. The colors gray, purple, orange, and blue appear in the dove design element.
Color Drawing: Yes
Color(s) Claimed: The color(s) white, black, gray, purple, orange and blue is/are claimed as a feature of the mark.
Disclaimer: "HERBALS"
Design Search Code(s): 03.15.09 - Gulls; Pelicans; Seabirds
03.15.10 - Doves
03.15.24 - Stylized birds and bats

Goods and Services

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

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

For: Herbal supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 31, 2006
U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Jan. 08, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: WhiteDove Herbals, Inc.
Owner Address: 7481 Hygiene Road
Longmont, COLORADO 80533
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where: COLORADO

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Robert J. Keating

Attorney Primary Email Address: rob@bernsteinattorney.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: ROBERT J. KEATING
HOWARD O. BERNSTEIN, P.C.
1111 PEARL ST STE 203
BOULDER, COLORADO 80302-5163
UNITED STATES

Phone: (303) 494-3321

Fax: (303) 544-5955

Correspondent e-mail: rob@bernsteinattorney.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2008	REGISTERED-PRINCIPAL REGISTER	
Jul. 18, 2008	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Mar. 13, 2008	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 04, 2008	PUBLISHED FOR OPPOSITION	
Feb. 13, 2008	NOTICE OF PUBLICATION	
Jan. 29, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
Jan. 29, 2008	ASSIGNED TO LIE	68658
Dec. 18, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 14, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 14, 2007	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 14, 2007	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 14, 2007	EXAMINERS AMENDMENT -WRITTEN	83697
Dec. 12, 2007	ASSIGNED TO EXAMINER	83697
Sep. 13, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 12, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 26, 2008

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [77274705](#)

Filing Date: Mar 13, 2008

Status: Terminated

Status Date: Jul 18, 2008

Interlocutory Attorney:

Defendant

Name: WhiteDove Herbals, Inc.

Correspondent Address: ROBERT J. KEATING
HOWARD O. BERNSTEIN, P.C.
1111 PEARL ST STE 203
BOULDER CO , 80302-5163
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
WHITE DOVE HERBALS	Registered	77274705	3491575

Potential Opposer(s)

Name: Unilever Supply Chain, Inc.

Correspondent Address: Julia R. Talke
 BAKER & MCKENZIE LLP
 1114 Avenue of the Americas
 New York NY , 10036
 UNITED STATES

Correspondent e-mail: julia.r.talke@bakernet.com , nyctrademarks@bakernet.com

Name: Mars, Incorporated

Correspondent Address: Leslie K. Mitchell
 Arent Fox LLP
 1675 Broadway
 New York NY , 10019
 UNITED STATES

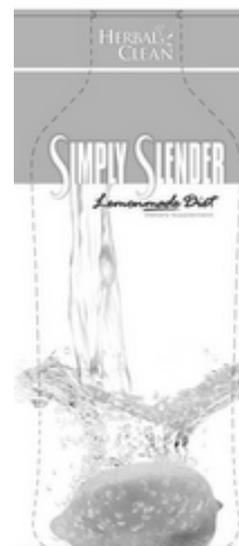
Correspondent e-mail: mitchell.leslie@arentfox.com , lewertoff.katrin@arentfox.com , sheridan.anne@arentfox.com , NYIPdocket@arentfox.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 13, 2008	
2	EXTENSION OF TIME GRANTED	Mar 13, 2008	
3	INCOMING - EXT TIME TO OPPOSE FILED	Mar 27, 2008	
4	EXTENSION OF TIME GRANTED	Mar 27, 2008	
5	INCOMING - EXT TIME TO OPPOSE FILED	Apr 18, 2008	
6	EXTENSION OF TIME GRANTED	Apr 18, 2008	

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Mark: HERBAL CLEAN SIMPLY SLENDER LEMONMADE DIET DIETARY SUPPLEMENT



US Serial Number: 77322802

Application Filing Date: Nov. 06, 2007

US Registration Number: 3717058

Registration Date: Nov. 24, 2009

Register: Supplemental

Mark Type: Trademark

Date Amended to Current Register: Sep. 15, 2009

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

Status Date: Nov. 24, 2009

Publication Date: Oct. 28, 2008

Notice of Allowance Date: Jan. 20, 2009

Mark Information

Mark Literal Elements: HERBAL CLEAN SIMPLY SLENDER LEMONMADE DIET DIETARY SUPPLEMENT

Standard Character Claim: No

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

Description of Mark: The mark consists of the front panel of a bottle label with a darker top/middle portion. The words "HERBAL CLEAN" and a branch design are placed along what would be the neck of the bottle and the words "SIMPLY SLENDER" stylized are placed at what would be the shoulders of the bottle and the words "LEMONMADE DIET" stylized placed beneath "SIMPLY SLENDER" and the words "DIETARY SUPPLEMENT" beneath the words "LEMONMADE DIET". Water flows from underneath the word "SIMPLY" down the panel, ending with a splash at the bottom of the label onto a lemon design. The dotted lines depicting a bottle are to show positioning of the mark and are not a feature of the mark.

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

Lining and Stippling Statement: "The stippling is for shading purposes only."

Disclaimer: "HERBAL," "DIET" AND "DIETARY SUPPLEMENT"

Design Search Code(s): 01.15.11 - Bubbles; Suds, soap; Soap suds; Foamy mass; Foam (bubbles)
01.15.25 - Pouring liquids; Light rays; Coal; Dust; Sand; Spilling liquids; Liquids, spilling
05.09.04 - Limes; Lemons
19.09.01 - Jars with conical or triangular shape; Jars with conical or triangular shape; Bottles, jars or flasks of conical or triangular shape; Flasks with conical or triangular shape
26.11.11 - Rectangles divided twice into three sections
26.11.21 - Rectangles that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 2001460

Goods and Services

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

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

For: Dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 2007

Use in Commerce: Dec. 01, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: BNG Enterprises, Inc.
Owner Address: 3312 East Broadway Road
 Phoenix, ARIZONA 85040
 UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Anthony D. Logan
Attorney Primary Email Address: pto_adl@vcmlaw.com
Docket Number: PHDL1247-033
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Anthony D. Logan
 Venable, Campillo, Logan & Meaney, P.C.
 1938 E. Osborn Rd.
 Phoenix, ARIZONA 85016
 UNITED STATES
Phone: 602-631-9100
Fax: 602-631-4529
Correspondent e-mail Authorized: pto_adl@vcmlaw.com Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 17, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 17, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 24, 2009	REGISTERED-SUPPLEMENTAL REGISTER	
Oct. 20, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	71441
Oct. 20, 2009	ALLOWED SUPPLEMENTAL REGISTER - SOU ACCEPTED	
Sep. 15, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 15, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 15, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 29, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Apr. 29, 2009	NON-FINAL ACTION E-MAILED	
Apr. 29, 2009	SU - NON-FINAL ACTION - WRITTEN	76741
Mar. 06, 2009	STATEMENT OF USE PROCESSING COMPLETE	76569

Feb. 17, 2009	USE AMENDMENT FILED	76569
Mar. 06, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76569
Feb. 17, 2009	TEAS STATEMENT OF USE RECEIVED	
Jan. 20, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 28, 2008	PUBLISHED FOR OPPOSITION	
Oct. 08, 2008	NOTICE OF PUBLICATION	
Sep. 08, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Aug. 26, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Aug. 26, 2008	ASSIGNED TO LIE	71441
Aug. 18, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 18, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 18, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 18, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 18, 2008	EXAMINERS AMENDMENT -WRITTEN	76741
Jun. 30, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 30, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 30, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 28, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 28, 2008	NON-FINAL ACTION E-MAILED	6325
Feb. 28, 2008	NON-FINAL ACTION WRITTEN	76741
Feb. 19, 2008	ASSIGNED TO EXAMINER	76741
Nov. 10, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 09, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 24, 2009

Attorney of Record**Attorney Name:** I. Morley Drucker**Docket Number:** MCONS-76781**Correspondent****Correspondent Name/Address:** I. MORLEY DRUCKER
FULWIDER PATTON LLP
6060 CENTER DR FL 10
LOS ANGELES, CALIFORNIA 90045-1598
UNITED STATES**Phone:** 310-824-5555**Fax:** 310-824-9696**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Aug. 19, 2008	REGISTERED-PRINCIPAL REGISTER	
Jun. 03, 2008	PUBLISHED FOR OPPOSITION	
May 14, 2008	NOTICE OF PUBLICATION	
Apr. 25, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Apr. 25, 2008	ASSIGNED TO LIE	66213
Apr. 24, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 22, 2008	ASSIGNED TO EXAMINER	74662
Jan. 23, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 22, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Aug. 19, 2008

Generated on: This page was generated by TSDR on 2014-02-14 11:51:23 EST

Mark: TIN HEE PILLS HERBAL SUPPLEMENT



US Serial Number: 77373044

Application Filing Date: Jan. 16, 2008

US Registration Number: 3488113

Registration Date: Aug. 19, 2008

Register: Principal

Mark Type: Trademark

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

Status Date: Aug. 19, 2008

Publication Date: Jun. 03, 2008

Mark Information

Mark Literal Elements: TIN HEE PILLS HERBAL SUPPLEMENT

Standard Character Claim: No

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

Description of Mark: The mark consists of : The color red appears as a rectangle within a rectangle red-line border. The color yellow surrounds the red rectangle. The color red also appears outside of the red-line border and the words "TIN HEE PILLS" appear in red. The color white appears in the Chinese characters overlying the red rectangle, and also appears adjacent the red-line border.

Color Drawing: Yes

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

Disclaimer: CANTONESE CHARACTERS THAT TRANSLATE TO THE WORDS "HERBAL STORE" AND "PILLS" AND THE ENGLISH WORDING "HERBAL SUPPLEMENT"

Translation: The foreign wording in the mark translates into English as "Joy of Heaven Herbal Store Joy of Heaven Pills".

Transliteration: The non-Latin character(s) in the mark transliterate into "Tin Hee Tong Tin Hee Yung", and this means "Joy of Heaven Herbal Store Joy of Heaven Pills" in English.

Design Search Code(s): 26.11.20 - Rectangles inside one another
26.11.21 - Rectangles that are completely or partially shaded
28.01.03 - Chinese characters; Japanese characters; Asian characters

Goods and Services

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

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

For: Herbal supplement

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 14, 2007

Use in Commerce: Aug. 14, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MicroConstants, Inc.

Owner Address: 9050 Camino Santa Fe
San Diego, CALIFORNIA 92121

UNITED STATES
Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: I. Morley Drucker

Docket Number: MCONS-76778

Correspondent

Correspondent Name/Address: I. MORLEY DRUCKER
FULWIDER PATTON LLP
6060 CENTER DR FL 10
LOS ANGELES, CALIFORNIA 90045-1598
UNITED STATES

Phone: 310-824-5555

Fax: 310-824-9696

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 19, 2008	REGISTERED-PRINCIPAL REGISTER	
Jun. 03, 2008	PUBLISHED FOR OPPOSITION	
May 14, 2008	NOTICE OF PUBLICATION	
Apr. 25, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Apr. 25, 2008	ASSIGNED TO LIE	66213
Apr. 24, 2008	EXAMINER'S AMENDMENT MAILED	
Apr. 24, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 24, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 24, 2008	EXAMINERS AMENDMENT -WRITTEN	74662
Apr. 22, 2008	ASSIGNED TO EXAMINER	74662
Jan. 23, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 22, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 19, 2008

Generated on: This page was generated by TSDR on 2014-02-14 11:52:24 EST

Mark: HERBAL EQUILIBRIUM

HERBAL EQUILIBRIUM

US Serial Number: 77377594
Application Filing Date: Jan. 22, 2008
US Registration Number: 3684922
Registration Date: Sep. 22, 2009
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 22, 2009
Publication Date: Jul. 07, 2009

Mark Information

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

Goods and Services

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

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

For: dietary and nutritional supplements, dietary food supplements, and herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 07, 2007

Use in Commerce: Nov. 07, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Concordia Partners, LLC
DBA, AKA, Formerly: DBA Women to Women's Personal Program
Owner Address: P.O. Box 306
Portland, MAINE 04101
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: MAINE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Denise I. Mroz
Docket Number: CONP-0009
Attorney Primary Email Address: trademarks@woodcock.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: DENISE I. MROZ
WOODCOCK WASHBURN LLP
2929 ARCH STREET
CIRA CENTRE, 12TH FLOOR
PHILADELPHIA, PENNSYLVANIA 19104-2891
UNITED STATES

Phone: (215) 568-3100

Fax: (215) 568-3439

Correspondent e-mail: trademarks@woodcock.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 22, 2009	REGISTERED-PRINCIPAL REGISTER	
Jul. 07, 2009	PUBLISHED FOR OPPOSITION	
Jun. 17, 2009	NOTICE OF PUBLICATION	
Jun. 03, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
May 30, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 14, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 13, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 14, 2009	ASSIGNED TO LIE	70997
Apr. 13, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 26, 2008	ASSIGNED TO EXAMINER	78439
Oct. 17, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 17, 2008	NON-FINAL ACTION E-MAILED	6325
Oct. 17, 2008	NON-FINAL ACTION WRITTEN	83177
Sep. 20, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 19, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 19, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 08, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 08, 2008	NON-FINAL ACTION E-MAILED	6325
May 08, 2008	NON-FINAL ACTION WRITTEN	83177
Apr. 28, 2008	ASSIGNED TO EXAMINER	83177
Jan. 25, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 22, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Concordia Partners, LLC

Assignment 1 of 1

Conveyance: CANCELLATION OF D/B/A FROM CONCORDIA PARTNERS, LLC, D/B/A WOMEN TO WOMEN PERSONAL PROGRAM TO MERELY CONCORDIA PARTNERS, LLC

Reel/Frame: [5136/0019](#)

Pages: 4

Date Recorded: Oct. 23, 2013

Supporting Documents: [assignment-tm-5136-0019.pdf](#)

Assignor

Name: [CONCORDIA PARTNERS, LLC DBA WOMEN TO WOMEN'S PERSONAL PROGRAM](#)

Execution Date: Oct. 18, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: MAINE

Assignee

Name: [CONCORDIA PARTNERS, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

**State or Country Where
Organized:** MAINE

Address: P.O. BOX 306
PORTLAND, MAINE 04101

Correspondent

Correspondent Name: DENISE I. MROZ, WOODCOCK WASHBURN LLP

Correspondent Address: 2929 ARCH STREET
CIRA CENTRE, 12TH FLOOR
PHILADELPHIA, PA 19104-2891

Domestic Representative - Not Found

ARLINGTON, VIRGINIA 22210-3637
UNITED STATES

Phone: 703-525-8009

Fax: 703-525-8089

Correspondent e-mail: emp@tm4smallbiz.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 13, 2009	REGISTERED-PRINCIPAL REGISTER	
Sep. 09, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	78288
Sep. 08, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 04, 2009	STATEMENT OF USE PROCESSING COMPLETE	76873
Aug. 10, 2009	USE AMENDMENT FILED	76873
Sep. 02, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Aug. 10, 2009	PAPER RECEIVED	
Feb. 10, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 18, 2008	PUBLISHED FOR OPPOSITION	
Oct. 29, 2008	NOTICE OF PUBLICATION	
Oct. 15, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78288
Oct. 15, 2008	ASSIGNED TO LIE	78288
Oct. 01, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 11, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 10, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 10, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 20, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 20, 2008	NON-FINAL ACTION E-MAILED	6325
May 20, 2008	NON-FINAL ACTION WRITTEN	80801
May 17, 2008	ASSIGNED TO EXAMINER	80801
Feb. 13, 2008	NOTICE OF PSEUDO MARK MAILED	
Feb. 12, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 09, 2009

Current Owner(s) Information

Owner Name: PARKER, MARGARET

Owner Address: 2106 SOUTH BIG BEAR ROAD
COEUR D ALENE, IDAHO 83814
UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lance C. Venable

Docket Number: PHLV0424-003

Attorney Primary Email Address: pto_lcv@vclmlaw.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: LANCE C. VENABLE
VENABLE, CAMPILLO, LOGAN & MEANEY, P.C.
1938 E OSBORN RD
PHOENIX, ARIZONA 85016-7234
UNITED STATES

Phone: 602-631-9100

Fax: 602-631-4529

Correspondent e-mail: pto_lcv@vclmlaw.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 01, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 10, 2009	REGISTERED-PRINCIPAL REGISTER	
Dec. 23, 2008	PUBLISHED FOR OPPOSITION	
Dec. 03, 2008	NOTICE OF PUBLICATION	
Nov. 17, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Nov. 17, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 22, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 22, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 22, 2008	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Aug. 05, 2008	NOTIFICATION OF FINAL REFUSAL EMAILED	
Aug. 05, 2008	FINAL REFUSAL E-MAILED	
Aug. 05, 2008	FINAL REFUSAL WRITTEN	78428
Jul. 22, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 21, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 22, 2008	ASSIGNED TO LIE	68171
Jul. 21, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 23, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 23, 2008	NON-FINAL ACTION E-MAILED	6325
Jun. 23, 2008	NON-FINAL ACTION WRITTEN	78428
May 29, 2008	ASSIGNED TO EXAMINER	78428
Feb. 22, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 21, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 10, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: MJP Botanicals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4829/0645](#)

Pages: 2

Date Recorded: Jul. 26, 2012

Supporting Documents: [assignment-tm-4829-0645.pdf](#)**Assignor**Name: [MJP BOTANICALS, INC.](#)

Execution Date: Jul. 19, 2012

Legal Entity Type: CORPORATION

State or Country Where
Organized: NEVADA**Assignee**Name: [PARKER, MARGARET](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 2106 SOUTH BIG BEAR ROAD
COEUR D ALENE, IDAHO 83814**Correspondent**

Correspondent Name: STEPHEN NEMEC

Correspondent Address: 1626 LINCOLN WAY
COEUR D ALENE, ID 83814**Domestic Representative - Not Found**

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Mark: DR. JOHN'S HERBAL CANDY

DR. JOHN'S HERBAL CANDY

US Serial Number: 77419568
Application Filing Date: Mar. 12, 2008
US Registration Number: 3519723
Registration Date: Oct. 21, 2008
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 21, 2008
Publication Date: Aug. 05, 2008

Mark Information

Mark Literal Elements: DR. JOHN'S HERBAL CANDY
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "HERBAL CANDY"
Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark identifies "Dr. John Bruinsma", whose consent(s) to register is submitted.

Related Properties Information

Claimed Ownership of US Registrations: 3224997

Goods and Services

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

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

For: Herbal supplement in candy form for the prevention of dental decay and cavities
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 01, 2006
Use in Commerce: Jul. 01, 2006

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: SUGAR FREE SPECIALTIES, LLC
Owner Address: 2201 OAK INDUSTRIAL DRIVE NE
GRAND RAPIDS, MICHIGAN 49505
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: MICHIGAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David J. Ford **Docket Number:** 147085-00009
Attorney Primary Email Address: dford@millercafield.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: David J. Ford
 Miller, Canfield, Paddock and Stone, PLC
 150 West Jefferson
 Suite 2500
 Detroit, MICHIGAN 48226
 UNITED STATES
Phone: 313-496-8466 **Fax:** 313-496-8453
Correspondent e-mail: dford@millercafield.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Apr. 23, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 23, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 17, 2011	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 21, 2008	REGISTERED-PRINCIPAL REGISTER	
Aug. 05, 2008	PUBLISHED FOR OPPOSITION	
Jul. 16, 2008	NOTICE OF PUBLICATION	
Jun. 27, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Jun. 26, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 25, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 25, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 25, 2008	ASSIGNED TO LIE	77312
Jun. 25, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 23, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 23, 2008	NON-FINAL ACTION E-MAILED	6325
Jun. 23, 2008	NON-FINAL ACTION WRITTEN	85325
Jun. 20, 2008	ASSIGNED TO EXAMINER	85325
Mar. 19, 2008	NOTICE OF PSEUDO MARK MAILED	
Mar. 18, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Oct. 21, 2008

Assignment Abstract Of Title Information**Summary**

Total Assignments: 2 **Registrant:** Dr. John's Candies, LLC

Assignment 1 of 2

Conveyance: CHANGE OF NAME
Reel/Frame: [4601/0879](#) **Pages:** 4
Date Recorded: Aug. 10, 2011
Supporting Documents: [assignment-tm-4601-0879.pdf](#)

Assignor

Name: [DR. JOHN'S CANDIES LLC](#) **Execution Date:** Jun. 07, 2011
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** MICHIGAN

Assignee

Name: [DR. JOHN'S HOLDINGS, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: MICHIGAN

Address: 2242 CARDIFF CT. NE
GRAND RAPIDS, MICHIGAN 49505

Correspondent

Correspondent Name: DAVID J. FORD, MILLER CANFIELD
Correspondent Address: 150 WEST JEFFERSON
SUITE 2500
DETROIT, MI 48226

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4602/0285](#)

Pages: 4

Date Recorded: Aug. 11, 2011

Supporting Documents: [assignment-tm-4602-0285.pdf](#)

Assignor

Name: [DR. JOHN'S HOLDINGS, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Aug. 11, 2011
State or Country Where Organized: MICHIGAN

Assignee

Name: [SUGAR FREE SPECIALTIES, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: MICHIGAN

Address: 2201 OAK INDUSTRIAL DRIVE NE
GRAND RAPIDS, MICHIGAN 49505

Correspondent

Correspondent Name: DAVID J. FORD, MILLER CANFIELD
Correspondent Address: 150 WEST JEFFERSON
SUITE 2500
DETROIT, MI 48226

Domestic Representative - Not Found

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Christina S. Loza
Attorney Primary Email Address: tina@lozaip.com
Docket Number: SPAN-201
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: CHRISTINA S. LOZA
LOZA & LOZA, LLP
305 NORTH SECOND AVENUE
#127
UPLAND, CALIFORNIA 91786
UNITED STATES
Phone: 949-705-6777
Fax: 949-608-8934
Correspondent e-mail: tina@lozaip.com
Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 04, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 13, 2010	REGISTERED-PRINCIPAL REGISTER	
Apr. 27, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 27, 2010	PUBLISHED FOR OPPOSITION	
Mar. 22, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Mar. 20, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 06, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 05, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 05, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Sep. 23, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Sep. 23, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	77075
Sep. 23, 2009	ASSIGNED TO LIE	77075
Mar. 23, 2009	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 23, 2009	LETTER OF SUSPENSION E-MAILED	6332
Mar. 23, 2009	SUSPENSION LETTER WRITTEN	72517
Mar. 23, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 23, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 23, 2009	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 23, 2009	EXAMINERS AMENDMENT -WRITTEN	72517
Oct. 06, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 06, 2008	NON-FINAL ACTION E-MAILED	6325
Oct. 06, 2008	NON-FINAL ACTION WRITTEN	72517
Sep. 29, 2008	ASSIGNED TO EXAMINER	72517
Jun. 30, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 13, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Spano, Dante Peter

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4252/0143](#)

Pages: 3

Date Recorded: Aug. 02, 2010

Supporting Documents: [assignment-tm-4252-0143.pdf](#)

Assignor

Name: [SPANO, DANTE](#)

Execution Date: Jul. 30, 2010

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [LIQUID NITRO BEVERAGES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 7338 SYCAMORE CANYON BOULEVARD #3
RIVERSIDE, CALIFORNIA 92508

Correspondent

Correspondent Name: CHRISTINA S. LOZA

Correspondent Address: 305 N. SECOND AVENUE, #127
UPLAND, CA 91786

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: [92050127](#)

Filing Date: Oct 30, 2008

Status: Terminated

Status Date: Sep 15, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Blue Beverages Envasadora Ltd.

Correspondent Address: JEFFREY M FURR
2622 DEBOLT RD
UTICA OH , 43080-9604
UNITED STATES

Correspondent e-mail: JeffMFurr@aol.com , jeffmfurr@furrlawfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
NITRO ENERGY DRINK	Registered	78472068	3146505

Plaintiff(s)

Name: Dante Peter Spano

Correspondent Address: SHELLEY M. COBOS
LOZA & LOZA LLP
305 N 2ND AVE #127
UPLAND CA , 91786-6064
UNITED STATES

Correspondent e-mail: shelley@lozaip.com , tina@lozaip.com , shirley@lozaip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL NITRO	Renewed	75843917	2395815
LIQUID HERBAL NITRO	Registered	77508066	3816147

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 30, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 30, 2008	Dec 09, 2008
3	PENDING, INSTITUTED	Oct 30, 2008	
4	ANSWER	Dec 10, 2008	

5	STIPULATED PROTECTIVE ORDER	Feb 05, 2009	
6	P'S MOTION TO COMPEL DISCOVERY	Feb 13, 2009	
7	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 19, 2009	
8	D'S OPPOSITION/RESPONSE TO MOTION	Mar 06, 2009	
9	PROCEEDINGS RESUMED	Mar 12, 2009	
10	P'S MOT FOR SUM JUDGMENT (CONFIDENTIAL)	Jun 04, 2009	
11	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jun 22, 2009	
12	MOT TO AMEND ANSWER & AMENDED ANSWER	Jun 30, 2009	
13	P'S MOT FOR SUM JUDGMENT (PUBLIC)	Jun 30, 2009	
14	D'S OPPOSITION/RESPONSE TO MOTION	Jul 06, 2009	
15	P'S MOTION TO STRIKE	Jul 10, 2009	
16	D'S OPPOSITION TO MOTION FOR SUMM. JUDGEMENT	Jul 06, 2009	
17	P'S REPLY IN SUPPORT OF MOTION	Jul 20, 2009	
18	D'S OPPOSITION/RESPONSE TO MOTION	Jul 27, 2009	
19	PL'S MOT. FOR SUMM. JUDGMENT DENIED	Dec 07, 2009	
20	P'S NOTICE OF DISCOVERY DEPOSITION	Feb 05, 2010	
21	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 08, 2010	
22	SUSPENDED	Feb 08, 2010	
23	WITHDRAWAL OF PETITION FOR CANCELLATION	Aug 10, 2010	
24	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 20, 2010	Sep 19, 2010
25	WITHDRAWAL OF PETITION FOR CANCELLATION	Aug 26, 2010	
26	BOARD'S DECISION: DISMISSED	Sep 15, 2010	
27	TERMINATED	Sep 15, 2010	

Attorney Primary Email usdocketing@scmv.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Marnie Wright Barnhorst, Esq.
Seltzer Caplan McMahon Vitek
750 B Street, Suite 2100
San Diego, CALIFORNIA 92101
UNITED STATES

Phone: 619-685-3055

Fax: 619-702-6813

Correspondent e-mail: usdocketing@scmv.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 06, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 06, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 17, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 13, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 24, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 20, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 19, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Apr. 18, 2011	ASSIGNED TO LIE	68171
Apr. 18, 2011	ASSIGNED TO LIE	66179
Apr. 15, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 07, 2011	ASSIGNED TO EXAMINER	76731
Mar. 28, 2011	STATEMENT OF USE PROCESSING COMPLETE	76985
Mar. 24, 2011	USE AMENDMENT FILED	76985
Mar. 24, 2011	TEAS STATEMENT OF USE RECEIVED	
Oct. 20, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 19, 2010	EXTENSION 1 GRANTED	76985
Oct. 01, 2010	EXTENSION 1 FILED	76985
Oct. 19, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76985
Oct. 01, 2010	TEAS EXTENSION RECEIVED	
Apr. 27, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 02, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 02, 2010	PUBLISHED FOR OPPOSITION	
Dec. 28, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Dec. 27, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 26, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Dec. 26, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Dec. 21, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Aug. 21, 2009	NOTIFICATION OF FINAL REFUSAL EMAILED	
Aug. 21, 2009	FINAL REFUSAL E-MAILED	
Aug. 21, 2009	FINAL REFUSAL WRITTEN	76137
Jul. 22, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Jul. 22, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Jul. 22, 2009	ASSIGNED TO LIE	68552
Jul. 08, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 30, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 30, 2009	NON-FINAL ACTION E-MAILED	6325

Jan. 30, 2009	NON-FINAL ACTION WRITTEN	76137
Jan. 22, 2009	ASSIGNED TO EXAMINER	76137
Oct. 28, 2008	NOTICE OF PSEUDO MARK MAILED	
Oct. 27, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 19, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: American Botanical Pharmacy

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4955/0453](#)

Pages: 4

Date Recorded: Feb. 04, 2013

Supporting Documents: [assignment-tm-4955-0453.pdf](#)

Assignor

Name: [AMERICAN BOTANICAL PHARMACY](#)

Execution Date: Jan. 24, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [SCHULZE, RICHARD, DR.](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 280 ARVIDA PKWY
CORAL GABLES, FLORIDA 33156

Correspondent

Correspondent Name: THE TRADEMARK GROUP, APLC

Correspondent Address: 1200 PROSPECT STREET, SUITE G-100
LA JOLLA, CA 92037

Domestic Representative - Not Found

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Mark: HERBAL DETOX

Herbal Detox

US Serial Number: 77617447
Application Filing Date: Nov. 19, 2008
US Registration Number: 3681740
Registration Date: Sep. 08, 2009
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jul. 10, 2009
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 08, 2009

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements; Dietary food supplements; Dietary supplements; Dietary supplements for human consumption; Herbal supplements; Herbs for medicinal purposes; Natural herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2009

Use in Commerce: Jun. 01, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Penn Herb Company, Ltd.
Owner Address: 10601 Decatur Road, Ste. 2
Philadelphia, PENNSYLVANIA 19154
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: PENNSYLVANIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jason R. Lee
Attorney Primary Email Address: jason@llapc.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Jason R. Lee
Lee, Lee & Associates, P.C.
2531 Jackson Road
Suite 234
Ann Arbor, MICHIGAN 48103
UNITED STATES

Phone: 866-400-2507

Fax: 800-689-7978

Correspondent e-mail: jason@llapc.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Sep. 08, 2009	REGISTERED-SUPPLEMENTAL REGISTER	
Aug. 04, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76984
Jul. 30, 2009	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jul. 30, 2009	USE AMENDMENT ACCEPTED	60997
Jul. 30, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	76984
Jul. 30, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	76984
Jul. 30, 2009	ASSIGNED TO LIE	76984
Jul. 11, 2009	AMENDMENT TO USE PROCESSING COMPLETE	88889
Jul. 11, 2009	USE AMENDMENT FILED	88889
Jul. 10, 2009	TEAS AMENDMENT OF USE RECEIVED	
Jul. 10, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 08, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 08, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 13, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 13, 2009	NON-FINAL ACTION E-MAILED	6325
Jan. 13, 2009	NON-FINAL ACTION WRITTEN	60997
Jan. 09, 2009	ASSIGNED TO EXAMINER	60997
Nov. 24, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Sep. 08, 2009

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Mark: HERBAL FORMULAE THAT WORK!

HERBAL FORMULAE THAT WORK!

US Serial Number: 77643633
Application Filing Date: Jan. 05, 2009
US Registration Number: 3698042
Registration Date: Oct. 20, 2009
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 20, 2009
Publication Date: Aug. 04, 2009

Mark Information

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

Goods and Services

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

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

For: herbal supplements; herbal products; herbal teas for medicinal purposes; medicinal herbal extracts for medicinal purposes; and herbal topical ointments for the relief of aches and pain

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 2004

Use in Commerce: Dec. 31, 2004

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: SCHULZE, RICHARD, DR.
Owner Address: 280 ARVIDA PKWY
CORAL GABLES, FLORIDA 33156
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Marnie Wright Barnhorst, Esq.
Attorney Primary Email Address: usdocketing@scmv.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Marnie Wright Barnhorst, Esq.
Seltzer Caplan McMahon Vitek

750 B Street, Suite 2100
San Diego, CALIFORNIA 92101
UNITED STATES

Phone: 619-685-3055

Fax: 619-702-6813

Correspondent e-mail: usdocketing@scmv.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 06, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 06, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 17, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 03, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 20, 2009	REGISTERED-PRINCIPAL REGISTER	
Aug. 04, 2009	PUBLISHED FOR OPPOSITION	
Jul. 15, 2009	NOTICE OF PUBLICATION	
Jun. 26, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76984
Jun. 23, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 23, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	76984
Jun. 23, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	76984
Jun. 23, 2009	ASSIGNED TO LIE	76984
Jun. 17, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 21, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 21, 2009	NON-FINAL ACTION E-MAILED	6325
Mar. 21, 2009	NON-FINAL ACTION WRITTEN	76136
Mar. 20, 2009	ASSIGNED TO EXAMINER	76136
Jan. 08, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 20, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: American Botanical Pharmacy

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4306/0463](#)

Pages: 4

Date Recorded: Oct. 28, 2010

Supporting Documents: [assignment-tm-4306-0463.pdf](#)

Assignor

Name: [AMERICAN BOTANICAL PHARMACY](#)

Execution Date: Oct. 26, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [SCHULZE, RICHARD, DR.](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 280 ARVIDA PKWY
CORAL GABLES, FLORIDA 33156

Correspondent

Correspondent Name: THE TRADEMARK GROUP, APLC

Correspondent Address: 1200 PROSPECT STREET, SUITE G-100

LA JOLLA, CA 92037

Domestic Representative - Not Found

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Mark: HERBAL SURE

HERBAL SURE

US Serial Number: 77663868 Application Filing Date: Feb. 05, 2009
US Registration Number: 3739015 Registration Date: Jan. 19, 2010
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 19, 2010
Publication Date: Nov. 03, 2009

Mark Information

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

Goods and Services

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

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

For: vitamins, mineral supplements and nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 1996

Use in Commerce: Jul. 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Nature's Bounty, Inc.
Owner Address: Legal Dept
2100 Smithtown Ave.
Ronkonkoma, NEW YORK 11779
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lee Grosskreuz Hechtel
Attorney Primary Email Address: lhechtel@nbt.com
Attorney Email Authorized: No

Correspondent

Correspondent: LEE GROSSKREUZ HECHTEL

Name/Address: NBTY, INC.
2100 SMITHTOWN AVE
RONKONKOMA, NEW YORK 11779-7347
UNITED STATES

Phone: 631 218 7335

Fax: 631 218 7341

Correspondent e-mail: lhechtel@nbt.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 19, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 03, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 03, 2009	PUBLISHED FOR OPPOSITION	
Sep. 28, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Sep. 28, 2009	ASSIGNED TO LIE	68123
Sep. 16, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 26, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 26, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 26, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 27, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 27, 2009	NON-FINAL ACTION E-MAILED	6325
Apr. 27, 2009	NON-FINAL ACTION WRITTEN	83172
Apr. 24, 2009	ASSIGNED TO EXAMINER	83172
Feb. 09, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 09, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 19, 2010

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Mark: ENLIGHTENED AYURVEDIC HERBALS



US Serial Number: 77709691

Application Filing Date: Apr. 08, 2009

US Registration Number: 4038930

Registration Date: Oct. 11, 2011

Register: Principal

Mark Type: Trademark

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

Status Date: Oct. 11, 2011

Publication Date: Jun. 01, 2010

Notice of Allowance Date: Jul. 27, 2010

Mark Information

Mark Literal Elements: ENLIGHTENED AYURVEDIC HERBALS

Standard Character Claim: No

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

Description of Mark: The mark consists of a stylized flower with the series of concentric circles in the center of the flower, with the working "ENLIGHTENED AYURVEDIC HERBALS" around the outermost circle, followed by a circle comprised of several short diagonal lines and another stylized flower in the center.

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

Disclaimer: "AYURVEDIC HERBALS"

Design Search Code(s): 05.05.25 - Daffodils; Iris (flower); Other flowers

26.01.07 - Circles with a decorative border, including scalloped, ruffled and zig-zag edges

26.01.08 - Circles having letters or numerals as a border; Circles having punctuation as a border; Letters, numerals or punctuation forming or bordering the perimeter of a circle

26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles

26.01.21 - Circles that are totally or partially shaded.

Goods and Services

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

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

For: Dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2009

Use in Commerce: May 2009

For: Teas; herbal teas; tisanes

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2009

Use in Commerce: May 2009

For: Non-alcoholic beverages containing herbal extracts, namely, herbal juices, fruit beverages and fruit juices; non-alcoholic beverages containing fruit extracts, namely, fruit beverages and fruit juices; non-alcoholic beverages, namely, natural energy drinks; non-alcoholic fruit extracts used in the preparation of beverages

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2009

Use in Commerce: May 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Adina For Life, Inc.
Owner Address: 660 York Street
San Francisco, CALIFORNIA 94110
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Sally M. Abel, Esq.
Attorney Primary Email Address: trademark@fenwick.com
Docket Number: 24177-00070
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Sally M. Abel, Esq.
Fenwick & West LLP
801 California Street
Mountain View, CALIFORNIA 94041
UNITED STATES
Phone: 650-988-8500
Fax: 650-938-5200
Correspondent e-mail Authorized: trademark@fenwick.com No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 11, 2011	REGISTERED-PRINCIPAL REGISTER	
Sep. 08, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 07, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66121
Sep. 07, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 03, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Aug. 03, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Jul. 28, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 28, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jan. 28, 2011	NON-FINAL ACTION E-MAILED	
Jan. 28, 2011	SU - NON-FINAL ACTION - WRITTEN	82086
Jan. 11, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 10, 2011	STATEMENT OF USE PROCESSING COMPLETE	70565
Dec. 09, 2010	USE AMENDMENT FILED	70565
Jan. 10, 2011	EXTENSION 1 GRANTED	70565
Dec. 09, 2010	EXTENSION 1 FILED	70565
Jan. 10, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Dec. 09, 2010	TEAS EXTENSION RECEIVED	
Dec. 09, 2010	TEAS STATEMENT OF USE RECEIVED	
Jul. 27, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	

Jun. 22, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 22, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 01, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 01, 2010	PUBLISHED FOR OPPOSITION	
Apr. 28, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Apr. 28, 2010	ASSIGNED TO LIE	66121
Apr. 16, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 27, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 27, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 27, 2010	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jan. 20, 2010	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jan. 20, 2010	FINAL REFUSAL E-MAILED	
Jan. 20, 2010	FINAL REFUSAL WRITTEN	82086
Dec. 29, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 28, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 28, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 28, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 26, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 26, 2009	NON-FINAL ACTION E-MAILED	6325
Jun. 26, 2009	NON-FINAL ACTION WRITTEN	82086
Jun. 25, 2009	ASSIGNED TO EXAMINER	82086
Apr. 14, 2009	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 13, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 11, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 07, 2011

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Mark: HERBAL-MEDI-CARE HERBAL-MEDI-CARE



US Serial Number: 77728666

Application Filing Date: May 04, 2009

US Registration Number: 3756955

Registration Date: Mar. 09, 2010

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 09, 2010

Publication Date: Dec. 22, 2009

Mark Information

Mark Literal Elements: HERBAL-MEDI-CARE HERBAL-MEDI-CARE

Standard Character Claim: No

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

Description of Mark: The mark consists of the wording "Herbal-Medi-Care" in stylized font. To the left of the word Herbal there is a circle design with the wording "HERBAL MEDI CARE" inside in all caps, each word separated by a small circle. In the middle of the circle design there is an image of three leaf shapes superimposed over an oval.

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

Disclaimer: "HERBAL" AND "CARE"

Design Search Code(s): 05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
26.01.08 - Circles having punctuation as a border; Circles having letters or numerals as a border; Letters, numerals or punctuation forming or bordering the perimeter of a circle
26.01.20 - Circles within a circle
26.01.21 - Circles that are totally or partially shaded.
26.03.02 - Ovals, plain single line; Plain single line ovals

Goods and Services

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

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

For: Herbal supplements; Dietary supplements; Herbal topical creams, gels, salves, sprays, and ointments for the relief of aches and pains

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: 1989

Use in Commerce: 1990

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Nature's Brands LLP

Owner Address: Unit B
4827 Whirlwind Dr.
San Antonio, TEXAS 78217
UNITED STATES

Legal Entity Type: limited liability partnership

State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Thomas M. Wilentz**Attorney Primary Email Address:** twilentz@tmwlaw.com**Attorney Email Authorized:** No**Correspondent****Correspondent Name/Address:** THOMAS M. WILENTZ
THOMAS M. WILENTZ, ATTORNEY AT LAW, PLLC
75 S BROADWAY FL 4
WHITE PLAINS, NEW YORK 10601-4413
UNITED STATES**Phone:** 914-723-0394**Fax:** 914-206-3787**Correspondent e-mail:** twilentz@tmwlaw.com**Correspondent e-mail Authorized:** No**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Mar. 09, 2010	REGISTERED-PRINCIPAL REGISTER	
Dec. 22, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 22, 2009	PUBLISHED FOR OPPOSITION	
Nov. 12, 2009	WITHDRAWN FROM PUB - TQR/NON-ATTY REQUEST	74704
Nov. 03, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Nov. 03, 2009	ASSIGNED TO LIE	66213
Oct. 19, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 16, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 16, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 16, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 29, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 29, 2009	NON-FINAL ACTION E-MAILED	6325
Jul. 29, 2009	NON-FINAL ACTION WRITTEN	81878
Jul. 29, 2009	ASSIGNED TO EXAMINER	81878
May 08, 2009	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
May 07, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 07, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Mar. 09, 2010

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Mark: SUPA HERBAL GREENS

Supa Herbal Green.

US Serial Number: 77728808
Application Filing Date: May 04, 2009
US Registration Number: 3746228
Registration Date: Feb. 09, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 09, 2010
Publication Date: Nov. 24, 2009

Mark Information

Mark Literal Elements: SUPA HERBAL GREENS
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of the wording "Supa Herbal Greens" in stylized font. The wording appears above a line that becomes thicker from left to right and is broken under the "G" in "Greens" .
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "HERBAL GREENS"
Design Search Code(s): 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Underlined words or letters; Overlined words or letters

Goods and Services

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

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

For: Dietary supplements; Herbal supplements; Vitamin and mineral supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: 2003
Use in Commerce: 2004

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Nature's Brands LLP
Owner Address: Unit B
4827 Whirlwind Dr.
San Antonio, TEXAS 78217
UNITED STATES
Legal Entity Type: limited liability partnership
State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas M. Wilentz

Attorney Primary Email twilentz@tmwlaw.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: THOMAS M. WILENTZ
THOMAS M. WILENTZ, ATTORNEY AT LAW, PLLC
75 S BROADWAY FL 4
WHITE PLAINS, NEW YORK 10601-4413
UNITED STATES

Phone: 914-723-0394

Fax: 914-206-3787

Correspondent e-mail: twilentz@tmwlaw.com

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 09, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 24, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 24, 2009	PUBLISHED FOR OPPOSITION	
Oct. 21, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Oct. 21, 2009	ASSIGNED TO LIE	71441
Oct. 01, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 28, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 26, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 26, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 29, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 29, 2009	NON-FINAL ACTION E-MAILED	6325
Jul. 29, 2009	NON-FINAL ACTION WRITTEN	81878
Jul. 29, 2009	ASSIGNED TO EXAMINER	81878
May 08, 2009	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
May 07, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 07, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 09, 2010

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Mark: HERBAR

Herbar

US Serial Number: 77742718
Application Filing Date: May 21, 2009
US Registration Number: 3849350
Registration Date: Sep. 21, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 21, 2010
Publication Date: Jul. 06, 2010

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements; Dietary supplements; Herbal supplements; Natural herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 23, 2000
Use in Commerce: Feb. 23, 2000

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Herbar, Inc.
Owner Address: 11912 NE 95TH ST STE 340
Vancouver, WASHINGTON 98682
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: WASHINGTON

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: HERBAR, INC.
HERBAR, INC.
11912 NE 95TH ST STE 340
VANCOUVER, WASHINGTON 98682-2447
UNITED STATES

Phone: 888-643-7227

Correspondent e-mail: herbarinc@gmail.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 21, 2010	REGISTERED-PRINCIPAL REGISTER	
Jul. 06, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 06, 2010	PUBLISHED FOR OPPOSITION	
Jun. 03, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Jun. 03, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 01, 2010	ASSIGNED TO EXAMINER	85324
May 03, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
May 03, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Apr. 24, 2010	ASSIGNED TO LIE	68552
Apr. 13, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 13, 2010	PETITION TO REVIVE-GRANTED	88889
Apr. 13, 2010	TEAS PETITION TO REVIVE RECEIVED	
Mar. 31, 2010	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Mar. 31, 2010	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Aug. 25, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 25, 2009	NON-FINAL ACTION E-MAILED	6325
Aug. 25, 2009	NON-FINAL ACTION WRITTEN	82089
Aug. 20, 2009	ASSIGNED TO EXAMINER	82089
May 27, 2009	NOTICE OF PSEUDO MARK MAILED	
May 26, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 25, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 21, 2010

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Mark: PREMIUM HERBAL BLENDS

Premium Herbal Blends

US Serial Number: 77810410
Application Filing Date: Aug. 21, 2009
US Registration Number: 3759583
Registration Date: Mar. 09, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jan. 06, 2010
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 09, 2010

Mark Information

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

Goods and Services

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

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

For: Herbal supplements; Natural herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Aug. 01, 2009
Use in Commerce: Oct. 01, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PHB Herbs, LLC
DBA, AKA, Formerly: DBA PHB Herbs
Owner Address: 929 N. Western Ave.
Los Angeles, CALIFORNIA 90029
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent PHB HERBS, LLC
Name/Address: 929 N WESTERN AVE

LOS ANGELES, CALIFORNIA 90029-3215
UNITED STATES

Phone: 323-848-4509

Fax: 323-467-7393

Correspondent e-mail: acucure74@yahoo.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 09, 2010	REGISTERED-SUPPLEMENTAL REGISTER	
Feb. 01, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	76537
Feb. 01, 2010	ASSIGNED TO LIE	76537
Jan. 08, 2010	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jan. 08, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 08, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 08, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 08, 2010	EXAMINERS AMENDMENT -WRITTEN	82438
Jan. 06, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 06, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 06, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 01, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 01, 2009	NON-FINAL ACTION E-MAILED	6325
Oct. 01, 2009	NON-FINAL ACTION WRITTEN	82438
Sep. 30, 2009	ASSIGNED TO EXAMINER	82438
Aug. 25, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 25, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 09, 2010

Generated on: This page was generated by TSDR on 2014-02-14 11:53:27 EST

Mark: PREMIUM HERBAL BLENDS

Premium Herbal Blends

US Serial Number: 77810410
Application Filing Date: Aug. 21, 2009
US Registration Number: 3759583
Registration Date: Mar. 09, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jan. 06, 2010
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 09, 2010

Mark Information

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

Goods and Services

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

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

For: Herbal supplements; Natural herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Aug. 01, 2009
Use in Commerce: Oct. 01, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PHB Herbs, LLC
DBA, AKA, Formerly: DBA PHB Herbs
Owner Address: 929 N. Western Ave.
Los Angeles, CALIFORNIA 90029
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent PHB HERBS, LLC
Name/Address: 929 N WESTERN AVE

LOS ANGELES, CALIFORNIA 90029-3215
UNITED STATES

Phone: 323-848-4509

Fax: 323-467-7393

Correspondent e-mail: acucure74@yahoo.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 09, 2010	REGISTERED-SUPPLEMENTAL REGISTER	
Feb. 01, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	76537
Feb. 01, 2010	ASSIGNED TO LIE	76537
Jan. 08, 2010	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jan. 08, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 08, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 08, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 08, 2010	EXAMINERS AMENDMENT -WRITTEN	82438
Jan. 06, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 06, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 06, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 01, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 01, 2009	NON-FINAL ACTION E-MAILED	6325
Oct. 01, 2009	NON-FINAL ACTION WRITTEN	82438
Sep. 30, 2009	ASSIGNED TO EXAMINER	82438
Aug. 25, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 25, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 09, 2010

Attorney of Record

Attorney Name: Ryan M. Kaiser

Attorney Primary Email Address: ryan@amintalati.com

Attorney Email No Authorized:

CorrespondentCorrespondent Name/Address: Rakesh M. Amin
AMIN TALATI, LLC
55 West Monroe Street
Suite 3400
CHICAGO, ILLINOIS 60603
UNITED STATES

Phone: 312.327.3328

Fax: 312.884.7352

Correspondent e-mail: trademark@amintalati.com trademark@amintalati.com

Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Feb. 08, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Mar. 04, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 03, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Mar. 02, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 01, 2011	STATEMENT OF USE PROCESSING COMPLETE	76538
Feb. 08, 2011	USE AMENDMENT FILED	76538
Feb. 28, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Feb. 08, 2011	TEAS STATEMENT OF USE RECEIVED	
Dec. 24, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 22, 2010	EXTENSION 1 GRANTED	98765
Dec. 22, 2010	EXTENSION 1 FILED	98765
Dec. 22, 2010	TEAS EXTENSION RECEIVED	
Jun. 22, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 27, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 27, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 27, 2010	PUBLISHED FOR OPPOSITION	
Mar. 22, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Mar. 22, 2010	ASSIGNED TO LIE	73797
Mar. 04, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 04, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 04, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 04, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 04, 2010	EXAMINERS AMENDMENT -WRITTEN	77966
Dec. 07, 2009	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Dec. 07, 2009	PRIORITY ACTION E-MAILED	6326
Dec. 07, 2009	PRIORITY ACTION WRITTEN	77966
Dec. 07, 2009	ASSIGNED TO EXAMINER	77966
Sep. 10, 2009	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Sep. 09, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 07, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

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

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: KRIS KAPPEL
HUSCH BLACKWELL SANDERS LLP
4801 MAIN ST STE 1000
KANSAS CITY, MISSOURI 64112-2551
UNITED STATES

Phone: 816-983-8000

Fax: 816-983-8080

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

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 07, 2010	REGISTERED-PRINCIPAL REGISTER	
Sep. 21, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 21, 2010	PUBLISHED FOR OPPOSITION	
Aug. 14, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Aug. 12, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 12, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 12, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 12, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 12, 2010	EXAMINERS AMENDMENT -WRITTEN	82435
Aug. 04, 2010	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jul. 16, 2010	WITHDRAWN FROM PUB - OG REVIEW QUERY	60756
Jul. 06, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jul. 06, 2010	ASSIGNED TO LIE	66213
Jun. 22, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 19, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 18, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 18, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 18, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 18, 2009	NON-FINAL ACTION E-MAILED	6325
Dec. 18, 2009	NON-FINAL ACTION WRITTEN	82435
Dec. 16, 2009	ASSIGNED TO EXAMINER	82435
Sep. 23, 2009	NOTICE OF PSEUDO MARK MAILED	
Sep. 22, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 22, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 07, 2010

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Mark: MERIDIAN HERBAL PRODUCTS

MERIDIAN HERBAL PRODUCTS

US Serial Number: 77854119
Application Filing Date: Oct. 21, 2009
US Registration Number: 4257988
Registration Date: Dec. 11, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 11, 2012
Publication Date: Mar. 20, 2012
Notice of Allowance Date: May 15, 2012

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 3709348

Goods and Services

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

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

For: Dietary supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 21, 2009
Use in Commerce: Aug. 23, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Meridian Granules, Inc.
DBA, AKA, Formerly: DBA Meridian Herbal Products
Owner Address: 209 Grand Street
New York, NEW YORK 10013
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Samuel Friedman

Attorney Primary Email samfriedman@verizon.net
Address:Attorney Email No
Authorized:**Correspondent**Correspondent Name/Address: Samuel Friedman
Samuel Friedman, P.C.
225 Broadway, Suite 1804
New York, NEW YORK 10007
UNITED STATES

Phone: (212) 267-2900

Fax: (212) 267-7888

Correspondent e-mail: samfriedman@verizon.netCorrespondent e-mail Yes
Authorized:**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Dec. 11, 2012	REGISTERED-PRINCIPAL REGISTER	
Nov. 09, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 08, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	70997
Nov. 07, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 15, 2012	STATEMENT OF USE PROCESSING COMPLETE	61813
Oct. 11, 2012	USE AMENDMENT FILED	61813
Oct. 12, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Oct. 11, 2012	TEAS STATEMENT OF USE RECEIVED	
May 15, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 22, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 22, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 20, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 20, 2012	PUBLISHED FOR OPPOSITION	
Feb. 29, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 10, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Feb. 06, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 13, 2012	LIE CHECKED SUSP - TO ATTY FOR ACTION	70997
Jul. 12, 2011	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70997
Jan. 12, 2011	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70997
Jan. 12, 2011	ASSIGNED TO LIE	70997
Jul. 01, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jul. 01, 2010	LETTER OF SUSPENSION E-MAILED	6332
Jul. 01, 2010	SUSPENSION LETTER WRITTEN	73703
Jun. 29, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 28, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 28, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 28, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 26, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 26, 2010	NON-FINAL ACTION E-MAILED	6325
Jan. 26, 2010	NON-FINAL ACTION WRITTEN	73703
Jan. 26, 2010	ASSIGNED TO EXAMINER	73703
Oct. 27, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 24, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 08, 2012

Attorney of Record**Attorney Name:** Rakesh M. Amin**Attorney Primary Email Address:** trademark@amintalati.com**Attorney Email Authorized:** No**Correspondent****Correspondent Name/Address:** Ryan M. Kaiser
AMIN TALATI, LLC
55 West Monroe Street
Suite 3400
CHICAGO, ILLINOIS 60603
UNITED STATES**Phone:** 312.327.3328**Fax:** 312.884.7352**Correspondent e-mail:** trademark@amintalati.com trademark@amintalati.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Feb. 07, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 07, 2010	REGISTERED-PRINCIPAL REGISTER	
Aug. 03, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 02, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Aug. 01, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 02, 2010	STATEMENT OF USE PROCESSING COMPLETE	61813
Jun. 09, 2010	USE AMENDMENT FILED	61813
Jul. 02, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Jun. 09, 2010	TEAS STATEMENT OF USE RECEIVED	
Jun. 01, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 27, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 06, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 06, 2010	PUBLISHED FOR OPPOSITION	
Mar. 03, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Mar. 03, 2010	ASSIGNED TO LIE	73797
Feb. 08, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 06, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 05, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 05, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 04, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 04, 2010	NON-FINAL ACTION E-MAILED	6325
Feb. 04, 2010	NON-FINAL ACTION WRITTEN	81141
Feb. 02, 2010	ASSIGNED TO EXAMINER	81141
Nov. 03, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 02, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Aug. 02, 2010

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Mark: BOTANIC CHOICE NATURAL HERBAL REMEDIES SINCE 1910

BOTANIC CHOICE NATURAL
HERBAL REMEDIES SINCE 1910

US Serial Number: 77896210
Application Filing Date: Dec. 17, 2009
US Registration Number: 3827576
Registration Date: Aug. 03, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark, Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 03, 2010
Publication Date: May 18, 2010

Mark Information

Mark Literal Elements: BOTANIC CHOICE NATURAL HERBAL REMEDIES SINCE 1910
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "NATURAL HERBAL REMEDIES" AND "SINCE 1910"
Acquired Distinctiveness Claim: In part
Distinctiveness Limitation Statement: as to "BOTANIC CHOICE"

Related Properties Information

Claimed Ownership of US Registrations: 2090340, 2226989, 3239500 and others

Goods and Services

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

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

For: Herbal supplements; Mineral supplements; Nutritional supplements; Vitamin supplements; Vitamins
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 2009
Use in Commerce: Jul. 2009

For: Electronic catalog services featuring herbal supplements and natural remedies; Mail order catalog services featuring herbal supplements and natural remedies
International Class(es): 035 - Primary Class
U.S Class(es): 100, 101, 102
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 2009
Use in Commerce: Jul. 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Indiana Botanic Gardens, Inc.
Owner Address: 3401 West 37th Avenue
Hobart, INDIANA 46342
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** INDIANA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David C. Brezina **Docket Number:** 3T09621667
Attorney Primary Email Address: chiustm@ladas.net **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: DAVID C. BREZINA
LADAS & PARRY LLP
224 S MICHIGAN AVE STE 1600
CHICAGO, ILLINOIS 60604-2508
UNITED STATES
Phone: 312.427.1300 **Fax:** 312.427.6663
Correspondent e-mail: chiustm@ladas.net **Correspondent e-mail Authorized:** No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 03, 2010	REGISTERED-PRINCIPAL REGISTER	
May 18, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 18, 2010	PUBLISHED FOR OPPOSITION	
Apr. 12, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Apr. 12, 2010	ASSIGNED TO LIE	66213
Mar. 25, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 25, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 25, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 25, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 25, 2010	EXAMINERS AMENDMENT -WRITTEN	63031
Mar. 18, 2010	ASSIGNED TO EXAMINER	63031
Dec. 23, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 21, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 03, 2010

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Mark: NEW ROOTS HERBAL



US Serial Number: 77961888
Application Filing Date: Mar. 18, 2010
US Registration Number: 3860719
Registration Date: Oct. 12, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 12, 2010
Publication Date: Jul. 27, 2010

Mark Information

Mark Literal Elements: NEW ROOTS HERBAL
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of the wording "NEW ROOTS" in brown and "HERBAL" in gray. The letter "R" in "ROOTS" stems two green leaves, overlaying yellow rays of light.
Color Drawing: Yes
Color(s) Claimed: The color(s) yellow, green, brown and gray is/are claimed as a feature of the mark.
Disclaimer: "ROOTS HERBAL"
Design Search Code(s): 01.05.04 - Sun with rays but neither partially exposed nor with facial features
01.05.25 - Sun, other representations of the sun
05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
27.01.03 - Plants composed of letters or numerals; Numbers forming plants; Punctuation forming plants; Letters forming plants

Related Properties Information

Claimed Ownership of US Registrations: 3180220

Goods and Services

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

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

For: Dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 2007

Use in Commerce: Jan. 15, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: New Roots Herbal
Owner Address: 3405 FX Tessier
Vaudreuil-Dorion
CANADA
Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record - None Correspondent

Correspondent Name/Address: NEW ROOTS HERBAL; NEW ROOTS HERBAL
3405 FX TESSIER
VAUDREUIL-DORION, Qc J7V5V5
CANADA

Phone: 450.424.9486

Fax: 450.424.0130

Correspondent e-mail: kermasham@newrootsherbal.com
slafrance@ncc-lex.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 15, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 12, 2010	REGISTERED-PRINCIPAL REGISTER	
Jul. 27, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 27, 2010	PUBLISHED FOR OPPOSITION	
Jun. 23, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Jun. 22, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 21, 2010	EXAMINER'S AMENDMENT ENTERED	70633
Jun. 21, 2010	EXAMINER'S AMENDMENT ENTERED	70633
Jun. 21, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 21, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 21, 2010	EXAMINERS AMENDMENT -WRITTEN	81856
Jun. 21, 2010	ASSIGNED TO LIE	70633
Jun. 20, 2010	ASSIGNED TO EXAMINER	81856
Mar. 24, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 23, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 22, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 12, 2010

Owner Address: 800 West Olympic Boulevard
Suite 406
Los Angeles, CALIFORNIA 90015
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Elizabeth A. Linford

Docket Number: 5T07516267

Correspondent

Correspondent Name/Address: ELIZABETH A. LINFORD
Ladas & Parry LLP
5670 WILSHIRE BLVD STE 2100
LOS ANGELES, CALIFORNIA 90036-5679
UNITED STATES

Phone: 323-934-2300

Fax: 323-934-0202

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 13, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 13, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 18, 2008	REGISTERED-PRINCIPAL REGISTER	
Oct. 14, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	78145
Oct. 14, 2008	ASSIGNED TO LIE	78145
Oct. 01, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 04, 2008	NOTICE OF PSEUDO MARK MAILED	
Sep. 03, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
Aug. 22, 2008	USE AMENDMENT FILED	70565
Sep. 03, 2008	DIVISIONAL PROCESSING COMPLETE	
Aug. 22, 2008	DIVISIONAL REQUEST RECEIVED	
Sep. 03, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Aug. 22, 2008	PAPER RECEIVED	
Jul. 08, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 15, 2008	PUBLISHED FOR OPPOSITION	
Mar. 26, 2008	NOTICE OF PUBLICATION	
Mar. 08, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Mar. 08, 2008	ASSIGNED TO LIE	77976
Feb. 13, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 12, 2008	EXAMINER'S AMENDMENT MAILED	
Feb. 12, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 12, 2008	EXAMINERS AMENDMENT -WRITTEN	82432
Feb. 04, 2008	ASSIGNED TO EXAMINER	82432
Oct. 30, 2007	NOTICE OF PSEUDO MARK MAILED	
Oct. 29, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 14, 2008

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91213485](#)

Filing Date: Nov 13, 2013

Status: Pending

Status Date: Nov 13, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: EU YAN SANG INTERNATIONAL LTD

Correspondent Address: Christie Baty Hudgins
Finnegan, Henderson, Farabow, Garrett &
901 New York Avenue, NW
Washington DC , 20001
UNITED STATES

Correspondent e-mail: docketing@finnegan.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL	Opposition Pending	85693396	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: Susan Hwang
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 43rd Floor
Los Angeles CA , 90071
UNITED STATES

Correspondent e-mail: shwang@sheppardmullin.com , kragor@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Renewed	74556324	1969346
HERBALIFE	Renewed	76154006	2512368
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE NUTRITION CLUB	Registered	78502406	3399409
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448
HERBALIFE NUTRITION INSTITUTE	Registered	85369618	4170467
HERBALIFE	Registered	85658531	4402483

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 13, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2013	Dec 24, 2013
3	PENDING, INSTITUTED	Nov 14, 2013	
4	STIP FOR EXT	Dec 19, 2013	
5	EXTENSION OF TIME GRANTED	Dec 19, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91207990](#)

Filing Date: Nov 14, 2012

Status: Terminated

Status Date: Oct 04, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Madre Labs, Inc.

Correspondent Address: C G GORDON MARTIN
THE LAW OFFICES OF C G GORDON MARTIN
99 SOUTH LAKE AVENUE, SUITE 501
PASADENA CA , 91101
UNITED STATES

Correspondent e-mail: cggordonmartin@earthlink.net

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBALIVER	Abandoned - After Inter-Partes Decision	85647549	
Plaintiff(s)			

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS & PARRY LLP
5670 WILSHIRE BLVD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 14, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2012	Dec 24, 2012
3	PENDING, INSTITUTED	Nov 14, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Dec 04, 2012	
5	EXTENSION OF TIME GRANTED	Dec 04, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Feb 19, 2013	
7	EXTENSION OF TIME GRANTED	Feb 19, 2013	
8	STIP FOR EXT	Apr 19, 2013	
9	EXTENSION OF TIME GRANTED	Apr 19, 2013	
10	P CHANGE OF CORRESP ADDRESS	May 17, 2013	
11	STIP FOR EXT	May 17, 2013	
12	EXTENSION OF TIME GRANTED	May 17, 2013	
13	STIP FOR EXT	Jun 20, 2013	
14	EXTENSION OF TIME GRANTED	Jun 20, 2013	
15	W/DRAW OF APPLICATION	Jun 21, 2013	
16	BD DECISION: DISMISSED W/O PREJ	Oct 04, 2013	
17	TERMINATED	Oct 04, 2013	

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Mark: HERBALIFE KIDS

HERBALIFE KIDS

US Serial Number: 77975944 Application Filing Date: Oct. 24, 2007
US Registration Number: 3535290 Registration Date: Nov. 18, 2008
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 18, 2008
Publication Date: Apr. 15, 2008 Notice of Allowance Date: Jul. 08, 2008

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 1254211, 1811780, 2512368, 77312247 and others
Child Of: 77312247

Goods and Services

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

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

For: Nutritional and dietary supplements; nutritional drink mixes for use as a meal replacement; non-alcoholic powdered protein, amino acids, vitamins, minerals and herbal extracts used as a nutritional supplement in the preparation of beverages

International Class(es): 005 - Primary Class **U.S Class(es):** 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 14, 2007 **Use in Commerce:** Jul. 14, 2007

For: Processed nuts; soups; soup mixes; protein-based snack foods; soy-based snack foods; fruit and vegetable-based snack foods; powdered protein-based food beverage mixes; protein-based food beverages used as a milk substitute

International Class(es): 029 - Primary Class **U.S Class(es):** 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 14, 2007 **Use in Commerce:** Jul. 14, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: HERBALIFE INTERNATIONAL, INC.

Owner Address: 800 West Olympic Boulevard
Suite 406
Los Angeles, CALIFORNIA 90015
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Elizabeth A. Linford

Docket Number: 5T07516267

Correspondent

Correspondent Name/Address: ELIZABETH A. LINFORD
Ladas & Parry LLP
5670 WILSHIRE BLVD STE 2100
LOS ANGELES, CALIFORNIA 90036-5679
UNITED STATES

Phone: 323-934-2300

Fax: 323-934-0202

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 13, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 13, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 18, 2008	REGISTERED-PRINCIPAL REGISTER	
Oct. 14, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	78145
Oct. 14, 2008	ASSIGNED TO LIE	78145
Oct. 01, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 04, 2008	NOTICE OF PSEUDO MARK MAILED	
Sep. 03, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
Aug. 22, 2008	USE AMENDMENT FILED	70565
Sep. 03, 2008	DIVISIONAL PROCESSING COMPLETE	
Aug. 22, 2008	DIVISIONAL REQUEST RECEIVED	
Sep. 03, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Aug. 22, 2008	PAPER RECEIVED	
Jul. 08, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 15, 2008	PUBLISHED FOR OPPOSITION	
Mar. 26, 2008	NOTICE OF PUBLICATION	
Mar. 08, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Mar. 08, 2008	ASSIGNED TO LIE	77976
Feb. 13, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 12, 2008	EXAMINER'S AMENDMENT MAILED	
Feb. 12, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 12, 2008	EXAMINERS AMENDMENT -WRITTEN	82432
Feb. 04, 2008	ASSIGNED TO EXAMINER	82432
Oct. 30, 2007	NOTICE OF PSEUDO MARK MAILED	
Oct. 29, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 14, 2008

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91213485](#)

Filing Date: Nov 13, 2013

Status: Pending

Status Date: Nov 13, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: EU YAN SANG INTERNATIONAL LTD

Correspondent Address: Christie Baty Hudgins
Finnegan, Henderson, Farabow, Garrett &
901 New York Avenue, NW
Washington DC , 20001
UNITED STATES

Correspondent e-mail: docketing@finnegan.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL	Opposition Pending	85693396	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: Susan Hwang
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 43rd Floor
Los Angeles CA , 90071
UNITED STATES

Correspondent e-mail: shwang@sheppardmullin.com , kragor@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Renewed	74556324	1969346
HERBALIFE	Renewed	76154006	2512368
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE NUTRITION CLUB	Registered	78502406	3399409
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448
HERBALIFE NUTRITION INSTITUTE	Registered	85369618	4170467
HERBALIFE	Registered	85658531	4402483

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 13, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2013	Dec 24, 2013
3	PENDING, INSTITUTED	Nov 14, 2013	
4	STIP FOR EXT	Dec 19, 2013	
5	EXTENSION OF TIME GRANTED	Dec 19, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91207990](#)

Filing Date: Nov 14, 2012

Status: Terminated

Status Date: Oct 04, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Madre Labs, Inc.

Correspondent Address: C G GORDON MARTIN
THE LAW OFFICES OF C G GORDON MARTIN
99 SOUTH LAKE AVENUE, SUITE 501
PASADENA CA , 91101
UNITED STATES

Correspondent e-mail: cggordonmartin@earthlink.net

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBALIVER	Abandoned - After Inter-Partes Decision	85647549	
Plaintiff(s)			

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS & PARRY LLP
5670 WILSHIRE BLVD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 14, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2012	Dec 24, 2012
3	PENDING, INSTITUTED	Nov 14, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Dec 04, 2012	
5	EXTENSION OF TIME GRANTED	Dec 04, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Feb 19, 2013	
7	EXTENSION OF TIME GRANTED	Feb 19, 2013	
8	STIP FOR EXT	Apr 19, 2013	
9	EXTENSION OF TIME GRANTED	Apr 19, 2013	
10	P CHANGE OF CORRESP ADDRESS	May 17, 2013	
11	STIP FOR EXT	May 17, 2013	
12	EXTENSION OF TIME GRANTED	May 17, 2013	
13	STIP FOR EXT	Jun 20, 2013	
14	EXTENSION OF TIME GRANTED	Jun 20, 2013	
15	W/DRAW OF APPLICATION	Jun 21, 2013	
16	BD DECISION: DISMISSED W/O PREJ	Oct 04, 2013	
17	TERMINATED	Oct 04, 2013	

Generated on: This page was generated by TSDR on 2014-02-14 11:54:17 EST

Mark: HERBALIFE KIDS



US Serial Number: 77976715

Application Filing Date: Jun. 04, 2007

US Registration Number: 3617448

Registration Date: May 05, 2009

Register: Principal

Mark Type: Trademark

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

Status Date: May 05, 2009

Publication Date: Aug. 26, 2008

Notice of Allowance Date: Nov. 18, 2008

Mark Information

Mark Literal Elements: HERBALIFE KIDS

Standard Character Claim: No

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

Description of Mark: The mark consists of the word "HERBALIFE" in upper-case letters immediately to the right of a circle encompassing three leaves, the center leaf being larger than the left and right leaves; the word "KIDS" in lower-case block letters displayed directly beneath and to the right of the word "HERBALIFE" and set against a cluster of stars of varying sizes; no colors are claimed as a feature of this mark.

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

Disclaimer: "KIDS"

Design Search Code(s): 01.01.03 - Star - a single star with five points
01.01.10 - Stars, three or more; Three or more stars
05.03.25 - Other leaves; Leaf, single
26.01.02 - Circles, plain single line; Plain single line circles

Related Properties Information

Claimed Ownership of US 77196570

Registrations:

Child Of: 77196570

Goods and Services

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

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

For: Nutritional and dietary supplements; nutritional drink mixes for use as a meal replacement; non-alcoholic powdered protein, amino acids, vitamins, minerals and herbal extracts used in the preparation of beverages; powdered protein, amino acids, vitamins, minerals and herbs for use as a dietary supplement in drinks, energy drinks, sport drinks, fruit drinks, and vegetable drinks

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 14, 2007

Use in Commerce: Jul. 14, 2007

For: Processed nuts; soups; soup mixes; protein-based snack foods; soy-based snack foods; fruit and vegetable-based snack foods; powdered protein-based food beverage mixes; protein-based food beverages used as a milk substitute; processed fungi, tree bark, natural plant and flower, seed, root, and plant bulb-based snack foods

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 14, 2007

Use in Commerce: Jul. 14, 2007

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: Herbalife International, Inc.
Owner Address: 800 W. Olympic Blvd.
Suite 406
Los Angeles, CALIFORNIA 90015
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Elizabeth A. Linford
Docket Number: 5T07514075

Correspondent

Correspondent Name/Address: Elizabeth A. Linford
Ladas & Parry LLP
Suite 2100
5670 Wilshire Boulevard
Los Angeles, CALIFORNIA 90036
UNITED STATES
Phone: 323-934-2300
Fax: 323-934-0202

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 05, 2009	REGISTERED-PRINCIPAL REGISTER	
Apr. 24, 2009	PAPER RECEIVED	
Mar. 30, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	74215
Mar. 26, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 28, 2009	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Feb. 27, 2009	STATEMENT OF USE PROCESSING COMPLETE	70565
Jan. 16, 2009	USE AMENDMENT FILED	70565
Feb. 27, 2009	DIVISIONAL PROCESSING COMPLETE	
Jan. 16, 2009	DIVISIONAL REQUEST RECEIVED	
Feb. 25, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Jan. 16, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 16, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 16, 2009	TEAS REQUEST TO DIVIDE RECEIVED	
Jan. 16, 2009	TEAS STATEMENT OF USE RECEIVED	
Nov. 18, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 26, 2008	PUBLISHED FOR OPPOSITION	
Aug. 06, 2008	NOTICE OF PUBLICATION	
Jul. 23, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	74215
Jul. 22, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 26, 2008	AMENDMENT FROM APPLICANT ENTERED	74215
Jun. 26, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	74215
Jun. 23, 2008	PAPER RECEIVED	
May 27, 2008	NON-FINAL ACTION MAILED	
May 27, 2008	NON-FINAL ACTION WRITTEN	76833
May 11, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	

Mar. 17, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Mar. 04, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	74215
Mar. 03, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 2008	AMENDMENT FROM APPLICANT ENTERED	74215
Mar. 03, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	74215
Feb. 19, 2008	PAPER RECEIVED	
Dec. 03, 2007	NON-FINAL ACTION MAILED	
Dec. 01, 2007	NON-FINAL ACTION WRITTEN	76833
Nov. 15, 2007	AMENDMENT FROM APPLICANT ENTERED	74215
Nov. 15, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	74215
Nov. 13, 2007	ASSIGNED TO LIE	74215
Oct. 15, 2007	PAPER RECEIVED	
Sep. 13, 2007	NON-FINAL ACTION MAILED	
Sep. 12, 2007	NON-FINAL ACTION WRITTEN	76833
Sep. 12, 2007	ASSIGNED TO EXAMINER	76833
Jun. 08, 2007	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Jun. 07, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 30, 2009

Proceedings

Summary

Number of Proceedings: 6

Type of Proceeding: Opposition

Proceeding Number: [91213485](#)

Filing Date: Nov 13, 2013

Status: Pending

Status Date: Nov 13, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: EU YAN SANG INTERNATIONAL LTD

Correspondent Address: Christie Baty Hudgins
Finnegan, Henderson, Farabow, Garrett &
901 New York Avenue, NW
Washington DC , 20001
UNITED STATES

Correspondent e-mail: docketing@finnegan.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL	Opposition Pending	85693396	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: Susan Hwang
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 43rd Floor
Los Angeles CA , 90071
UNITED STATES

Correspondent e-mail: shwang@sheppardmullin.com , kraygor@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780

HERBALIFE	Renewed	74556324	1969346
HERBALIFE	Renewed	76154006	2512368
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE NUTRITION CLUB	Registered	78502406	3399409
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448
HERBALIFE NUTRITION INSTITUTE	Registered	85369618	4170467
HERBALIFE	Registered	85658531	4402483

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 13, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2013	Dec 24, 2013
3	PENDING, INSTITUTED	Nov 14, 2013	
4	STIP FOR EXT	Dec 19, 2013	
5	EXTENSION OF TIME GRANTED	Dec 19, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91211166](#)

Filing Date: Jun 19, 2013

Status: Terminated

Status Date: Oct 04, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Carlsbad Trading Company, Inc.

Correspondent Address: CARLSBAD TRADING COMPANY INC
300 CARLSBAD VILLAGE DR , STE 108 225
CARLSBAD CA , 92008 2900
UNITED STATES

Correspondent e-mail: cberetz@carlsbadtrading.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
QUELLITALL	Abandoned - After Inter-Partes Decision	85706548	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS PARRY LLP
5670 WILSHIRE BLVD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Registered	77079192	3404283
HERBALIFE	Renewed	74327252	1811780
	Renewed	74556325	2002163
HFF HERBALIFE FAMILY FOUNDATION	Section 8 and 15 - Accepted and Acknowledged	78686482	3120358
HERBALIFE KIDS	Registered	77976715	3617448
	Registered	77609886	3642777
HERBALIFE	Renewed	76154006	2512368

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 19, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 19, 2013	Jul 29, 2013

3	PENDING, INSTITUTED	Jun 19, 2013
4	NOTICE OF DEFAULT	Aug 14, 2013
5	BD DECISION: SUSTAINED	Oct 04, 2013
6	TERMINATED	Oct 04, 2013

Type of Proceeding: Cancellation

Proceeding Number: [92057369](#) **Filing Date:** Jun 19, 2013
Status: Pending **Status Date:** Jun 19, 2013

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Sunu Harvest
Correspondent Address: STEPHANIE Y TOMATIS
 SUNU HARVEST
 4 CELTIC DR
 ARDEN NC , 28704-9157
 UNITED STATES
Correspondent e-mail: stephanie@mormoringa.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
MOR	Cancellation Pending	85484268	4189744

Plaintiff(s)

Name: Herbalife International, Inc.
Correspondent Address: ELIZABETH A LINFORD
 LADAS & PARRY LLP
 5670 WILSHIRE BOULEVARD, SUITE 2100
 LOS ANGELES CA , 90036
 UNITED STATES
Correspondent e-mail: elinford@la.ladas.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Registered	77079192	3404283
HERBALIFE	Renewed	74327252	1811780
	Renewed	74556325	2002163
HFF HERBALIFE FAMILY FOUNDATION	Section 8 and 15 - Accepted and Acknowledged	78686482	3120358
HERBALIFE KIDS	Registered	77976715	3617448
	Registered	77609886	3642777
HERBALIFE	Renewed	76154006	2512368

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 19, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 20, 2013	Jul 30, 2013
3	PENDING, INSTITUTED	Jun 20, 2013	
4	NOTICE OF DEFAULT	Aug 14, 2013	
5	D RESP TO BD ORDER/INQUIRY	Sep 13, 2013	
6	BOARD'S ORDER	Sep 17, 2013	
7	TRIAL DATES RESET	Nov 06, 2013	
8	D MOT FOR EXT W/O CONSENT	Jan 05, 2014	
9	BD'S ORDER	Feb 05, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91207990](#) **Filing Date:** Nov 14, 2012
Status: Terminated **Status Date:** Oct 04, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Madre Labs, Inc.

Correspondent Address: C G GORDON MARTIN
THE LAW OFFICES OF C G GORDON MARTIN
99 SOUTH LAKE AVENUE, SUITE 501
PASADENA CA , 91101
UNITED STATES

Correspondent e-mail: cggordonmartin@earthlink.net

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBALIVER	Abandoned - After Inter-Partes Decision	85647549	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS & PARRY LLP
5670 WILSHIRE BLVD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 14, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2012	Dec 24, 2012
3	PENDING, INSTITUTED	Nov 14, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Dec 04, 2012	
5	EXTENSION OF TIME GRANTED	Dec 04, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Feb 19, 2013	
7	EXTENSION OF TIME GRANTED	Feb 19, 2013	
8	STIP FOR EXT	Apr 19, 2013	
9	EXTENSION OF TIME GRANTED	Apr 19, 2013	
10	P CHANGE OF CORRESP ADDRESS	May 17, 2013	
11	STIP FOR EXT	May 17, 2013	
12	EXTENSION OF TIME GRANTED	May 17, 2013	
13	STIP FOR EXT	Jun 20, 2013	
14	EXTENSION OF TIME GRANTED	Jun 20, 2013	
15	W/DRAW OF APPLICATION	Jun 21, 2013	
16	BD DECISION: DISMISSED W/O PREJ	Oct 04, 2013	
17	TERMINATED	Oct 04, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91205967](#)

Filing Date: Jul 05, 2012

Status: Terminated

Status Date: Apr 16, 2013

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: True Healthy Products, LLC

Correspondent Address: BRIAN S STEINBERGER
LAW OFFICES OF BRIAN S STEINBERGER PA
101 BREVARD AVE
COCOA FL , 32922-7904

UNITED STATES

Correspondent e-mail: brianss@vol.com , brianss.rosanne@vol.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE HEALTHYPRODUCTS	Abandoned - After Inter-Partes Decision	85413117	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS & PARRY LLP
5670 WILSHIRE BOULEVARD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Registered	77079192	3404283
HERBALIFE	Renewed	74327252	1811780
	Renewed	74556325	2002163
HFF HERBALIFE FAMILY FOUNDATION	Section 8 and 15 - Accepted and Acknowledged	78686482	3120358
HERBALIFE KIDS	Registered	77976715	3617448
	Registered	77609886	3642777
HERBALIFE	Renewed	76154006	2512368

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 05, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 06, 2012	Aug 15, 2012
3	PENDING, INSTITUTED	Jul 06, 2012	
4	P MOT FOR EXT W/ CONSENT	Jul 20, 2012	
5	EXTENSION OF TIME GRANTED	Jul 20, 2012	
6	P MOT FOR EXT W/ CONSENT	Oct 12, 2012	
7	EXTENSION OF TIME GRANTED	Oct 12, 2012	
8	P MOT FOR EXT W/ CONSENT	Dec 04, 2012	
9	EXTENSION OF TIME GRANTED	Dec 04, 2012	
10	P MOT FOR EXT W/ CONSENT	Feb 06, 2013	
11	EXTENSION OF TIME GRANTED	Feb 06, 2013	
12	W/DRAW OF APPLICATION W/ CONSENT	Apr 12, 2013	
13	BD DECISION: DISMISSED W/O PREJ	Apr 16, 2013	
14	TERMINATED	Apr 16, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91199658](#)

Filing Date: May 02, 2011

Status: Terminated

Status Date: May 02, 2011

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: JOil (S) Pte. Ltd.

Correspondent Address: KATHRYN E SMITH
WOOD HERRON EVANS LLP
441 VINE ST STE 2700
CINCINNATI OH , 45202 2814
UNITED STATES

Correspondent e-mail: ksmith@whepatent.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS PARRY LLP
5670 WILSHIRE BLVD STE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com , alogan@la.ladas.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Registered	77079192	3404283
HERBALIFE	Renewed	74327252	1811780
	Renewed	74556325	2002163
	Registered	77609886	3642777
HERBALIFE KIDS	Registered	77976715	3617448
HFF HERBALIFE FAMILY FOUNDATION	Section 8 and 15 - Accepted and Acknowledged	78686482	3120358
HERBALIFE	Renewed	76154006	2512368

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 02, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 04, 2011	Jun 13, 2011
3	PENDING, INSTITUTED	May 04, 2011	
4	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jun 07, 2011	
5	EXTENSION OF TIME GRANTED	Jun 07, 2011	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jul 11, 2011	
7	EXTENSION OF TIME GRANTED	Jul 11, 2011	
8	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 09, 2011	
9	EXTENSION OF TIME GRANTED	Aug 10, 2011	
10	ANSWER	Sep 12, 2011	
11	P'S MOT TO SUSP PEND DISP CIV ACTION	Jan 16, 2012	
12	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 18, 2012	
13	W/DRAW OF OPPOSITION	Jun 13, 2013	
14	BD DECISION: DISMISSED W/ PREJ	Jul 03, 2013	
15	TERMINATED	Jul 03, 2013	
16	BD DECISION: DISMISSED W/ PREJ	Jul 03, 2013	

Correspondent

Correspondent: MYRON AMER
Name/Address: Galgano & Associates, PLLC
20 W. Park Avenue, Suite 204
Long Beach, NEW YORK 11561
UNITED STATES

Phone: 516-431-1177

Fax: 516-431-1127

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jun. 29, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 11, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 03, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552
Aug. 03, 2007	ASSIGNED TO LIE	68552
Jun. 21, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 15, 2007	STATEMENT OF USE PROCESSING COMPLETE	65362
Feb. 28, 2007	USE AMENDMENT FILED	65362
Mar. 02, 2007	PAPER RECEIVED	
Aug. 31, 2006	EXTENSION 2 GRANTED	65362
Aug. 28, 2006	EXTENSION 2 FILED	65362
Aug. 31, 2006	PAPER RECEIVED	
Jan. 24, 2006	EXTENSION 1 GRANTED	64657
Dec. 27, 2005	EXTENSION 1 FILED	64657
Dec. 27, 2005	PAPER RECEIVED	
Aug. 30, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 07, 2005	PUBLISHED FOR OPPOSITION	
May 18, 2005	NOTICE OF PUBLICATION	
May 04, 2005	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	69350
Apr. 22, 2005	PAPER RECEIVED	
Feb. 17, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	59272
Jan. 31, 2005	ASSIGNED TO LIE	59272
Jan. 26, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 12, 2004	ABANDONMENT NOTICE MAILED - AFTER EX PARTE APPEAL	
Dec. 02, 2004	PREVIOUS ACTION COUNT WITHDRAWN	67832
Sep. 17, 2004	EXPARTE APPEAL TERMINATED	58459
Sep. 17, 2004	EXPARTE APPEAL TERMINATED	58459
Aug. 03, 2004	PAPER RECEIVED	
Aug. 03, 2004	EXPARTE APPEAL AFFIRMED/REVERSED IN PART	58459
Feb. 05, 2004	EXAMINERS STATEMENT MAILED	
Dec. 12, 2003	CASE FILE IN TICRS	
May 19, 2003	PAPER RECEIVED	
Jun. 25, 2003	ACTION DENYING REQ FOR RECON MAILED	
Jun. 05, 2003	JURISDICTION RESTORED TO EXAMINING ATTORNEY	
Jun. 04, 2003	EX PARTE APPEAL-INSTITUTED	58459
Jun. 03, 2003	EXPARTE APPEAL RECEIVED AT TTAB	
May 19, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 13, 2003	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	
Jan. 17, 2003	PAPER RECEIVED	
Jan. 13, 2003	PAPER RECEIVED	

Nov. 19, 2002 FINAL REFUSAL E-MAILED
 Oct. 11, 2002 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Apr. 11, 2002 NON-FINAL ACTION E-MAILED
 Jan. 17, 2002 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Jul. 17, 2001 NON-FINAL ACTION MAILED
 Jul. 17, 2001 ASSIGNED TO EXAMINER

77769

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 03, 2007

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Exparte Appeal

Proceeding Number: [78058459](#)

Filing Date: Jun 04, 2003

Status: Terminated

Status Date: Jun 04, 2003

Interlocutory Attorney:

Plaintiff(s)

Name: Herbal Dynasty LLC

Correspondent Address: SHARON BLINKOFF
 BUCHANAN INGERSOLL PC
 140 BROADWAY, 35TH FLOOR
 NEW YORK NY , 10005
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL DYNASTY	Registered	78058459	3291428

Prosecution History

Entry Number	History Text	Date	Due Date
1	APPEAL TO BOARD	May 16, 2003	
2	APPEAL ACKNOWLEDGED; CASE REMANDED	Jun 04, 2003	
3	PENDING, INSTITUTED	Jun 04, 2003	
4	RECONSIDERATION DENIED	Jun 25, 2003	
5	Appeal resumed; brief due 9/10/03	Jul 12, 2003	
6	REQUEST FOR RECONSIDERATION	May 19, 2003	
7	Request to extend time to file appeal brief	Sep 10, 2003	
8	Extension granted; brief due 11/9/03	Sep 22, 2003	
9	APPEAL BRIEF	Nov 10, 2003	
10	TO EXAMINER FOR STATEMENT	Dec 11, 2003	Feb 09, 2004
11	EXAMINER'S STATEMENT	Feb 05, 2004	
12	SUBMITTED ON BRIEF	Apr 21, 2004	
13	BOARD'S DEC: AFFD IN PART/RVRSD IN PART	Aug 03, 2004	
14	TERMINATED	Sep 17, 2004	

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Mark: HERBAL FORCE

US Serial Number: 78132254
Application Filing Date: May 30, 2002
US Registration Number: 2691162
Registration Date: Feb. 25, 2003
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: May 17, 2012
Publication Date: Dec. 03, 2002

Mark Information

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

Goods and Services

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

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

For: Nutritional supplements, vitamins, food for medically restricted diets and herbal extracts for use as dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2002

Use in Commerce: May 2002

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Marilyn Farms Company
Owner Address: 1385 Nutmeg Avenue
Kalona, IOWA 52247
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: MARILYN FARMS COMPANY
1385 NUTMEG AVENUE
KALONA, IOWA 52247
UNITED STATES

Phone: 319-656-5255

Fax: 319-656-5256

Correspondent e-mail: carol.ives@marilynfarms.com phil.forbes@marilynfarms.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 17, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 17, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
May 17, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
May 17, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
May 07, 2012	TEAS SECTION 8 & 9 RECEIVED	
May 07, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 18, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED	70619
Dec. 18, 2008	ASSIGNED TO PARALEGAL	70619
Dec. 10, 2008	TEAS SECTION 8 RECEIVED	
Feb. 14, 2008	CASE FILE IN TICRS	
Feb. 25, 2003	REGISTERED-PRINCIPAL REGISTER	
Dec. 03, 2002	PUBLISHED FOR OPPOSITION	
Nov. 13, 2002	NOTICE OF PUBLICATION	
Oct. 07, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 30, 2002	EXAMINER'S AMENDMENT MAILED	
Sep. 20, 2002	ASSIGNED TO EXAMINER	73706
Jun. 28, 2002	TEAS VOLUNTARY AMENDMENT RECEIVED	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Feb. 25, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 17, 2012

Attorney Name: Lee Grosskreuz Hechtel

Attorney Primary Email lhechtel@nnty.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Lee Grosskreuz Hechtel
NNTY, Inc.
2100 Smithtown Avenue
Legal Dept
Ronkonkoma, NEW YORK 11779
UNITED STATES

Phone: 6312187335

Fax: 6312187341

Correspondent e-mail: lhechtel@nnty.com

**Correspondent e-mail Yes
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 16, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Feb. 15, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Feb. 08, 2010	TEAS SECTION 8 & 15 RECEIVED	
Oct. 08, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 08, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 08, 2005	REGISTERED-PRINCIPAL REGISTER	
Dec. 02, 2004	LAW OFFICE REGISTRATION REVIEW COMPLETED	74189
Dec. 02, 2004	ASSIGNED TO LIE	74189
Nov. 22, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 12, 2004	STATEMENT OF USE PROCESSING COMPLETE	78289
Nov. 04, 2004	USE AMENDMENT FILED	78289
Nov. 12, 2004	EXTENSION 2 GRANTED	78289
Nov. 04, 2004	EXTENSION 2 FILED	78289
Nov. 04, 2004	TEAS STATEMENT OF USE RECEIVED	
Nov. 04, 2004	TEAS EXTENSION RECEIVED	
Nov. 04, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 10, 2004	EXTENSION 1 GRANTED	
May 04, 2004	EXTENSION 1 FILED	
May 04, 2004	TEAS EXTENSION RECEIVED	
Nov. 04, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 12, 2003	PUBLISHED FOR OPPOSITION	
Jul. 23, 2003	NOTICE OF PUBLICATION	
Jun. 16, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 09, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 09, 2003	PAPER RECEIVED	
Apr. 07, 2003	NON-FINAL ACTION E-MAILED	
Apr. 04, 2003	ASSIGNED TO EXAMINER	73372

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

**TM Staff Information - None
File Location**

Current Location: TMO LAW OFFICE 112

Date in Location: Feb. 16, 2010

LOS ANGELES, CALIFORNIA 90024
UNITED STATES

Phone: (310)234-9689

Correspondent e-mail: siaoluo@hotmail.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 19, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Jan. 11, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Jan. 07, 2010	TEAS SECTION 8 & 15 RECEIVED	
Sep. 14, 2004	REGISTERED-PRINCIPAL REGISTER	
Jul. 06, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 06, 2004	ASSIGNED TO EXAMINER	77769
Jul. 02, 2004	STATEMENT OF USE PROCESSING COMPLETE	
Jun. 17, 2004	USE AMENDMENT FILED	
Jun. 17, 2004	TEAS STATEMENT OF USE RECEIVED	
May 25, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 02, 2004	PUBLISHED FOR OPPOSITION	
Feb. 11, 2004	NOTICE OF PUBLICATION	
Nov. 10, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 10, 2003	ASSIGNED TO EXAMINER	77769

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: Jan. 19, 2010

Attorney Primary Email ch.tm@dlapiper.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: MARK I FELDMAN, CHRISTINA L MARTINI AN
DLA PIPER US LLP
PO BOX 64807
CHICAGO, ILLINOIS 60664-0807
UNITED STATES

Phone: 312.368.4000

Fax: 312.236.7516

Correspondent e-mail: ch.tm@dlapiper.com

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 25, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 23, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Aug. 23, 2007	ASSIGNED TO LIE	73797
Jul. 12, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 12, 2007	STATEMENT OF USE PROCESSING COMPLETE	65362
Apr. 10, 2007	USE AMENDMENT FILED	65362
Apr. 10, 2007	TEAS STATEMENT OF USE RECEIVED	
Sep. 27, 2006	EXTENSION 3 GRANTED	98765
Sep. 27, 2006	EXTENSION 3 FILED	98765
Sep. 27, 2006	TEAS EXTENSION RECEIVED	
Sep. 26, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 11, 2006	EXTENSION 2 GRANTED	98765
Apr. 11, 2006	EXTENSION 2 FILED	98765
Apr. 11, 2006	TEAS EXTENSION RECEIVED	
Feb. 28, 2006	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 28, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 28, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 14, 2006	ASSIGNED TO EXAMINER	70703
Oct. 11, 2005	EXTENSION 1 GRANTED	98765
Oct. 11, 2005	EXTENSION 1 FILED	98765
Oct. 11, 2005	TEAS EXTENSION RECEIVED	
Apr. 12, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 18, 2005	PUBLISHED FOR OPPOSITION	
Dec. 29, 2004	NOTICE OF PUBLICATION	
Nov. 18, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	73793
Nov. 18, 2004	ASSIGNED TO LIE	73793
Oct. 31, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 07, 2004	AMENDMENT FROM APPLICANT ENTERED	73793
Sep. 23, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	73793
Sep. 23, 2004	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 05, 2004	NON-FINAL ACTION MAILED	
Mar. 21, 2004	ASSIGNED TO EXAMINER	74663
Jan. 08, 2004	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	
Jan. 08, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 23, 2007

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Mark: HERBESCENT

The logo for HerbeScent is written in a stylized, handwritten-style font. The letters are black and the overall appearance is casual and artistic.

US Serial Number: 78430504 **Application Filing Date:** Jun. 05, 2004
US Registration Number: 2976150 **Registration Date:** Jul. 26, 2005
Register: Principal
Mark Type: Trademark
Status: A Section 8 declaration has been accepted.
Status Date: Aug. 18, 2011
Publication Date: May 03, 2005

Mark Information

Mark Literal Elements: HERBESCENT
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Goods and Services

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

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

For: herbal tea supplement for medicinal use

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 20, 2003

Use in Commerce: Feb. 10, 2004

For: tea - namely tea bags and loose leaf, black, green, white and herbal tea

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 20, 2003

Use in Commerce: Feb. 10, 2004

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Grenus, Laureen
Owner Address: 1336 W. Laguna Azul Avenue
Mesa, ARIZONA 85202
UNITED STATES
Legal Entity Type: INDIVIDUAL **Citizenship:** UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None**Correspondent**

Correspondent Name/Address: LAUREEN GRENUS
1336 W LAGUNA AZUL AVE
MESA, ARIZONA 85202-6607
UNITED STATES

Phone: 480-921-4009

Fax: 480-921-4009

Correspondent e-mail: info@herbescent.net

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Aug. 22, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Aug. 19, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Aug. 18, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED	71378
Aug. 18, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Jul. 25, 2011	TEAS SECTION 8 RECEIVED	
Jul. 26, 2005	REGISTERED-PRINCIPAL REGISTER	
May 03, 2005	PUBLISHED FOR OPPOSITION	
Apr. 13, 2005	NOTICE OF PUBLICATION	
Feb. 10, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	74193
Feb. 04, 2005	ASSIGNED TO LIE	74193
Jan. 28, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 28, 2005	AMENDMENT FROM APPLICANT ENTERED	76537
Jan. 26, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	76537
Jan. 26, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 07, 2005	NON-FINAL ACTION E-MAILED	6325
Jan. 07, 2005	NON-FINAL ACTION WRITTEN	72471
Jan. 07, 2005	ASSIGNED TO EXAMINER	72471
Jun. 11, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

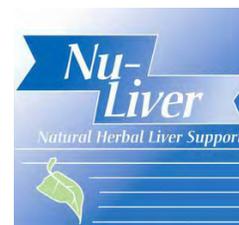
TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: TMO LAW OFFICE 114

Date in Location: Aug. 18, 2011

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Mark: NU-LIVER NATURAL HERBAL LIVER SUPPORT



US Serial Number: 78493558 **Application Filing Date:** Oct. 02, 2004
US Registration Number: 3037850 **Registration Date:** Jan. 03, 2006
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Mar. 28, 2011
Publication Date: Oct. 11, 2005

Mark Information

Mark Literal Elements: NU-LIVER NATURAL HERBAL LIVER SUPPORT
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Color Drawing: Yes
Color(s) Claimed: The color(s) blue and white and green is/are claimed as a feature of the mark.
Color Location: The mark consists of White lettering, Nu-Liver enclosed in double sided arrow, blue background and green leaf.
Disclaimer: "Natural Herbal Liver Support"
Design Search Code(s): 05.03.25 - Leaf, single; Other leaves
24.09.07 - Advertising, banners; Banners
24.15.25 - Other arrows
26.11.02 - Plain single line rectangles; Rectangles (single line)
26.11.07 - Rectangles with a decorative border, including scalloped, ruffled and zig-zag edges
26.11.20 - Rectangles inside one another
26.11.21 - Rectangles that are completely or partially shaded
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

Goods and Services

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

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

For: dietary supplement for liver support

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2004

Use in Commerce: Feb. 01, 2004

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Samglo Enterprises
Composed of: Jess Kraft- United States
Owner Address: 35948 W 13 Mile Rd
Farmington Hills, MICHIGAN 48331
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: MICHIGAN

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: SAMGLO ENTERPRISES
35948 W 13 Mile Rd
Farmington Hills, MICHIGAN 48331
UNITED STATES

Phone: 248-592-1949

Correspondent e-mail: liverformula@gmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 28, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74886
Mar. 24, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Mar. 18, 2011	TEAS SECTION 8 & 15 RECEIVED	
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 17, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 03, 2006	REGISTERED-PRINCIPAL REGISTER	
Oct. 11, 2005	PUBLISHED FOR OPPOSITION	
Sep. 21, 2005	NOTICE OF PUBLICATION	
Jun. 23, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Jun. 17, 2005	ASSIGNED TO LIE	78289
Jun. 10, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 20, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	77978
May 16, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	77978
May 16, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 11, 2005	NON-FINAL ACTION E-MAILED	6325
May 11, 2005	NON-FINAL ACTION WRITTEN	59500
May 05, 2005	ASSIGNED TO EXAMINER	59500
Oct. 12, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: TMEG LAW OFFICE 101

Date in Location: Mar. 28, 2011

SYOSSET, NEW YORK 11791-4458
UNITED STATES

Phone: 516-364-0808

Fax: 516-364-0989

Correspondent e-mail: deutsch@nycollege.edu

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 24, 2009	REGISTERED-PRINCIPAL REGISTER	
Feb. 14, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	76243
Feb. 14, 2009	ASSIGNED TO LIE	76243
Feb. 06, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 31, 2008	STATEMENT OF USE PROCESSING COMPLETE	76873
Dec. 29, 2008	USE AMENDMENT FILED	76873
Dec. 29, 2008	TEAS STATEMENT OF USE RECEIVED	
Aug. 06, 2008	EXTENSION 5 GRANTED	76873
Jul. 03, 2008	EXTENSION 5 FILED	76873
Aug. 06, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Jul. 09, 2008	EXTENSION RECEIVED WITH TEAS PETITION	
Jul. 09, 2008	PETITION TO REVIVE-GRANTED	88889
Jul. 09, 2008	TEAS PETITION TO REVIVE RECEIVED	
Jan. 08, 2008	EXTENSION 4 GRANTED	66154
Dec. 13, 2007	EXTENSION 4 FILED	66154
Dec. 13, 2007	TEAS EXTENSION RECEIVED	
Jun. 14, 2007	EXTENSION 3 GRANTED	98765
Jun. 14, 2007	EXTENSION 3 FILED	98765
Jun. 14, 2007	TEAS EXTENSION RECEIVED	
Feb. 05, 2007	EXTENSION 2 GRANTED	76873
Jan. 03, 2007	EXTENSION 2 FILED	76873
Jan. 05, 2007	EXTENSION RECEIVED WITH TEAS PETITION	
Jan. 05, 2007	PETITION TO REVIVE-GRANTED	88889
Jan. 05, 2007	TEAS PETITION TO REVIVE RECEIVED	
Aug. 08, 2006	EXTENSION 1 GRANTED	76569
Jul. 03, 2006	EXTENSION 1 FILED	76569
Jul. 20, 2006	EXTENSION RECEIVED WITH TEAS PETITION	
Jul. 20, 2006	PETITION TO REVIVE-GRANTED	88889
Jul. 20, 2006	TEAS PETITION TO REVIVE RECEIVED	
Jan. 03, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 11, 2005	PUBLISHED FOR OPPOSITION	
Sep. 21, 2005	NOTICE OF PUBLICATION	
Jun. 23, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	78287
Jun. 17, 2005	ASSIGNED TO LIE	78287
Jun. 08, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 08, 2005	ASSIGNED TO EXAMINER	78478
Nov. 12, 2004	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 14, 2009

Phone: 215-337-8180

Fax: 215-337-8192

Correspondent e-mail: jackluby@comcast.net

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 16, 2008	REGISTERED-PRINCIPAL REGISTER	
Jul. 01, 2008	PUBLISHED FOR OPPOSITION	
Jun. 11, 2008	NOTICE OF PUBLICATION	
May 27, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
May 22, 2008	ASSIGNED TO LIE	70633
May 19, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 19, 2008	EXAMINER'S AMENDMENT ENTERED	88888
May 19, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 19, 2008	EXAMINERS AMENDMENT E-MAILED	6328
May 19, 2008	EXAMINERS AMENDMENT -WRITTEN	76615
Oct. 22, 2007	NOTIFICATION OF FINAL REFUSAL EMAILED	
Oct. 22, 2007	FINAL REFUSAL E-MAILED	
Oct. 22, 2007	FINAL REFUSAL WRITTEN	76615
Sep. 14, 2007	LIE CHECKED SUSP - TO ATTY FOR ACTION	76869
Dec. 18, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76869
Dec. 02, 2006	ASSIGNED TO LIE	76869
May 02, 2006	LETTER OF SUSPENSION E-MAILED	6332
May 02, 2006	SUSPENSION LETTER WRITTEN	76615
Mar. 17, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	76538
Mar. 07, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	76538
Mar. 07, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 07, 2005	NON-FINAL ACTION E-MAILED	6325
Sep. 07, 2005	NON-FINAL ACTION WRITTEN	76615
Sep. 07, 2005	ASSIGNED TO EXAMINER	76615
Feb. 16, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 16, 2008

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Mark: HERBALSOURCE



HERBALSOURCE

US Serial Number: 78570841 Application Filing Date: Feb. 18, 2005
US Registration Number: 3055350 Registration Date: Jan. 31, 2006
Register: Principal
Mark Type: Trademark
Status: A Section 8 declaration has been accepted.
Status Date: Dec. 16, 2011
Publication Date: Nov. 08, 2005

Mark Information

Mark Literal Elements: HERBALSOURCE
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures
05.03.25 - Other leaves; Leaf, single
26.01.03 - Incomplete circles (more than semi-circles); Circles, incomplete (more than semi-circles)

Goods and Services

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

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

For: Dietary supplement
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 15, 2005 Use in Commerce: Feb. 15, 2005

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Herbal Source, LLC
Owner Address: 3592 Rosemead Blvd., #525
Rosemead, CALIFORNIA 91770
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Christopher J. Day

Attorney Primary Email chris@daylawfirm.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Christopher J. Day
Law Office of Christopher Day
9977 North 90th Street, Suite 155
Scottsdale, ARIZONA 85258
UNITED STATES

Phone: 602-258-4440

Fax: 602-258-4441

Correspondent e-mail: chris@daylawfirm.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 16, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Dec. 16, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED	70132
Sep. 21, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Sep. 14, 2011	TEAS SECTION 8 RECEIVED	
Sep. 11, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 06, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 31, 2006	REGISTERED-PRINCIPAL REGISTER	
Nov. 08, 2005	PUBLISHED FOR OPPOSITION	
Oct. 19, 2005	NOTICE OF PUBLICATION	
Sep. 27, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	73859
Sep. 27, 2005	ASSIGNED TO LIE	73859
Sep. 16, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 14, 2005	ASSIGNED TO EXAMINER	76731
Mar. 02, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 112

Date in Location: Dec. 16, 2011

Owner Name: HERBAL MAGIC INC.
Owner Address: 1069 WELLINGTON ROAD SOUTH, SUITE 108
 LONDON, ONTARIO N6E 2H6
 CANADA
Legal Entity Type: CORPORATION **State or Country Where Organized:** CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Richard Y. Kim **Docket Number:** 90644-052
Attorney Primary Email Address: washington_ip_docket@mwe.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Richard Y. Kim
 McDermott Will & Emery LLP
 500 North Capitol Street, N.W.
 Washington, DISTRICT OF COLUMBIA 20001
 UNITED STATES
Phone: 202.756.8000 **Fax:** 202.756.8087
Correspondent e-mail: washington_ip_docket@mwe.com **Correspondent e-mail Authorized:** Yes

Domestic Representative

Domestic Representative Name: Richard Y. Kim **Phone:** 202.756.8000
Fax: 202.756.8087
Domestic Representative e-mail: washington_ip_docket@mwe.com **Domestic Representative e-mail Authorized:** Yes

Prosecution History

Date	Description	Proceeding Number
Nov. 26, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 26, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76985
Nov. 13, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	76985
Nov. 26, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Nov. 13, 2013	TEAS SECTION 8 & 15 RECEIVED	
Dec. 25, 2007	REGISTERED-PRINCIPAL REGISTER	
Nov. 16, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Nov. 14, 2007	ASSIGNED TO LIE	67287
Oct. 11, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 01, 2007	STATEMENT OF USE PROCESSING COMPLETE	74215
Aug. 13, 2007	USE AMENDMENT FILED	74215
Aug. 15, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 13, 2007	PAPER RECEIVED	
Apr. 23, 2007	PAPER RECEIVED	
Feb. 13, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 15, 2006	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Aug. 08, 2006	EXTENSION OF TIME TO OPPOSE RECEIVED	
Aug. 01, 2006	PUBLISHED FOR OPPOSITION	
Jul. 12, 2006	NOTICE OF PUBLICATION	
Jun. 12, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76985
May 26, 2006	ASSIGNED TO LIE	76985
May 17, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 17, 2006	DIVISIONAL PROCESSING COMPLETE	
May 05, 2006	DIVISIONAL REQUEST RECEIVED	
May 17, 2006	AMENDMENT FROM APPLICANT ENTERED	67287

May 05, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
May 05, 2006	PAPER RECEIVED	
Nov. 03, 2005	NON-FINAL ACTION MAILED	
Nov. 02, 2005	NON-FINAL ACTION WRITTEN	76848
Nov. 02, 2005	ASSIGNED TO EXAMINER	76848
Apr. 19, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: TMEG LAW OFFICE 109

Date in Location: Nov. 26, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Herbal Magic ULC

Assignment 1 of 3

Conveyance: CERTIFICATE OF AMENDMENT

Reel/Frame: [3597/0923](#)

Pages: 3

Date Recorded: Aug. 09, 2007

Supporting Documents: [assignment-tm-3597-0923.pdf](#)

Assignor

Name: [HERBAL MAGIC ULC](#)

Execution Date: Oct. 27, 2006

Legal Entity Type: UNLIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE PROVINCE OF NOVA SCOTIA

State or Country Where Organized: CANADA

Assignee

Name: [HERBAL MAGIC INC.](#)

Legal Entity Type: LIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE PROVINCE OF NOVA SCOTIA

State or Country Where Organized: CANADA

Address: 1069 WELLINGTON ROAD SOUTH, SUITE 108
LONDON, ONTARIO, CANADA N6E 2H6

Correspondent

Correspondent Name: LESLIE J. LOTT, ESQ.

Correspondent Address: P.O. DRAWER 141098
CORAL GABLES, FL 33114-1098

Domestic Representative

Domestic Representative Name: LOTT & FRIEDLAND, P.A.

Domestic Representative Address: P.O. DRAWER 141098
CORAL GABLES, FL 33114-1098

Assignment 2 of 3

Conveyance: CERTIFICATE OF CONTINUANCE

Reel/Frame: [3598/0205](#)

Pages: 9

Date Recorded: Aug. 09, 2007

Supporting Documents: [assignment-tm-3598-0205.pdf](#)

Assignor

Name: [HERBAL MAGIC INC.](#)

Execution Date: Oct. 30, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE PROVINCE OF NOVA SCOTIA

State or Country Where Organized: CANADA

Assignee

Name: [HERBAL MAGIC INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA
Address: 1069 WELLINGTON ROAD SOUTH, SUITE 108
LONDON, ONTARIO, CANADA N6E 2H6

Correspondent

Correspondent Name: LESLIE J. LOTT, ESQ.
Correspondent Address: P.O. DRAWER 141098
CORAL GABLES, FL 33114-1098

Domestic Representative

Domestic Representative Name: LOTT & FRIEDLAND, P.A.
Domestic Representative Address: P.O. DRAWER 141098
CORAL GABLES, FL 33114-1098

Assignment 3 of 3

Conveyance: CERTIFICATE OF AMALGAMATION
Reel/Frame: [3598/0318](#) Pages: 12
Date Recorded: Aug. 09, 2007
Supporting Documents: [assignment-tm-3598-0318.pdf](#)

Assignor

Name: [HERBAL MAGIC INC.](#) Execution Date: Oct. 31, 2006
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA

Assignee

Name: [HERBAL MAGIC INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA
Address: 1069 WELLINGTON ROAD SOUTH, SUITE 108
LONDON, ONTARIO, CANADA N6E 2H6

Correspondent

Correspondent Name: LESLIE J. LOTT, ESQ.
Correspondent Address: P.O. DRAWER 141098
CORAL GABLES, FL 33114-1098

Domestic Representative

Domestic Representative Name: LOTT & FRIEDLAND, P.A.
Domestic Representative Address: P.O. DRAWER 141098
CORAL GABLES, FL 33114-1098

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [78603338](#) Filing Date: Aug 08, 2006
Status: Terminated Status Date: Dec 15, 2006
Interlocutory Attorney:

Defendant

Name: Herbal Magic ULC
Correspondent Address: LOTT & FRIEDLAND, P.A.
PO BOX 141098
CORAL GABLES FL , 33114-1098
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL MAGIC	Section 8 and 15 - Accepted and Acknowledged	78603338	3360479

Potential Opposer(s)

Name: Herbal Magic, Inc.
Correspondent Address: Michael J. Dalton
Donahue Gallagher Woods LLP

300 Lakeside Drive, Suite 1900
Oakland CA , 94610
UNITED STATES

Correspondent e-mail: michael@donahue.com

Prosecution History			
Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Aug 08, 2006	
2	EXTENSION OF TIME GRANTED	Aug 08, 2006	
3	INCOMING - EXT TIME TO OPPOSE FILED	Sep 15, 2006	
4	EXTENSION OF TIME GRANTED	Sep 15, 2006	

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Mark: HERBAFOOD



US Serial Number: 78666706
Application Filing Date: Jul. 08, 2005
US Registration Number: 3191667
Registration Date: Jan. 02, 2007
Register: Principal
Mark Type: Trademark
Status: A partial Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Jul. 17, 2013
Publication Date: Oct. 17, 2006

Mark Information

Mark Literal Elements: HERBAFOOD
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 26.03.21 - Ovals that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 2754860

Foreign Information

Priority Claimed: Yes
Foreign Application Number: 30513881.2
Foreign Application Filing Date: Mar. 09, 2005
Foreign Registration Number: 30513881
Foreign Registration Date: Jun. 06, 2005
Foreign Application/Registration Country: GERMANY
Foreign Expiration Date: Mar. 31, 2015

Goods and Services

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

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

For: PHENOLS FOR USE IN THE MANUFACTURE OF DIETARY SUPPLEMENTS

International Class(es): 001 - Primary Class

U.S Class(es): 001, 005, 006, 010, 026, 046

Class Status: ACTIVE

Basis: 44(e)

For: LECITHIN FOR USE AS DIETARY SUPPLEMENT; FLAVONOIDS FOR USE AS A DIETARY SUPPLEMENT; DIETARY FIBERS SUPPLEMENTS FOR MEDICAL AND DIETARY PURPOSES; FOOD ADDITIVES FOR NUTRITIONAL PURPOSES; ; NUTRITIONAL ADDITIVES AND FOOD INGREDIENTS FOR MEDICAL USE, NAMELY DIETARY FIBERS DERIVED FROM CEREALS, FRUITS AND VEGETABLES

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 44(e)

For: PECTIN-BASED STABILIZERS FOR USE AS A FOOD ADDITIVE; PLANT PROTEIN FOR USE AS A FOOD ADDITIVE; VEGETABLE OIL; FRUIT POWDER FOR USE AS A FOOD ADDITIVE; FRUIT PECTIN EXTRACTS; HYDRO-COLLOID BASED STABILIZERS FOR USE AS ADDITIVES IN FOOD

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 44(e)

For: NATURAL SWEETENERS MADE FROM FRUITS

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 44(e)

For: FOODSTUFFS FOR ANIMALS

International Class(es): 031 - Primary Class

U.S Class(es): 001, 046

Class Status: SECTION 8 - CANCELLED

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: Yes

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: Yes

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Herbafood Ingredients GmbH

Owner Address: Phoebener Chaussee 12
Werder (Havel) D-14542
GERMANY

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: GERMANY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MARK HARRISON

Docket Number: 31887-220176

Attorney Primary Email Address: trademarkdocket@venable.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MARK HARRISON
VENABLE LLP
P O BOX 34385
WASHINGTON, DISTRICT OF COLUMBIA 20045-9998
UNITED STATES

Phone: (202) 344-4000

Fax: (202) 344-8300

Correspondent e-mail: trademarkdocket@venable.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK HARRISON

Phone: (202) 344-4000

Fax: (202) 344-8300

Domestic Representative e-mail: trademarkdocket@venable.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Jul. 17, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 17, 2013	REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Dec. 20, 2012	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	68335
Jun. 17, 2013	PAPER RECEIVED	
Jan. 17, 2013	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	68335
Dec. 20, 2012	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	

Jan. 16, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Dec. 20, 2012	PAPER RECEIVED	
Jan. 02, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 24, 2006	CHANGES/CORRECTIONS AFTER PUB APPROVAL ENTERED	70108
Oct. 17, 2006	PUBLISHED FOR OPPOSITION	
Sep. 27, 2006	NOTICE OF PUBLICATION	
Sep. 02, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Sep. 01, 2006	ASSIGNED TO LIE	74221
Aug. 31, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 17, 2006	AMENDMENT FROM APPLICANT ENTERED	78288
Aug. 09, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	78288
Aug. 09, 2006	PAPER RECEIVED	
Feb. 14, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 14, 2006	NON-FINAL ACTION WRITTEN	81855
Feb. 02, 2006	AMENDMENT FROM APPLICANT ENTERED	74221
Jan. 10, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	74221
Jan. 27, 2006	ASSIGNED TO EXAMINER	81855
Jan. 10, 2006	PAPER RECEIVED	
Dec. 13, 2005	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	70997
Dec. 13, 2005	TEAS VOLUNTARY AMENDMENT RECEIVED	
Jul. 13, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted in Part

Affidavit of Incontestability: Section 15 - Accepted

Change in Registration: Yes

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jul. 17, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:24:27 EST

Mark:



US Serial Number: 78673805

Application Filing Date: Jul. 19, 2005

US Registration Number: 3431162

Registration Date: May 20, 2008

Register: Principal

Mark Type: Trademark

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

Status Date: May 20, 2008

Publication Date: Mar. 04, 2008

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

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

Disclaimer: THE NON-LATIN CHARACTERS THAT MEAN LOTUS HERBAL SUPPLEMENT PILL

Translation: The foreign wording in the mark translates into English as pierce through the heart lotus herbal supplement pill.

Transliteration: The non-Latin characters in the mark transliterate to "Chuan Xin Lian Kang Yan".

Design Search Code(s): 17.03.25 - Brooches; Cuff-links; Earrings; Locket; Necktie clasps and fasteners; Tie tacks; Pins, jewelry
26.11.03 - Rectangles (incomplete); Incomplete rectangles
26.11.12 - Rectangles with bars, bands and lines
26.11.25 - Rectangles with one or more curved sides
26.11.28 - Miscellaneous designs with overall rectangular shape; Rectangular shapes (miscellaneous overall shape)
26.17.09 - Bars, curved; Bands, curved; Curved line(s), band(s) or bar(s); Lines, curved
28.01.03 - Asian characters; Chinese characters; Japanese characters

Goods and Services

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

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

For: HERBAL SUPPLEMENTS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1980

Use in Commerce: Dec. 31, 1980

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Madison One Acme, Inc.
DBA, AKA, Formerly: DBA Solstice Medicine Company
Owner Address: 1043 Cesar E. Chavez Avenue
Los Angeles, CALIFORNIA 90033
UNITED STATES
Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: I. Morley Drucker, Esq.

Docket Number: SOSUS-68309

Correspondent

Correspondent Name/Address: I MORLEY DRUCKER ESQ
FULWIDER PATTON LEE & UTECHT LLP
6060 CTR DR FL 10
LOS ANGELES, CALIFORNIA 90045-1598
UNITED STATES

Phone: (310) 824-5555

Fax: (310) 824-9696

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 20, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 04, 2008	PUBLISHED FOR OPPOSITION	
Feb. 13, 2008	NOTICE OF PUBLICATION	
Jan. 28, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78287
Jan. 25, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 25, 2008	EXAMINERS AMENDMENT MAILED	
Jan. 24, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 24, 2008	EXAMINERS AMENDMENT -WRITTEN	73362
Jul. 31, 2007	NON-FINAL ACTION MAILED	
Jul. 30, 2007	NON-FINAL ACTION WRITTEN	73362
Jul. 26, 2007	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jun. 15, 2007	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Apr. 30, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	78287
Apr. 26, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 13, 2007	AMENDMENT FROM APPLICANT ENTERED	78287
Mar. 12, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	78287
Apr. 13, 2007	ASSIGNED TO LIE	78287
Mar. 12, 2007	PAPER RECEIVED	
Oct. 12, 2006	NON-FINAL ACTION MAILED	
Oct. 12, 2006	NON-FINAL ACTION WRITTEN	73362
Sep. 07, 2006	AMENDMENT FROM APPLICANT ENTERED	65864
Aug. 04, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	65864
Aug. 04, 2006	PAPER RECEIVED	
Feb. 15, 2006	NON-FINAL ACTION MAILED	
Feb. 14, 2006	NON-FINAL ACTION WRITTEN	73362
Feb. 07, 2006	ASSIGNED TO EXAMINER	73362
Jul. 26, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 20, 2008

Generated on: This page was generated by TSDR on 2014-02-14 12:25:35 EST

Mark: COL-LIV HERBAL

COL-LIV HERBAL

US Serial Number: 78705377
Application Filing Date: Sep. 01, 2005
US Registration Number: 3129589
Registration Date: Aug. 15, 2006
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: A Section 8 declaration has been accepted.
Status Date: Nov. 19, 2013
Publication Date: May 23, 2006

Mark Information

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

Goods and Services

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

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

For: Nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 01, 1993
Use in Commerce: Mar. 01, 1993

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: RENEE PONDER HERBS, INC.
DBA, AKA, Formerly: DBA RENEE PONDER HERBS, INC.
Owner Address: P.O. BOX 70
FOREST KNOLLS, CALIFORNIA 94933
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Renee Ponder Herbs, Inc.
Renee Ponder Herbs, Inc.
PO BOX 70

FOREST KNOLLS, CALIFORNIA 94933
UNITED STATES

Phone: 415-488-9488

Correspondent e-mail: renee@reneeponderherbs.com rpherbs@aol.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 19, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Nov. 19, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED	71378
Aug. 06, 2012	REGISTERED - SEC. 8 (6-YR) FILED	71378
Dec. 12, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 29, 2012	POST REGISTRATION ACTION MAILED - SEC. 8	71378
Aug. 28, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Aug. 06, 2012	TEAS SECTION 8 RECEIVED	
Aug. 06, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 15, 2006	REGISTERED-PRINCIPAL REGISTER	
May 23, 2006	PUBLISHED FOR OPPOSITION	
May 03, 2006	NOTICE OF PUBLICATION	
Apr. 03, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Mar. 31, 2006	ASSIGNED TO LIE	77075
Mar. 25, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 20, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 15, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 15, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 16, 2005	CORRESPONDENCE E-MAILED	
Oct. 16, 2005	NON-FINAL ACTION WRITTEN	78432
Oct. 13, 2005	ASSIGNED TO EXAMINER	78432
Oct. 13, 2005	ASSIGNED TO EXAMINER	78432
Oct. 13, 2005	REQUEST FOR SPECIAL HANDLING - GRANTED	69690
Oct. 06, 2005	REQUEST FOR SPECIAL HANDLING RECEIVED	69690
Oct. 06, 2005	FAX RECEIVED	
Sep. 09, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: TMEG LAW OFFICE 104

Date in Location: Nov. 19, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Herbal Magic, Inc.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [4913/0595](#)

Pages: 5

Date Recorded: Dec. 05, 2012

Supporting Documents: [assignment-tm-4913-0595.pdf](#)

Assignor

Name: [HERBAL MAGIC, INC.](#) **Execution Date:** Nov. 15, 2006
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Assignee

Name: [RENEE PONDER HERBS, INC.](#) **State or Country Where Organized:** CALIFORNIA
Legal Entity Type: CORPORATION
Address: P.O. BOX 70
FOREST KNOLLS, CALIFORNIA 94933
DBA, AKA, TA, Formerly: DBA RENEE PONDER HERBS, INC.

Correspondent

Correspondent Name: RENEE PONDER HERBS, INC.
Correspondent Address: P.O. BOX 70
FOREST KNOLLS, CA 94933

Domestic Representative - Not Found

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Mark: HERBAL VIEW

HERBAL VIEW

US Serial Number: 78737069 Application Filing Date: Oct. 20, 2005
US Registration Number: 3217259 Registration Date: Mar. 13, 2007
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Nov. 21, 2012
Publication Date: Dec. 26, 2006

Mark Information

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

Goods and Services

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

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

For: Nutritional supplements
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 15, 2005 Use in Commerce: Oct. 15, 2005

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Nguyen, Tuong Van
Owner Address: 10132 TYLER CT.
WESTMINSTER, CALIFORNIA 92683
UNITED STATES
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jarrod Nakano
Attorney Primary Email Address: jnakano@jolmgt.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Nguyen, Tuong Van
10132 TYLER CT.
WESTMINSTER, CALIFORNIA 92683

UNITED STATES

Phone: (714) 352-7488

Fax: (714) 531-7194

Correspondent e-mail: TRADEMARK@DRMRESOURCES.COM

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 21, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 21, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75461
Oct. 08, 2012	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	75461
Oct. 08, 2012	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Oct. 06, 2012	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	75461
Oct. 03, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Sep. 25, 2012	TEAS SECTION 8 & 15 RECEIVED	
Sep. 25, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 13, 2007	REGISTERED-PRINCIPAL REGISTER	
Dec. 26, 2006	PUBLISHED FOR OPPOSITION	
Dec. 06, 2006	NOTICE OF PUBLICATION	
Nov. 06, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Nov. 03, 2006	ASSIGNED TO LIE	77075
Oct. 31, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 25, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 23, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 23, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 23, 2006	NON-FINAL ACTION E-MAILED	6325
Oct. 23, 2006	NON-FINAL ACTION WRITTEN	81877
Oct. 17, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 16, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 16, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 16, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 16, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 25, 2006	NON-FINAL ACTION E-MAILED	6325
Apr. 25, 2006	NON-FINAL ACTION WRITTEN	81877
Apr. 25, 2006	NON-FINAL ACTION E-MAILED	6325
Apr. 25, 2006	NON-FINAL ACTION WRITTEN	81877
Apr. 25, 2006	ASSIGNED TO EXAMINER	81877
Oct. 25, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 104

Date in Location: Nov. 21, 2012

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Mark: ISSAR HERBAL HEALTH CONCEPTS

ISSAR HERBAL HEALTH
CONCEPTS

US Serial Number: 78752926
US Registration Number: 3227045
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: A Section 8 declaration has been accepted.
Status Date: Apr. 03, 2013
Publication Date: Jan. 23, 2007

Application Filing Date: Nov. 14, 2005
Registration Date: Apr. 10, 2007
Currently TEAS Plus: Yes

Mark Information

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

Goods and Services

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

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

For: Herbal supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 30, 2005

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Jun. 30, 2005

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: ISSAR Pharmaceuticals Pvt. Ltd
Owner Address: 3 Miller Lane
Warren, NEW JERSEY 07059
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: INDIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John Dodds
Attorney Primary Email Address: j.dodds@doddsassociates.com
Docket Number: Issar laxati
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: John Dodds
DODDS AND ASSOCIATES
1707 N ST NW
WASHINGTON, DISTRICT OF COLUMBIA 20036-2801
UNITED STATES

Phone: 202-463 3275

Fax: 202-463 3278

Correspondent e-mail: j.dodds@doddsassociates.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 03, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Apr. 03, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED	76533
Apr. 03, 2013	REGISTERED - SEC. 8 (6-YR) FILED	76533
Apr. 02, 2013	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Mar. 22, 2013	POST REGISTRATION ACTION MAILED - SEC. 8	76533
Mar. 22, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Mar. 11, 2013	TEAS SECTION 8 RECEIVED	
Apr. 10, 2007	REGISTERED-PRINCIPAL REGISTER	
Jan. 23, 2007	PUBLISHED FOR OPPOSITION	
Jan. 03, 2007	NOTICE OF PUBLICATION	
Dec. 07, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	78287
Dec. 07, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 04, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	78287
Dec. 04, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	78287
Dec. 04, 2006	ASSIGNED TO LIE	78287
Nov. 13, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 17, 2006	NON-FINAL ACTION E-MAILED	6325
May 17, 2006	NON-FINAL ACTION WRITTEN	76838
May 16, 2006	ASSIGNED TO EXAMINER	76838
Nov. 17, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 108

Date in Location: Apr. 03, 2013

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Mark: AYURVEDIC HERBAL WISDOM

AYURVEDIC HERBAL WISDOM

US Serial Number: 78780459 Application Filing Date: Dec. 23, 2005
US Registration Number: 3235358 Registration Date: Apr. 24, 2007
Filed as TEAS Plus: Yes Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Jul. 16, 2012
Publication Date: Sep. 05, 2006 Notice of Allowance Date: Nov. 28, 2006

Mark Information

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

Goods and Services

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

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

For: Dietary supplements; Food supplements; Herbal supplements; Mixed vitamin preparations; Multi-vitamin preparations; Nutritional supplements; Vitamin supplements; Vitamins

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 30, 2005

Use in Commerce: Nov. 30, 2005

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Chopra Enterprises, LLC
Owner Address: 2013 Costa del Mar
Carlsbad, CALIFORNIA 92009
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: J. Alison Grabell Docket Number: 1218.015
Attorney Primary Email Address: agrabell@ebg-law.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: J. Alison Grabell
EZRA BRUTZKUS GUBNER LLP

SUITE 500
21650 OXNARD STREET
WOODLAND HILLS, CALIFORNIA 91367
UNITED STATES

Phone: 818-827-9000

Fax: 818-827-9099

Correspondent e-mail: agrabell@ebg-law.com

Correspondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative Name: J. Alison Grabell

Phone: 818-827-9000

Fax: 818-827-9099

Domestic Representative e-mail: agrabell@ebg-law.com

Domestic Representative e-mail Yes
Authorized:

Prosecution History

Date	Description	Proceeding Number
Jul. 16, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 16, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Jul. 14, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Jul. 04, 2012	TEAS SECTION 8 & 15 RECEIVED	
May 13, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
May 13, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 24, 2007	REGISTERED-PRINCIPAL REGISTER	
Mar. 22, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 14, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	73787
Mar. 14, 2007	ASSIGNED TO LIE	73787
Feb. 16, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 15, 2007	STATEMENT OF USE PROCESSING COMPLETE	71034
Dec. 07, 2006	USE AMENDMENT FILED	71034
Dec. 07, 2006	TEAS STATEMENT OF USE RECEIVED	
Nov. 28, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 05, 2006	PUBLISHED FOR OPPOSITION	
Aug. 16, 2006	NOTICE OF PUBLICATION	
Jul. 13, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Jul. 07, 2006	ASSIGNED TO LIE	78289
Jun. 27, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 21, 2006	ASSIGNED TO EXAMINER	81098
Jan. 03, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Jul. 16, 2012

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Mark: HERBAL REGENESIS



US Serial Number: 78830422
Application Filing Date: Mar. 06, 2006
US Registration Number: 3274692
Registration Date: Aug. 07, 2007
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 07, 2007
Publication Date: May 22, 2007

Mark Information

Mark Literal Elements: HERBAL REGENESIS
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "HERBAL"
Design Search Code(s): 03.23.01 - Moths; Butterflies
03.23.24 - Stylized insects, spiders and micro-organisms
26.17.09 - Curved line(s), band(s) or bar(s); Bars, curved; Lines, curved; Bands, curved

Goods and Services

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

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

For: Herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 2002
Use in Commerce: Jan. 2002

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Herbal Regensis, Inc.
Owner Address: 811 N. Catalina Ave., Suite 2008
Redondo Beach, CALIFORNIA 90277
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alex Patel **Docket Number:** TML
Attorney Primary Email Address: jalumit@patelalumit.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: Alex Patel
PATEL & ALUMIT, PC
16830 VENTURA BLVD., SUITE 360
ENCINO, CALIFORNIA 91436
UNITED STATES

Phone: 818-380-1900

Fax: 818-380-1908

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Oct. 15, 2012	REVIEW OF CORRESPONDENCE COMPLETE - POWER OF ATTORNEY ENTERED	67149
Oct. 04, 2012	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Aug. 07, 2007	REGISTERED-PRINCIPAL REGISTER	
May 22, 2007	PUBLISHED FOR OPPOSITION	
May 02, 2007	NOTICE OF PUBLICATION	
Mar. 23, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Mar. 22, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 22, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	73787
Mar. 22, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	73787
Mar. 22, 2007	ASSIGNED TO LIE	73787
Feb. 15, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 15, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 20, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 24, 2006	NON-FINAL ACTION E-MAILED	6325
Aug. 24, 2006	NON-FINAL ACTION WRITTEN	74845
Aug. 23, 2006	NON-FINAL ACTION E-MAILED	6325
Aug. 23, 2006	NON-FINAL ACTION WRITTEN	74845
Aug. 22, 2006	ASSIGNED TO EXAMINER	74845
Mar. 14, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 13, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 07, 2007

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Mark: SWEDISH HERBAL INSTITUTE

SWEDISH HERBAL INSTITUTE

US Serial Number: 78868299
Application Filing Date: Apr. 24, 2006
US Registration Number: 3263722
Registration Date: Jul. 10, 2007
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Mar. 28, 2007
Status: A Section 8 declaration has been accepted.
Status Date: Jul. 19, 2013

Mark Information

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

Goods and Services

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

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

For: Herbal supplements which increase bodily resistance

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2006

Use in Commerce: Jul. 01, 2006

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Svenska Örtmedicinska Institutet AB
Owner Address: Prinsgatan 12
413 05 Goteborg
SWEDEN
Legal Entity Type: CORPORATION
State or Country Where Organized: SWEDEN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark I. Feldman, Esq.
Docket Number: 360476-00000
Attorney Primary Email Address: ch.tm@dlapiper.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Mark I. Feldman, Esq.
DLA PIPER US LLP

P.O. BOX 64807
CHICAGO, ILLINOIS 60664-0807
UNITED STATES

Phone: 312.368.4000

Fax: 312.236.7516

Correspondent e-mail: ch.tm@dlapiper.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 19, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Jul. 19, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED	71378
Jul. 19, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Jul. 01, 2013	TEAS SECTION 8 RECEIVED	
Jul. 10, 2007	REGISTERED-SUPPLEMENTAL REGISTER	
Apr. 20, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Apr. 11, 2007	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Apr. 11, 2007	USE AMENDMENT ACCEPTED	69807
Apr. 11, 2007	AMENDMENT TO USE PROCESSING COMPLETE	70629
Mar. 28, 2007	USE AMENDMENT FILED	70629
Apr. 11, 2007	ASSIGNED TO LIE	70629
Mar. 28, 2007	TEAS AMENDMENT OF USE RECEIVED	
Mar. 28, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 28, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 28, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 02, 2006	NON-FINAL ACTION E-MAILED	6325
Oct. 02, 2006	NON-FINAL ACTION WRITTEN	69807
Sep. 26, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 26, 2006	ASSIGNED TO EXAMINER	69807
Apr. 28, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Jul. 19, 2013

Basis: 1(a)

First Use: 1980

Use in Commerce: 1980

For: Herbal teas and preparations for making herbal teas

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: 1985

Use in Commerce: 1985

For: [Non-alcoholic beverages, namely, soft drinks, energy drinks, sport drinks, vegetable drinks, effervescent drinks, fruit juices, vegetable juices, flavored waters, flavored fruit and vegetable juices, and drinking water;] syrups, powders, concentrates and other preparations for making [soft drinks,] energy drinks, sport drinks, [fruit drinks, vegetable drinks, non-alcoholic fruit juices, vegetable juices, flavored waters and flavored fruit and vegetable juices;] effervescent tablets used in the preparation of [soft drinks,] energy drinks, sports drinks and effervescent drinks [; powdered protein, amino acids, vitamins, minerals and herbs sold as an integral component of soft drinks, energy drinks, sport drinks, fruit drinks, and vegetable drinks]

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(a)

First Use: 1985

Use in Commerce: 1985

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: HERBALIFE INTERNATIONAL, INC.

Owner Address: 800 West Olympic Boulevard
Suite 406
Los Angeles, CALIFORNIA 90015
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Marc Phillip Bodner

Docket Number: 694-009-3903

Attorney Primary Email Address: marcpbodner@gmail.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Marc Phillip Bodner
920 EAST 17th STREET, APT. 116
Brooklyn, NEW YORK 11230
UNITED STATES

Phone: 212-810-2670

Fax: 323-934-0202

Correspondent e-mail: marcpbodner@gmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Marc Phillip Bodner

Phone: 212-810-2670

Domestic Representative e-mail: marcpbodner@gmail.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Nov. 01, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 01, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591

Oct. 17, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	64591
Nov. 01, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Oct. 17, 2013	TEAS SECTION 8 & 15 RECEIVED	
Jul. 13, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 13, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 30, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 14, 2007	PUBLISHED FOR OPPOSITION	
Jul. 25, 2007	NOTICE OF PUBLICATION	
Jul. 13, 2007	EXAMINERS AMENDMENT MAILED	
Jul. 12, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76537
Jul. 12, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 12, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 12, 2007	EXAMINERS AMENDMENT -WRITTEN	69197
Jul. 11, 2007	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jun. 22, 2007	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Jun. 14, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76537
Jun. 14, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 13, 2007	AMENDMENT FROM APPLICANT ENTERED	76537
Jun. 11, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	76537
Jun. 11, 2007	PAPER RECEIVED	
Mar. 23, 2007	FINAL REFUSAL MAILED	
Mar. 22, 2007	FINAL REFUSAL WRITTEN	69197
Mar. 22, 2007	AMENDMENT FROM APPLICANT ENTERED	76537
Mar. 22, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	76537
Mar. 22, 2007	ASSIGNED TO LIE	76537
Feb. 15, 2007	PAPER RECEIVED	
Nov. 16, 2006	NON-FINAL ACTION MAILED	
Nov. 16, 2006	NON-FINAL ACTION WRITTEN	69197
Nov. 15, 2006	ASSIGNED TO EXAMINER	69197
Sep. 09, 2006	NOTICE OF PSEUDO MARK MAILED	
Sep. 08, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Nov. 01, 2013

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91213485](#)

Filing Date: Nov 13, 2013

Status: Pending

Status Date: Nov 13, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: EU YAN SANG INTERNATIONAL LTD

Correspondent Address: Christie Baty Hudgins
Finnegan, Henderson, Farabow, Garrett &
901 New York Avenue, NW
Washington DC , 20001
UNITED STATES

Correspondent e-mail: docketing@finnegan.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBAL	Opposition Pending	85693396	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: Susan Hwang
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 43rd Floor
Los Angeles CA , 90071
UNITED STATES

Correspondent e-mail: shwang@sheppardmullin.com , kraygor@sheppardmullin.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Renewed	74556324	1969346
HERBALIFE	Renewed	76154006	2512368
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE NUTRITION CLUB	Registered	78502406	3399409
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448
HERBALIFE NUTRITION INSTITUTE	Registered	85369618	4170467
HERBALIFE	Registered	85658531	4402483

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 13, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2013	Dec 24, 2013
3	PENDING, INSTITUTED	Nov 14, 2013	
4	STIP FOR EXT	Dec 19, 2013	
5	EXTENSION OF TIME GRANTED	Dec 19, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91207990](#)

Filing Date: Nov 14, 2012

Status: Terminated

Status Date: Oct 04, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Madre Labs, Inc.

Correspondent Address: C G GORDON MARTIN
THE LAW OFFICES OF C G GORDON MARTIN
99 SOUTH LAKE AVENUE, SUITE 501
PASADENA CA , 91101
UNITED STATES

Correspondent e-mail: cggordonmartin@earthlink.net

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBALIVER	Abandoned - After Inter-Partes Decision	85647549	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS & PARRY LLP
5670 WILSHIRE BLVD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 14, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2012	Dec 24, 2012
3	PENDING, INSTITUTED	Nov 14, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Dec 04, 2012	
5	EXTENSION OF TIME GRANTED	Dec 04, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Feb 19, 2013	
7	EXTENSION OF TIME GRANTED	Feb 19, 2013	
8	STIP FOR EXT	Apr 19, 2013	
9	EXTENSION OF TIME GRANTED	Apr 19, 2013	
10	P CHANGE OF CORRESP ADDRESS	May 17, 2013	
11	STIP FOR EXT	May 17, 2013	
12	EXTENSION OF TIME GRANTED	May 17, 2013	
13	STIP FOR EXT	Jun 20, 2013	
14	EXTENSION OF TIME GRANTED	Jun 20, 2013	
15	W/DRAW OF APPLICATION	Jun 21, 2013	
16	BD DECISION: DISMISSED W/O PREJ	Oct 04, 2013	
17	TERMINATED	Oct 04, 2013	

UNITED STATES

Phone: 619-685-3055

Fax: 619-702-6813

Correspondent e-mail: usdocketing@scmv.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 06, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 06, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 17, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 13, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 28, 2010	REGISTERED-PRINCIPAL REGISTER	
Oct. 12, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 12, 2010	PUBLISHED FOR OPPOSITION	
Sep. 04, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
Sep. 04, 2010	ASSIGNED TO LIE	68658
Aug. 23, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 16, 2010	ASSIGNED TO EXAMINER	83285
May 11, 2010	NOTICE OF PSEUDO MARK MAILED	
May 08, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 07, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 28, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: American Botanical Pharmacy

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4955/0453](#)

Pages: 4

Date Recorded: Feb. 04, 2013

Supporting Documents: [assignment-tm-4955-0453.pdf](#)

Assignor

Name: [AMERICAN BOTANICAL PHARMACY](#)

Execution Date: Jan. 24, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [SCHULZE, RICHARD, DR.](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 280 ARVIDA PKWY
CORAL GABLES, FLORIDA 33156

Correspondent

Correspondent Name: THE TRADEMARK GROUP, APLC

Correspondent Address: 1200 PROSPECT STREET, SUITE G-100
LA JOLLA, CA 92037

Domestic Representative - Not Found

Attorney Name: Marnie Wright Barnhorst, Esq.

Attorney Primary Email usdocketing@scmv.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Marnie Wright Barnhorst, Esq.
Seltzer Caplan McMahon Vitek
750 B Street, Suite 2100
San Diego, CALIFORNIA 92101
UNITED STATES

Phone: 619-685-3055

Fax: 619-702-6813

Correspondent e-mail: usdocketing@scmv.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 06, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 06, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 17, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 13, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 24, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 19, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 18, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Apr. 18, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 04, 2011	STATEMENT OF USE PROCESSING COMPLETE	76874
Mar. 30, 2011	USE AMENDMENT FILED	76874
Apr. 04, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Mar. 30, 2011	TEAS STATEMENT OF USE RECEIVED	
Dec. 07, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 12, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 12, 2010	PUBLISHED FOR OPPOSITION	
Sep. 09, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Sep. 09, 2010	ASSIGNED TO LIE	68171
Aug. 26, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 25, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 25, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 25, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 25, 2010	EXAMINERS AMENDMENT -WRITTEN	83285
Aug. 24, 2010	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	88889
Aug. 24, 2010	TEAS VOLUNTARY AMENDMENT RECEIVED	
Aug. 16, 2010	ASSIGNED TO EXAMINER	83285
May 12, 2010	NOTICE OF PSEUDO MARK MAILED	
May 11, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 08, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 18, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: American Botanical Pharmacy

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4955/0453](#)

Pages: 4

Date Recorded: Feb. 04, 2013

Supporting Documents: [assignment-tm-4955-0453.pdf](#)

Assignor

Name: [AMERICAN BOTANICAL PHARMACY](#)

Execution Date: Jan. 24, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [SCHULZE, RICHARD, DR.](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 280 ARVIDA PKWY
CORAL GABLES, FLORIDA 33156

Correspondent

Correspondent Name: THE TRADEMARK GROUP, APLC

Correspondent Address: 1200 PROSPECT STREET, SUITE G-100
LA JOLLA, CA 92037

Domestic Representative - Not Found

1201 3RD AVE, SUITE 4900
SEATTLE, WASHINGTON 98101-3099
UNITED STATES

Phone: 206-359-8000

Fax: 206-359-9000

Correspondent e-mail: pctrademarks@perkinscoie.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 01, 2013	REGISTERED-PRINCIPAL REGISTER	
Aug. 29, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 28, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	69712
Aug. 26, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 22, 2013	STATEMENT OF USE PROCESSING COMPLETE	61813
Aug. 05, 2013	USE AMENDMENT FILED	61813
Aug. 05, 2013	TEAS STATEMENT OF USE RECEIVED	
Feb. 14, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 13, 2013	EXTENSION 3 GRANTED	61813
Feb. 06, 2013	EXTENSION 3 FILED	61813
Feb. 06, 2013	TEAS EXTENSION RECEIVED	
May 03, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 02, 2012	EXTENSION 2 GRANTED	61813
Apr. 24, 2012	EXTENSION 2 FILED	61813
Apr. 24, 2012	TEAS EXTENSION RECEIVED	
Apr. 24, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 27, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 26, 2011	EXTENSION 1 GRANTED	61813
Oct. 24, 2011	EXTENSION 1 FILED	61813
Oct. 26, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Oct. 24, 2011	TEAS EXTENSION RECEIVED	
Aug. 16, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 21, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 21, 2011	PUBLISHED FOR OPPOSITION	
Apr. 15, 2011	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Apr. 06, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Mar. 31, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 31, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	69712
Mar. 31, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	69712
Mar. 29, 2011	ASSIGNED TO LIE	69712
Mar. 18, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 30, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 30, 2010	NON-FINAL ACTION E-MAILED	6325
Dec. 30, 2010	NON-FINAL ACTION WRITTEN	81093
Dec. 27, 2010	ASSIGNED TO EXAMINER	81093
Sep. 24, 2010	NOTICE OF PSEUDO MARK MAILED	
Sep. 23, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 23, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 28, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:45:41 EST

Mark: WISE WOMAN HERBALS



US Serial Number: 85143570
US Registration Number: 4001517
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 26, 2011
Publication Date: May 10, 2011

Application Filing Date: Oct. 01, 2010
Registration Date: Jul. 26, 2011
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: WISE WOMAN HERBALS

Standard Character Claim: No

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

Description of Mark: The mark consists of a rectangular deep purple background, against which the company name is printed in white letters, with white lines separating the individual words. The box is outlined in light green, with slight space between the outer line and the deep purple background. There is a circular curved echinacea aerial, rotated clockwise, with several leaves on the stem, and the bud pointed towards the right, nearly touching the base of the stem.

Color Drawing: Yes

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

Disclaimer: "HERBALS"

Design Search Code(s): 05.05.25 - Iris (flower); Daffodils; Other flowers
26.01.09 - Circles having objects as a border; Circles having plants as a border; Circles having humans as a border; Circles having geometric figures as a border; Circles having animals as a border; Geometric figures, objects, humans, plants or animals forming or bordering the perimeter of a circle.
26.11.02 - Plain single line rectangles; Rectangles (single line)
26.11.12 - Rectangles with bars, bands and lines
26.11.20 - Rectangles inside one another
26.11.21 - Rectangles that are completely or partially shaded
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

Related Properties Information

Claimed Ownership of US Registrations: 1696327, 1822289

Goods and Services

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

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

For: Essential oils, Essential oils for aromatherapy use, Essential oils for household use, Essential oils for use in aromatherapy, and Natural essential oils all containing herbals

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 05, 1989

Use in Commerce: Jan. 05, 1989

For: Anti-inflammatory salves, Dietary and nutritional supplements, Dietary supplements, Herb teas for medicinal purposes, Herbal supplements, Herbal teas for medicinal purposes, Herbal topical creams, gels, salves, sprays, powder, balms, liniment and ointments for the relief of aches and pain, Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels, Medicated throat sprays, Medicinal preparations for the mouth and as sprays, Medicinal tea, Multipurpose medicated antibiotic cream, analgesic balm and mentholated salve, Natural herbal supplements, Nutritional supplements in lotion form sold as a component of nutritional skin care products, Pharmaceutical skin lotions, and Homeopathic suppositories all containing herbals

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 05, 1989

Use in Commerce: Jan. 05, 1989

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: EarthLab, Inc

DBA, AKA, Formerly: DBA Wise Woman Herbals

Owner Address: 185 N Mill St., PO BOX 279
Creswell, OREGON 97426
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: OREGON

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: EARTHLAB, INC
EARTHLAB, INC
PO BOX 279
CRESWELL, OREGON 97426-0279
UNITED STATES

Phone: 541-895-5152

Fax: 541-895-5174

Correspondent e-mail: kenk-ad104@wisewomanherbals.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 26, 2011	REGISTERED-PRINCIPAL REGISTER	
May 10, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 10, 2011	PUBLISHED FOR OPPOSITION	
Apr. 01, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Mar. 30, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 30, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 30, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 30, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 30, 2011	EXAMINERS AMENDMENT -WRITTEN	77300
Mar. 17, 2011	ASSIGNED TO EXAMINER	77300
Mar. 17, 2011	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Feb. 11, 2011	WITHDRAWN FROM PUB - OG REVIEW QUERY	60756

Jan. 31, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 31, 2011	ASSIGNED TO LIE	74221
Dec. 30, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 30, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 30, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 30, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 30, 2010	EXAMINERS AMENDMENT -WRITTEN	77300
Dec. 29, 2010	ASSIGNED TO EXAMINER	77300
Oct. 07, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 06, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 05, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 26, 2011

Generated on: This page was generated by TSDR on 2014-02-14 12:25:50 EST

Mark: HERBALBLOOM HEALTHY LIFE NATURALLY



US Serial Number: 85191112
US Registration Number: 3989901
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 05, 2011
Publication Date: Apr. 19, 2011

Application Filing Date: Dec. 06, 2010
Registration Date: Jul. 05, 2011
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: HERBALBLOOM HEALTHY LIFE NATURALLY
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a two dimensional representation of a three dimensional white disc upon which are two stylized, overlapping simple lanceolate leaf blades with entire margin and stylized midrib; with the underlying blade being light green in color with a white midrib and stylized drop of transparent liquid; the overlying blade being white in color with a light green midrib, partial petiole, and margin. The word HerbalBloom is imposed on top of and across the leaf blades in bold black letters. Below the representation of the white disc appears the words Healthy Life Naturally in black letters.
Color Drawing: Yes
Color(s) Claimed: The color(s) green, white and black is/are claimed as a feature of the mark.
Design Search Code(s): 05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
26.01.21 - Circles that are totally or partially shaded.

Goods and Services

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

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

For: Herbal supplements; Natural herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 08, 2010
Use in Commerce: Jul. 13, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: The Pipal Tree Forever
Owner Address: 10270 Bach Blvd.
St Louis, MISSOURI 63132
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Timothy L. Harney
Attorney Primary Email Address: tim.harney@cardinallawgroup.com
Docket Number: 1607.6
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: TIMOTHY L. HARNEY
CARDINAL LAW GROUP, LTD.
1603 ORRINGTON AVE STE 2000
EVANSTON, ILLINOIS 60201-5043
UNITED STATES
Phone: 847.905.7111
Fax: 847.905.7113
Correspondent e-mail: tim.harney@cardinallawgroup.com
Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 19, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 19, 2011	PUBLISHED FOR OPPOSITION	
Mar. 11, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 11, 2011	ASSIGNED TO EXAMINER	73360
Dec. 10, 2010	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Dec. 09, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 09, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 05, 2011

Generated on: This page was generated by TSDR on 2014-02-14 12:07:20 EST

Mark: HERBAL IQ

HERBAL IQ

US Serial Number: 85224810
Application Filing Date: Jan. 24, 2011
US Registration Number: 4106752
Registration Date: Feb. 28, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 28, 2012
Publication Date: May 24, 2011
Notice of Allowance Date: Jul. 19, 2011

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements containing herbs; vitamins containing herbs

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 09, 2011

Use in Commerce: Mar. 09, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Rainbow Light Nutritional Systems, Inc.
Owner Address: 125 McPherson St.
Santa Cruz, CALIFORNIA 95060
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Berney-Key
Docket Number: 180225-214
Attorney Primary Email Address: trademarks@cooley.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Janet L. Cullum
Cooley LLP
1299 Pennsylvania Avenue NW, Suite 700
Washington, DISTRICT OF COLUMBIA 20004
UNITED STATES

Phone: (212) 479-6000

Fax: 202-842-7899

Correspondent e-mail: trademarks@cooley.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 28, 2012	REGISTERED-PRINCIPAL REGISTER	
Jan. 24, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 23, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
Jan. 18, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 17, 2012	STATEMENT OF USE PROCESSING COMPLETE	71034
Dec. 14, 2011	USE AMENDMENT FILED	71034
Jan. 17, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Dec. 14, 2011	TEAS STATEMENT OF USE RECEIVED	
Sep. 28, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 28, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 19, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 24, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 24, 2011	PUBLISHED FOR OPPOSITION	
Apr. 16, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Apr. 15, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 15, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 15, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Apr. 15, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 15, 2011	EXAMINERS AMENDMENT -WRITTEN	63030
Apr. 13, 2011	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 01, 2011	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Mar. 24, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Mar. 24, 2011	ASSIGNED TO LIE	77312
Mar. 08, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 07, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 07, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 07, 2011	EXAMINERS AMENDMENT -WRITTEN	63030
Mar. 07, 2011	ASSIGNED TO EXAMINER	63030
Jan. 28, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 27, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 23, 2012

Generated on: This page was generated by TSDR on 2014-02-14 12:46:08 EST

Mark: MEGAFIBER THE ULTIMATE 7 HERBAL INGREDIENTS



US Serial Number: 85226280 **Application Filing Date:** Jan. 26, 2011
US Registration Number: 4097101 **Registration Date:** Feb. 07, 2012
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 07, 2012
Publication Date: Jun. 28, 2011 **Notice of Allowance Date:** Aug. 23, 2011

Mark Information

Mark Literal Elements: MEGAFIBER THE ULTIMATE 7 HERBAL INGREDIENTS
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of the name "MEGAFIBER" is in white color inside a green rectangle with a yellow curved line on the upper right corner of the rectangle with a belt on the bottom in gold that includes the phrase "THE ULTIMATE 7 HERBAL INGREDIENTS" in color red. On the left hand side of the gold belt there are two corn leaves in color gold.
Color Drawing: Yes
Color(s) Claimed: The color(s) green, white, yellow, red and gold is/are claimed as a feature of the mark.
Disclaimer: "7 HERBAL INGREDIENTS"
Design Search Code(s): 05.07.02 - Bundles, grain; Haystacks; Stalks (grain)
24.09.07 - Advertising, banners; Banners
26.13.13 - Quadrilateral (two quadrilaterals); Two quadrilaterals
26.13.21 - Quadrilaterals that are completely or partially shaded

Goods and Services

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

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

For: natural food supplements, vitamins, and natural medicinal herbal and botanical preparations in the nature of medicines

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2009

Use in Commerce: Sep. 01, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Vall Laboratories Consortium Group LLC
Owner Address: P.O.BOX 560668
P.O.BOX 560668
Miami, FLORIDA 33256
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: ARMANDO MARTINEZ
DEMOS GLOBAL GROUP INC
PO BOX 560668
MIAMI, FLORIDA 33256-0668
UNITED STATES

Phone: 3056700979

Fax: 9542066880

Correspondent e-mail: tm@demosgloal.es

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 07, 2012	REGISTERED-PRINCIPAL REGISTER	
Jan. 04, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 03, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	73296
Dec. 28, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 19, 2011	STATEMENT OF USE PROCESSING COMPLETE	71034
Dec. 05, 2011	USE AMENDMENT FILED	71034
Dec. 19, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Dec. 05, 2011	TEAS STATEMENT OF USE RECEIVED	
Aug. 23, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 28, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 28, 2011	PUBLISHED FOR OPPOSITION	
May 20, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
May 20, 2011	ASSIGNED TO LIE	73296
May 06, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 05, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 05, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 05, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 05, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 05, 2011	NON-FINAL ACTION E-MAILED	6325
May 05, 2011	NON-FINAL ACTION WRITTEN	83185
May 04, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 03, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 03, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 25, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 25, 2011	NON-FINAL ACTION E-MAILED	6325
Apr. 25, 2011	NON-FINAL ACTION WRITTEN	83185
Apr. 25, 2011	ASSIGNED TO EXAMINER	83185
Feb. 01, 2011	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Jan. 31, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 03, 2012

Generated on: This page was generated by TSDR on 2014-02-14 12:04:29 EST

Mark: HERBAL WONDER

HERBAL WONDER

US Serial Number: 85237281
Application Filing Date: Feb. 08, 2011
US Registration Number: 4028320
Registration Date: Sep. 20, 2011
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 20, 2011
Publication Date: Jul. 05, 2011

Mark Information

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

Goods and Services

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

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

For: Herbal nutritional supplements and vitamins
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: 1997
Use in Commerce: 1997

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Casillas-Menchaca, Edgar
Owner Address: P.O. BOX 122020
Chula Vista, CALIFORNIA 91910
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Josh Gerben
Attorney Primary Email Address: trademark@gerbenlaw.com
Attorney Email Authorized: No

Correspondent

Correspondent: Josh Gerben

Name/Address: GERBEN LAW FIRM, PLLC
1050 CONNECTICUT AVE NW
10th Floor
WASHINGTON, DISTRICT OF COLUMBIA 20036
UNITED STATES

Phone: 202-294-2287

Correspondent e-mail: jgerben@gerbenlawfirm.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 09, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 20, 2011	REGISTERED-PRINCIPAL REGISTER	
Jul. 30, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 05, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 05, 2011	PUBLISHED FOR OPPOSITION	
May 31, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
May 26, 2011	ASSIGNED TO LIE	70633
May 12, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 10, 2011	EXAMINER'S AMENDMENT ENTERED	88888
May 10, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 10, 2011	EXAMINERS AMENDMENT E-MAILED	6328
May 10, 2011	EXAMINERS AMENDMENT -WRITTEN	67443
May 09, 2011	ASSIGNED TO EXAMINER	67443
Feb. 12, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 11, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 20, 2011

Generated on: This page was generated by TSDR on 2014-02-14 12:46:00 EST

Mark: MULTI 7 THE ULTIMATE 7 HERBAL INGREDIENTS



US Serial Number: 85256789

Application Filing Date: Mar. 03, 2011

US Registration Number: 4092278

Registration Date: Jan. 24, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Jan. 24, 2012

Publication Date: Aug. 02, 2011

Notice of Allowance Date: Sep. 27, 2011

Mark Information

Mark Literal Elements: MULTI 7 THE ULTIMATE 7 HERBAL INGREDIENTS

Standard Character Claim: No

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

Description of Mark: The mark consists of an oval outlined in yellow and gold with a white background within which appears a house in yellow and gold and stalks of wheat in yellow and gold. In front of this appears the word "MULTI" in red and outlined in white and black. To the right of "MULTI" appears the number "7" in yellow and gold and outlined in black. Below this wording appears a red banner with gold trim within which appears the wording "THE ULTIMATE 7 HERBAL INGREDIENTS" in white.

Color Drawing: Yes

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

Disclaimer: "MULTI 7 THE ULTIMATE 7 HERBAL INGREDIENTS"

Design Search Code(s): 05.07.01 - Corn, stalks
05.07.02 - Bundles, grain; Haystacks; Stalks (grain)
07.01.04 - Detached house
24.09.07 - Advertising, banners; Banners
26.03.02 - Ovals, plain single line; Plain single line ovals

Goods and Services

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

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

For: natural food supplements; natural medicinal herbal preparations; natural botanical medicinal preparations for use in treating the constipation; all of the above being for human consumption

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2009

Use in Commerce: Sep. 30, 2011

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Vall Laboratories Consortium Group LLC

Owner Address: P.O.BOX 560668

Miami, FLORIDA 33256
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: ARMANDO MARTINEZ
DEMOS GLOBAL GROUP, INC.
PO BOX 560668
MIAMI, FLORIDA 33256
UNITED STATES

Phone: 3056700979

Fax: 9542066880

Correspondent e-mail: tm@demosgloal.es

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 24, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 21, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 20, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Dec. 20, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 19, 2011	STATEMENT OF USE PROCESSING COMPLETE	71034
Dec. 05, 2011	USE AMENDMENT FILED	71034
Dec. 19, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Dec. 05, 2011	TEAS STATEMENT OF USE RECEIVED	
Sep. 27, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 02, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 02, 2011	PUBLISHED FOR OPPOSITION	
Jun. 24, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Jun. 23, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 22, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	76568
Jun. 22, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	76568
Jun. 18, 2011	ASSIGNED TO LIE	76568
Jun. 09, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 04, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 04, 2011	NON-FINAL ACTION E-MAILED	6325
Jun. 04, 2011	NON-FINAL ACTION WRITTEN	83187
Jun. 03, 2011	ASSIGNED TO EXAMINER	83187
Mar. 09, 2011	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Mar. 08, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 20, 2011

Generated on: This page was generated by TSDR on 2014-02-14 12:45:51 EST

Mark: QORI INTI AMAZONIAN HERBALS



US Serial Number: 85276269
US Registration Number: 4055788
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 15, 2011
Publication Date: Aug. 30, 2011

Application Filing Date: Mar. 24, 2011
Registration Date: Nov. 15, 2011
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: QORI INTI AMAZONIAN HERBALS
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of an abstract, squared design to the left of the text "Qori Inti Amazonian Herbals".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "AMAZONIAN HERBALS"
Translation: The English translation of "Qori Inti" in the mark is "gold sun".
Design Search Code(s): 26.09.12 - Squares with bars, bands and lines

Goods and Services

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

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

For: Herbal supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 23, 2008

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Nov. 15, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Bamdad, Aubrey
Owner Address: 425 Grove Avenue
Metuchen, NEW JERSEY 08840
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

**Attorney of Record - None
Correspondent**

Correspondent BAMDAD, AUBREY
Name/Address: 425 GROVE AVE
METUCHEN, NEW JERSEY 08840-1124
UNITED STATES

Phone: 732-549-9338

Correspondent e-mail: lilaraja@hotmail.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 15, 2011	REGISTERED-PRINCIPAL REGISTER	
Aug. 30, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 30, 2011	PUBLISHED FOR OPPOSITION	
Jul. 26, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Jul. 22, 2011	ASSIGNED TO LIE	68552
Jun. 28, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 28, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 28, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 28, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 28, 2011	EXAMINERS AMENDMENT -WRITTEN	83191
Jun. 21, 2011	ASSIGNED TO EXAMINER	83191
Mar. 30, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 29, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 28, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 15, 2011

Generated on: This page was generated by TSDR on 2014-02-14 12:46:14 EST

Mark: DOCTOR WILSON'S HERBAL HPA

DOCTOR WILSON'S HERBAL HPA

US Serial Number: 85340110
Application Filing Date: Jun. 07, 2011
US Registration Number: 4104835
Registration Date: Feb. 28, 2012
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 28, 2012
Publication Date: Dec. 13, 2011

Mark Information

Mark Literal Elements: DOCTOR WILSON'S HERBAL HPA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "HERBAL HPA"
Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark identifies Dr. James Wilson, whose consent(s) to register is made of record.

Related Properties Information

Claimed Ownership of US Registrations: 3565736, 3565764, 3610626 and others

Goods and Services

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

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

For: Dietary supplements for adrenal support
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 01, 2008
Use in Commerce: Jan. 01, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: MIND MINE, LLC
Owner Address: 4142 E 5TH STREET
TUCSON, ARIZONA 85711
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record - None**Correspondent**

Correspondent Name/Address: MIND MINE, LLC
MIND MINE, LLC
4142 E 5TH ST
TUCSON, ARIZONA 85711-1942
UNITED STATES

Phone: 520-748-0388

Fax: 520-514-1917

Correspondent e-mail: jessica@futureformulations.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Feb. 28, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 13, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 13, 2011	PUBLISHED FOR OPPOSITION	
Nov. 23, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 08, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Nov. 04, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 21, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 20, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 20, 2011	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Sep. 30, 2011	NOTIFICATION FOR REQ FOR RECON DENIED NO APPEAL FILED	
Sep. 30, 2011	ACTION FOR REQ FOR RECON DENIED NO APPEAL FILED E-MAILED	
Sep. 30, 2011	ACTION REQ FOR RECON DENIED NO APPEAL FILED COUNTED NOT MAILED	67659
Sep. 29, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Sep. 29, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Sep. 28, 2011	ASSIGNED TO LIE	68171
Sep. 26, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 27, 2011	NOTIFICATION OF FINAL REFUSAL EMAILED	
Sep. 27, 2011	FINAL REFUSAL E-MAILED	
Sep. 27, 2011	FINAL REFUSAL WRITTEN	67659
Sep. 26, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 26, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 26, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 26, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 26, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 26, 2011	NON-FINAL ACTION E-MAILED	6325
Sep. 26, 2011	NON-FINAL ACTION WRITTEN	67659
Sep. 21, 2011	ASSIGNED TO EXAMINER	67659
Jun. 10, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 10, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 28, 2012

Generated on: This page was generated by TSDR on 2014-02-14 12:05:25 EST

Mark: HERBACLINIC

HERBACLINIC

US Serial Number: 85354578
Application Filing Date: Jun. 23, 2011
US Registration Number: 4294223
Registration Date: Feb. 26, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 26, 2013
Publication Date: May 22, 2012

Mark Information

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

Foreign Information

Foreign Registration Number: 0253183
Foreign Registration Date: Nov. 05, 1993
Foreign Application/Registration Country: SWEDEN
Foreign Expiration Date: Nov. 05, 2013

Goods and Services

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

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

For: Herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 44(e)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Svenska Ortmedicinska Institutet AB
Owner Address: Viktor Rydbergsgatan 10
Goteberg 41132
SWEDEN
Legal Entity Type: CORPORATION
State or Country Where Organized: SWEDEN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark I. Feldman

Docket Number: 360476-00000

Attorney Primary Email ch.tm@dlapiper.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: MARK I. FELDMAN
DLA PIPER LLP (US)
PO BOX 64807
CHICAGO, ILLINOIS 60664-0807
UNITED STATES

Phone: 312.368.4000

Fax: 312.236.7516

Correspondent e-mail: ch.tm@dlapiper.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Mark I. Feldman

Phone: 312.368.4000

Fax: 312.236.7516

Domestic Representative e-mail: ch.tm@dlapiper.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Feb. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 22, 2013	1(B) BASIS DELETED; PROCEED TO REGISTRATION	76873
Jan. 17, 2013	NOTICE OF ALLOWANCE CANCELLED	76873
Jan. 22, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Jan. 14, 2013	TEAS DELETE 1(B) BASIS RECEIVED	
Jul. 17, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 22, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 22, 2012	PUBLISHED FOR OPPOSITION	
May 02, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 13, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Apr. 10, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 06, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	76568
Apr. 06, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	76568
Mar. 26, 2012	ASSIGNED TO LIE	76568
Mar. 14, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 05, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 05, 2011	NON-FINAL ACTION E-MAILED	6325
Oct. 05, 2011	NON-FINAL ACTION WRITTEN	74304
Oct. 05, 2011	ASSIGNED TO EXAMINER	74304
Jun. 30, 2011	NOTICE OF PSEUDO MARK MAILED	
Jun. 29, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 27, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 26, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:06:07 EST

Mark: MASTER LU'S HAIR FORMULA TRADITIONAL CHINESE HERBAL FORMULA



US Serial Number: 85371435

Application Filing Date: Jul. 14, 2011

US Registration Number: 4307469

Registration Date: Mar. 26, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 26, 2013

Publication Date: Jan. 08, 2013

Mark Information

Mark Literal Elements: MASTER LU'S HAIR FORMULA TRADITIONAL CHINESE HERBAL FORMULA

Standard Character Claim: No

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

Description of Mark: The mark consists of the wording "MASTER LU'S HAIR FORMULA" in white on a red banner like design with the words "TRADITIONAL CHINESE HERBAL FORMULA" in black underneath, along with a black and white portrait of a man above and Chinese characters in black to the right and left of the portrait all on a beige background with red borders.

Color Drawing: Yes

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

Disclaimer: THE NON-LATIN CHARACTERS THAT TRANSLITERATE TO "TOU CHANG MAO SHENG AND JIAN KANG JIA YIN" AND THE WORDING "HAIR FORMULA"

Translation: The English translation of Chinese characters in the mark is "FLOURISHING HAIR GROWTH" AND "GOOD HEALTH".

Transliteration: The non-Latin characters in the mark transliterate to "Tou Chang Mao Sheng, Jian Kang Jia Yin" and this means "Flourish Hair Grow and Good Health" in English.

Design Search Code(s): 02.01.01 - Men - heads, portraiture, or busts facing forward; Portraiture of men facing forward; Heads of men facing forward; Busts of men facing forward
02.01.11 - Asian-Pacific men; Japanese men; Chinese men; Men, Asian-Pacific men; Korean men
19.09.03 - Bottles, jars or flasks with straight, vertical sides; Jars with straight or vertical sides; Flasks with straight or vertical sides
24.09.07 - Advertising, banners; Banners
26.03.21 - Ovals that are completely or partially shaded
28.01.03 - Asian characters; Chinese characters; Japanese characters

Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark identifies Master Cheng Tsang Lu, whose consent(s) to register is made of record.

Goods and Services

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

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

For: Natural herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 14, 2011

Use in Commerce: Jul. 14, 2011

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Master Lu's Formulas

Owner Address: 3220 South State Street
Salt Lake City, UTAH 84115
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: MASTER LU'S FORMULAS
MASTER LU'S FORMULAS
3220 S STATE ST
SALT LAKE CITY, UTAH 84115-3836
UNITED STATES

Phone: 801-463-1101

Fax: 801-463-1197

Correspondent e-mail: tyehao@luhealthcenter.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 08, 2013	PUBLISHED FOR OPPOSITION	
Dec. 19, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 01, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Nov. 28, 2012	ASSIGNED TO LIE	74221
Nov. 14, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 14, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 14, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 14, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 14, 2012	EXAMINERS AMENDMENT -WRITTEN	68788
Oct. 23, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 22, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 22, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 24, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 24, 2012	NON-FINAL ACTION E-MAILED	6325
May 24, 2012	NON-FINAL ACTION WRITTEN	68788
May 11, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 11, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 11, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 08, 2011	NOTIFICATION OF FINAL REFUSAL EMAILED	
Dec. 08, 2011	FINAL REFUSAL E-MAILED	
Dec. 08, 2011	FINAL REFUSAL WRITTEN	68788
Dec. 05, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 05, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 05, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	

Nov. 10, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 10, 2011	NON-FINAL ACTION E-MAILED	6325
Nov. 10, 2011	NON-FINAL ACTION WRITTEN	68788
Nov. 03, 2011	ASSIGNED TO EXAMINER	68788
Jul. 20, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Jul. 19, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 18, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 26, 2013

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Mark: HERBAL. HOLISTIC. HEALTH.

HERBAL. HOLISTIC. HEALTH

US Serial Number: 85395945
Application Filing Date: Aug. 11, 2011
US Registration Number: 4228029
Registration Date: Oct. 16, 2012
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Aug. 28, 2012
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 16, 2012

Mark Information

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

Goods and Services

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

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

For: Vitamins; nutritional and dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2011

Use in Commerce: Jan. 01, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: New Chapter, Inc.
Owner Address: 90 Technology Drive
Brattleboro, VERMONT 05301
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Clare M. Iery
Docket Number: TM-232750/US
Attorney Primary Email Address: pgtrademarks.im@pg.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Clare M. Iery
The Procter & Gamble Company

299 E.Sixth Street
Cincinnati, OHIO 45202
UNITED STATES

Phone: 513-983-1100

Fax: 513-945-6791

Correspondent e-mail: pgtrademarks.im@pg.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 16, 2012	REGISTERED-SUPPLEMENTAL REGISTER	
Sep. 11, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Sep. 07, 2012	ASSIGNED TO LIE	70138
Aug. 28, 2012	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Aug. 28, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 28, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 28, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 17, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 17, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 03, 2012	NON-FINAL ACTION MAILED	
May 03, 2012	NON-FINAL ACTION WRITTEN	78305
Mar. 23, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 23, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 23, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 15, 2011	NON-FINAL ACTION MAILED	
Dec. 15, 2011	NON-FINAL ACTION WRITTEN	78305
Dec. 02, 2011	ASSIGNED TO EXAMINER	78305
Aug. 16, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 15, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 16, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: New Chapter, Inc.

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [4617/0296](#)

Pages: 13

Date Recorded: Sep. 04, 2011

Supporting Documents: [assignment-tm-4617-0296.pdf](#)

Assignor

Name: [NEW CHAPTER, INC.](#)

Execution Date: Aug. 31, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [BROWN BROTHERS HARRIMAN & CO.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 40 WATER STREET
BOSTON, MASSACHUSETTS 02109

Correspondent

Correspondent Name: CHOATE, HALL & STEWART LLP

Correspondent Address: TWO INTERNATIONAL PLACE
BOSTON, MA 02110

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 12, 2013	REGISTERED-PRINCIPAL REGISTER	
Oct. 09, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Oct. 08, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552
Oct. 03, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 02, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Oct. 02, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Sep. 27, 2013	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Aug. 23, 2013	FINAL REFUSAL MAILED	
Aug. 22, 2013	SU - FINAL REFUSAL - WRITTEN	76933
Aug. 20, 2013	NOTICE OF REVIVAL - MAILED	
Aug. 20, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 20, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 20, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 20, 2013	PETITION TO REVIVE-GRANTED	88889
Aug. 20, 2013	TEAS PETITION TO REVIVE RECEIVED	
Feb. 19, 2013	NON-FINAL ACTION MAILED	
Feb. 15, 2013	SU - NON-FINAL ACTION - WRITTEN	76933
Feb. 15, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Feb. 14, 2013	STATEMENT OF USE PROCESSING COMPLETE	70565
Jan. 30, 2013	USE AMENDMENT FILED	70565
Feb. 14, 2013	EXTENSION 1 GRANTED	70565
Nov. 29, 2012	EXTENSION 1 FILED	70565
Feb. 14, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Jan. 30, 2013	TEAS STATEMENT OF USE RECEIVED	
Jan. 30, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 30, 2013	NOTICE OF REVIVAL - MAILED	
Jan. 30, 2013	EXTENSION RECEIVED WITH TEAS PETITION	
Jan. 30, 2013	PETITION TO REVIVE-GRANTED	88889
Jan. 30, 2013	TEAS PETITION TO REVIVE RECEIVED	
Dec. 31, 2012	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Dec. 31, 2012	ABANDONMENT - NO USE STATEMENT FILED	99999
Sep. 10, 2012	WITHDRAWAL OF ATTORNEY GRANTED	
Sep. 10, 2012	TEAS WITHDRAWAL OF ATTORNEY RECEIVED	
May 29, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 16, 2012	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Mar. 01, 2012	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 31, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 31, 2012	PUBLISHED FOR OPPOSITION	
Jan. 11, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 28, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Dec. 28, 2011	ASSIGNED TO LIE	68552
Dec. 06, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 06, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 06, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328

Dec. 06, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 06, 2011	EXAMINERS AMENDMENT -WRITTEN	76933
Dec. 05, 2011	ASSIGNED TO EXAMINER	76933
Aug. 16, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 16, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 08, 2013

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [85396131](#)

Filing Date: Mar 01, 2012

Status: Terminated

Status Date: Apr 16, 2012

Interlocutory Attorney:

Defendant

Name: Campbell, Robert

Correspondent Address: CHRISTOPHER DITICO
RAJ ABHYANKER, P.C.
1580 W EL CAMINO REAL STE 8
MOUNTAIN VIEW CA , 94040-2462
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
AYURVEDIC HERBAL TREASURES	Registered	85396131	4432991

Potential Opposer(s)

Name: Threshold Enterprises, Ltd.

Correspondent Address: Jeremy M. McLaughlin
Arnold & Porter LLP
Three Embarcadero Center 7th Floor
San Francisco CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 01, 2012	
2	EXTENSION OF TIME GRANTED	Mar 01, 2012	

Prosecution History

Date	Description	Proceeding Number
Dec. 24, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 21, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Nov. 20, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Nov. 20, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 19, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 19, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 19, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 19, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 19, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 04, 2013	NON-FINAL ACTION MAILED	
Oct. 04, 2013	SU - NON-FINAL ACTION - WRITTEN	76933
Oct. 01, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	73797
Oct. 01, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	73797
Sep. 27, 2013	NOTICE OF REVIVAL - MAILED	
Sep. 27, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 27, 2013	PETITION TO REVIVE-GRANTED	88889
Sep. 27, 2013	TEAS PETITION TO REVIVE RECEIVED	
Sep. 23, 2013	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Sep. 20, 2013	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Feb. 19, 2013	NON-FINAL ACTION MAILED	
Feb. 15, 2013	SU - NON-FINAL ACTION - WRITTEN	76933
Feb. 14, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Feb. 13, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
Jan. 30, 2013	USE AMENDMENT FILED	65362
Feb. 13, 2013	EXTENSION 1 GRANTED	65362
Nov. 29, 2012	EXTENSION 1 FILED	65362
Feb. 13, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jan. 31, 2013	NOTICE OF REVIVAL - MAILED	
Jan. 30, 2013	TEAS STATEMENT OF USE RECEIVED	
Jan. 30, 2013	EXTENSION RECEIVED WITH TEAS PETITION	
Jan. 30, 2013	PETITION TO REVIVE-GRANTED	88889
Jan. 30, 2013	TEAS PETITION TO REVIVE RECEIVED	
Dec. 31, 2012	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Dec. 31, 2012	ABANDONMENT - NO USE STATEMENT FILED	99999
Sep. 07, 2012	WITHDRAWAL OF ATTORNEY GRANTED	
Sep. 07, 2012	TEAS WITHDRAWAL OF ATTORNEY RECEIVED	
May 29, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 16, 2012	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Mar. 01, 2012	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 31, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 31, 2012	PUBLISHED FOR OPPOSITION	
Jan. 11, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 28, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Dec. 28, 2011	ASSIGNED TO LIE	73797
Dec. 06, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	

Dec. 06, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 06, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 06, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 06, 2011	EXAMINERS AMENDMENT -WRITTEN	76933
Dec. 05, 2011	ASSIGNED TO EXAMINER	76933
Aug. 16, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 16, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 20, 2013

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [85396132](#)

Filing Date: Mar 01, 2012

Status: Terminated

Status Date: Apr 16, 2012

Interlocutory Attorney:

Defendant

Name: Campbell, Robert

Correspondent Address: CHRISTOPHER DITICO
RAJ ABHYANKER, P.C.
1580 W EL CAMINO REAL STE 8
MOUNTAIN VIEW CA , 94040-2462
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
CHINESE HERBAL TREASURES	Registered	85396132	4455465

Potential Opposer(s)

Name: Threshold Enterprises, Ltd.

Correspondent Address: Jeremy M. McLaughlin
Arnold & Porter LLP
Three Embarcadero Center 7th Floor
San Francisco CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 01, 2012	
2	EXTENSION OF TIME GRANTED	Mar 01, 2012	

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 06, 2012	REGISTERED-PRINCIPAL REGISTER	
Sep. 29, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 28, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Sep. 28, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 11, 2012	STATEMENT OF USE PROCESSING COMPLETE	76538
Sep. 04, 2012	USE AMENDMENT FILED	76538
Sep. 10, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Sep. 04, 2012	TEAS STATEMENT OF USE RECEIVED	
Sep. 04, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 10, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 10, 2012	PUBLISHED FOR OPPOSITION	
Jun. 20, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 06, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jun. 04, 2012	ASSIGNED TO LIE	66213
May 16, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 16, 2012	EXAMINER'S AMENDMENT ENTERED	88888
May 16, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 16, 2012	EXAMINERS AMENDMENT E-MAILED	6328
May 16, 2012	EXAMINERS AMENDMENT -WRITTEN	77876
May 11, 2012	PREVIOUS ALLOWANCE WITHDRAWN-TIMELY AAU	
May 11, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 14, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 14, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 14, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Apr. 13, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
Apr. 13, 2012	FINAL REFUSAL E-MAILED	
Apr. 13, 2012	FINAL REFUSAL WRITTEN	77876
Mar. 06, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 06, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 06, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 16, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 16, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 16, 2012	NON-FINAL ACTION WRITTEN	77876
Jan. 21, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 21, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 21, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 06, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 06, 2012	NON-FINAL ACTION E-MAILED	6325
Jan. 06, 2012	NON-FINAL ACTION WRITTEN	77876
Jan. 04, 2012	ASSIGNED TO EXAMINER	77876
Sep. 20, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 28, 2012

Correspondent

Correspondent Name/Address: TRADEMARK DEPT.
 NATURAL FACTORS NUTRITIONAL PRODUCTS LTD.
 1550 UNITED BOULEVARD
 COQUITLAM, BC V3K6Y2
 CANADA

Phone: (604) 777-4702

Correspondent e-mail: rzhang@naturalfactors.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 10, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 07, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 06, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Nov. 01, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 28, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Oct. 28, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Oct. 21, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 23, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Apr. 23, 2013	NON-FINAL ACTION E-MAILED	
Apr. 23, 2013	SU - NON-FINAL ACTION - WRITTEN	88575
Apr. 16, 2013	STATEMENT OF USE PROCESSING COMPLETE	76538
Apr. 09, 2013	USE AMENDMENT FILED	76538
Apr. 09, 2013	TEAS STATEMENT OF USE RECEIVED	
Feb. 08, 2013	ASSIGNED TO EXAMINER	88575
Oct. 04, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 03, 2012	EXTENSION 1 GRANTED	76538
Oct. 01, 2012	EXTENSION 1 FILED	76538
Oct. 03, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Oct. 01, 2012	TEAS EXTENSION RECEIVED	
Apr. 10, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 14, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 14, 2012	PUBLISHED FOR OPPOSITION	
Jan. 25, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 06, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jan. 06, 2012	ASSIGNED TO LIE	66213
Dec. 15, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 15, 2011	ASSIGNED TO EXAMINER	83361
Oct. 28, 2011	NOTICE OF PSEUDO MARK MAILED	
Oct. 27, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 27, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 06, 2013

Correspondent Name/Address: PROGRESSIVE LABORATORIES, INC.
PROGRESSIVE LABORATORIES, INC.
1701 W WALNUT HILL LN
IRVING, TEXAS 75038-3217
UNITED STATES

Phone: 972-518-9660

Fax: 972-518-9665

Correspondent e-mail: kristacartmill@progressivelabs.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 03, 2012	REGISTERED-PRINCIPAL REGISTER	
Apr. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 17, 2012	PUBLISHED FOR OPPOSITION	
Mar. 28, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 09, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Mar. 09, 2012	ASSIGNED TO LIE	66213
Feb. 22, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 21, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 21, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 09, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 09, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 09, 2012	NON-FINAL ACTION WRITTEN	69812
Feb. 07, 2012	ASSIGNED TO EXAMINER	69812
Nov. 11, 2011	NOTICE OF PSEUDO MARK MAILED	
Nov. 10, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 10, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 03, 2012

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Mark: HERBAL AROUSE-M

HERBAL AROUSE-M

US Serial Number: 85465854 Application Filing Date: Nov. 07, 2011
US Registration Number: 4167753 Registration Date: Jul. 03, 2012
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 03, 2012
Publication Date: Apr. 17, 2012

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 2706132

Goods and Services

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

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

For: Male herbal complex in the nature of a supplement for mood support

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 29, 1990

Use in Commerce: Feb. 28, 1990

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Progressive Laboratories, Inc.
Owner Address: 1701 W. Walnut Hill Lane
Irving, TEXAS 75038
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: PROGRESSIVE LABORATORIES, INC.
PROGRESSIVE LABORATORIES, INC.
1701 W WALNUT HILL LN
IRVING, TEXAS 75038-3217
UNITED STATES

Phone: 972-518-9660

Fax: 972-518-9665

Correspondent e-mail: kristacartmill@progressivelabs.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 03, 2012	REGISTERED-PRINCIPAL REGISTER	
Apr. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 17, 2012	PUBLISHED FOR OPPOSITION	
Mar. 28, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 09, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Mar. 09, 2012	ASSIGNED TO LIE	66213
Feb. 22, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 21, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 21, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 09, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 09, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 09, 2012	NON-FINAL ACTION WRITTEN	69812
Feb. 07, 2012	ASSIGNED TO EXAMINER	69812
Nov. 11, 2011	NOTICE OF PSEUDO MARK MAILED	
Nov. 10, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 10, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 03, 2012

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Mark: BRINGING HERBAL TREASURES FROM AROUND THE WORLD

BRINGING HERBAL TREASURES
FROM AROUND THE WORLD

US Serial Number: 85501677
Application Filing Date: Dec. 22, 2011
US Registration Number: 4193896
Registration Date: Aug. 21, 2012
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 21, 2012
Publication Date: Jun. 05, 2012

Mark Information

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

Goods and Services

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

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

For: Medicinal herbs; herbal dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 01, 2003
Use in Commerce: Sep. 01, 2003

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Campbell, Robert
Owner Address: 2917 Camino Del Bosque
Santa Fe, NEW MEXICO 87507
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maryam Nemazie
Docket Number: 37898
Attorney Primary Email Address: trademarks@rajpatent.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MARYAM NEMAZIE
RAJ ABHYANKER, P.C.
1580 W EL CAMINO REAL STE 8
MOUNTAIN VIEW, CALIFORNIA 94040-2462

UNITED STATES

Phone: 650 965-8731

Fax: 650 989-2131

Correspondent e-mail: trademarks@rajpatent.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 21, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 05, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 05, 2012	PUBLISHED FOR OPPOSITION	
May 16, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 01, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Apr. 30, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 30, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 30, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Apr. 30, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 30, 2012	EXAMINERS AMENDMENT -WRITTEN	81139
Apr. 30, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 30, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Apr. 18, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Apr. 18, 2012	ASSIGNED TO LIE	68171
Mar. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 28, 2012	ASSIGNED TO EXAMINER	81139
Jan. 04, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 26, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 21, 2012

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Mark: HERBAL ZAP!



US Serial Number: 85515429
US Registration Number: 4303797
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 19, 2013
Publication Date: Jan. 01, 2013

Application Filing Date: Jan. 12, 2012
Registration Date: Mar. 19, 2013
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: HERBAL ZAP!
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a hand holding a lightning bolt with a background of a starburst with the name "HERBAL ZAP!". To the right there is a lady carrying a lightning bolt, zapping a cup of tea.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "HERBAL"
Design Search Code(s): 01.01.06 - Stars with rays or radiating lines
01.15.02 - Lightning; Electricity; Sparks (jagged lines)
02.03.08 - Grass skirts (women wearing); Hawaiian women; Women, Hawaiian
02.03.13 - Women, other women wearing folk, historical or cowgirl costumes, including gypsies; nuns; Gypsies (women); Folk costumes (women wearing); Cowgirl; Nuns
11.03.03 - Coffee cups

Goods and Services

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

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

For: Dietary food supplements; Dietary supplement for eliminating toxins from the intestinal tract; Dietary supplemental drinks; Dietary supplemental drinks in the nature of vitamin and mineral beverages; Dietary supplements; Dietary supplements for human consumption; Dietary supplements in the nature of weight loss powders; Herbal supplements for use in ayurvedic medicine; Herbal teas for medicinal purposes; Nutritional supplements; all containing herbal preparations

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 17, 2011

Use in Commerce: Feb. 08, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Herbal Zap

Owner Address: 68-321 Crozier Dr
Waialua, HAWAII 96791
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: HAWAII

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JungJin Lee

Attorney Primary Email Address: jj@llapc.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JUNGJIN LEE
LEE, LEE & ASSOCIATES, P.C.
2531 JACKSON AVE
STE 234
ANN ARBOR, MICHIGAN 48103-3818
UNITED STATES

Phone: 866-400-2507

Fax: 800-689-7978

Correspondent e-mail: jj@llapc.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 19, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 01, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 01, 2013	PUBLISHED FOR OPPOSITION	
Dec. 12, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 27, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Nov. 23, 2012	ASSIGNED TO LIE	69712
Nov. 06, 2012	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
Nov. 05, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 05, 2012	USE AMENDMENT ACCEPTED	74309
Nov. 05, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 05, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 05, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 05, 2012	EXAMINERS AMENDMENT -WRITTEN	74309
Oct. 12, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 11, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 11, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 03, 2012	ASSIGNED TO EXAMINER	74309
Aug. 17, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 17, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 20, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 20, 2012	NON-FINAL ACTION E-MAILED	6325
Apr. 20, 2012	NON-FINAL ACTION WRITTEN	88223
Apr. 18, 2012	ASSIGNED TO EXAMINER	88223
Mar. 06, 2012	AMENDMENT TO USE PROCESSING COMPLETE	88889
Mar. 06, 2012	USE AMENDMENT FILED	88889
Mar. 05, 2012	TEAS AMENDMENT OF USE RECEIVED	

Jan. 19, 2012 NOTICE OF DESIGN SEARCH CODE MAILED
Jan. 18, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Jan. 16, 2012 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 19, 2013

Phone: 9725189660

Fax: 9725189665

Correspondent e-mail: kristacartmill@progressivelabs.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 20, 2012	REGISTERED-PRINCIPAL REGISTER	
Sep. 04, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 04, 2012	PUBLISHED FOR OPPOSITION	
Aug. 15, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 27, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jul. 27, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 27, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 27, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 27, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 27, 2012	EXAMINERS AMENDMENT -WRITTEN	76584
Jul. 24, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jul. 23, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Jul. 06, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jul. 06, 2012	ASSIGNED TO LIE	74221
Jun. 15, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 14, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 14, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 14, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 08, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 08, 2012	NON-FINAL ACTION E-MAILED	6325
Jun. 08, 2012	NON-FINAL ACTION WRITTEN	76584
Jun. 01, 2012	ASSIGNED TO EXAMINER	76584
Feb. 27, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 24, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 20, 2012

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Mark: HERBAL HILLS

HERBAL HILLS

US Serial Number: 85560006
Application Filing Date: Mar. 05, 2012
US Registration Number: 4241172
Registration Date: Nov. 13, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 13, 2012
Publication Date: Aug. 28, 2012

Mark Information

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

Goods and Services

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

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

For: dietary and nutritional supplements containing herbs; herbal supplements; natural herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 07, 2005

Use in Commerce: Dec. 18, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Isha Agro Developers Pvt. Ltd
Owner Address: Plot No.33 ABCD, Govt. Industrial Estate
Charkop, Kandivali (W)
Mumbai-400067 Maharashtra
INDIA
Legal Entity Type: COMPANY
State or Country Where Organized: INDIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Todd A. Denys
Docket Number: 5954-103 US
Attorney Primary Email Address: tadenys@pbnlaw.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: TODD A. DENYS
PORZIO, BROMBERG & NEWMAN, P.C.
29 THANET RD STE 201
PRINCETON, NEW JERSEY 08540-3661
UNITED STATES

Phone: 609-924-8555

Fax: 609-924-3036

Correspondent e-mail: tadenys@pbnlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Todd A. Denys

Phone: 609-924-8555

Fax: 609-924-3036

Domestic Representative e-mail: tadenys@pbnlaw.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Nov. 13, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 28, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 28, 2012	PUBLISHED FOR OPPOSITION	
Aug. 08, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 21, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Jul. 18, 2012	ASSIGNED TO LIE	76568
Jun. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 28, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 28, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 28, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 28, 2012	EXAMINERS AMENDMENT -WRITTEN	77300
Jun. 28, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jun. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 22, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 22, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 22, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 22, 2012	EXAMINERS AMENDMENT -WRITTEN	77300
Jun. 13, 2012	ASSIGNED TO EXAMINER	77300
Mar. 11, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 08, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 13, 2012

Generated on: This page was generated by TSDR on 2014-02-14 12:05:53 EST

Mark: TEAZA HERBAL ENERGY POUCH



US Serial Number: 85610466
Application Filing Date: Apr. 27, 2012
US Registration Number: 4294904
Registration Date: Feb. 26, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 26, 2013
Publication Date: Dec. 11, 2012

Mark Information

Mark Literal Elements: TEAZA HERBAL ENERGY POUCH
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a dark rectangle with rounded ends, inside of which is the stylized word "TEAZA" with a design of a leaf with two drops on it at the tail end of the letter "Z"; the leaf extends a little beyond the rectangle border, and below the "TEAZA" element appear the smaller words "HERBAL ENERGY POUCH".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "HERBAL ENERGY POUCH"
Design Search Code(s): 05.03.25 - Leaf, single; Other leaves
26.11.21 - Rectangles that are completely or partially shaded
26.11.25 - Rectangles with one or more curved sides

Goods and Services

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

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

For: Herbal supplements containing herbal tea for medicinal purposes, boosting energy, promoting relaxation, increasing mental focus, decreasing anxiety, reducing appetite, relieving hangovers, and quitting smoking and chewing tobacco; Herbal teas for medicinal purposes; Vitamin supplements containing herbal tea

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 01, 2012
Use in Commerce: Sep. 01, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: AGIN INDUSTRIES, LLC
Owner Address: 4623 AYRON TERRACE
PALM HARBOR, FLORIDA 34685
UNITED STATES

Attorney/Correspondence Information**Attorney of Record**

Attorney Name: David R. Ellis

Attorney Primary Email Address: ellislaw@alum.mit.edu

Attorney Email Authorized: No

CorrespondentCorrespondent Name/Address: DAVID R. ELLIS
DAVID R. ELLIS, ATTORNEY
3233 E BAY DR STE 101
LARGO, FLORIDA 33771-1900
UNITED STATES

Phone: 727 531-1111

Fax: 727 531-1111

Correspondent e-mail: ellislaw@alum.mit.edu

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Feb. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Dec. 26, 2012	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 11, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 11, 2012	PUBLISHED FOR OPPOSITION	
Nov. 21, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 06, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Nov. 06, 2012	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
Nov. 05, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 05, 2012	USE AMENDMENT ACCEPTED	77299
Oct. 26, 2012	AMENDMENT TO USE PROCESSING COMPLETE	88889
Oct. 26, 2012	USE AMENDMENT FILED	88889
Oct. 24, 2012	TEAS AMENDMENT OF USE RECEIVED	
Oct. 17, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 17, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 17, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 17, 2012	EXAMINERS AMENDMENT -WRITTEN	77299
Oct. 16, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 16, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 16, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 16, 2012	EXAMINERS AMENDMENT -WRITTEN	77299
Oct. 12, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Sep. 14, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Sep. 05, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Sep. 05, 2012	ASSIGNED TO LIE	74221
Aug. 23, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 23, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 23, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 23, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 23, 2012	EXAMINERS AMENDMENT -WRITTEN	77299
Aug. 23, 2012	RESTORE TO TEAS PLUS	77299
Aug. 22, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 21, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889

Aug. 21, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 20, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 20, 2012	NON-FINAL ACTION E-MAILED	6325
Aug. 20, 2012	NON-FINAL ACTION WRITTEN	77299
Aug. 20, 2012	REMOVED FROM TEAS PLUS	77299
Aug. 15, 2012	ASSIGNED TO EXAMINER	77299
May 04, 2012	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
May 03, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 01, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 26, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: AGIN INDUSTRIES, LLC

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4921/0846](#)

Pages: 4

Date Recorded: Dec. 18, 2012

Supporting Documents: [assignment-tm-4921-0846.pdf](#)

Assignor

Name: [TRIM NUTRITION, INC.](#)

Execution Date: Dec. 13, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Assignee

Name: [AGIN INDUSTRIES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: FLORIDA

Address: 4623 AYRON TERRACE
PALM HARBOR, FLORIDA 34685

Correspondent

Correspondent Name: DAVID R. ELLIS

Correspondent Address: 3233 EAST BAY DRIVE
SUITE 101
LARGO, FL 33771

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-14 12:05:18 EST

Mark: HERBASLEEP

HerbaSleep

US Serial Number: 85655434
Application Filing Date: Jun. 19, 2012
US Registration Number: 4282763
Registration Date: Jan. 29, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 29, 2013
Publication Date: Nov. 13, 2012

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 30, 2012
Use in Commerce: Apr. 30, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Madre Labs, Inc.
Owner Address: 306 W. Sierra Madre Blvd.
Sierra Madre, CALIFORNIA 91024
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: MADRE LABS, INC.
MADRE LABS, INC.
306 W SIERRA MADRE BLVD
SIERRA MADRE, CALIFORNIA 91024-2313
UNITED STATES

Phone: 626-355-5227

Fax: 626-609-0345

Correspondent e-mail: tracy-b@madrelabs.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 29, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 13, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 13, 2012	PUBLISHED FOR OPPOSITION	
Oct. 24, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 10, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 03, 2012	ASSIGNED TO EXAMINER	76508
Jun. 28, 2012	NOTICE OF PSEUDO MARK MAILED	
Jun. 27, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 22, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 29, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:06:39 EST

Mark: BALANCE THROUGH HERBAL SCIENCE, INTELLIGENCE TREE, BOTANICALS



US Serial Number: 85735903

Application Filing Date: Sep. 22, 2012

US Registration Number: 4390967

Registration Date: Aug. 27, 2013

Register: Principal

Mark Type: Trademark

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

Status Date: Aug. 27, 2013

Publication Date: Jun. 11, 2013

Mark Information

Mark Literal Elements: BALANCE THROUGH HERBAL SCIENCE, INTELLIGENCE TREE, BOTANICALS

Standard Character Claim: No

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

Description of Mark: The mark consists of the stylized wording "INTELLIGENCE TREE BOTANICALS" above a stylized design of a tree which has leaves and branches in the shape of a human brain. At the base of the tree is the stylized wording "INTELLIGENCE TREE BOTANICALS" wherein the wording "INTELLIGENCE TREE" and "BOTANICALS" is separated by a horizontal line.

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

Disclaimer: "BOTANICALS"

Design Search Code(s): 02.11.25 - Human, other parts of the body; Spine, human; Blood vessels, human; Brain, human; Buttocks, human; Tongue, human; Intestines, human; Lungs, human; Nerves, human; Nose, human
05.01.02 - Trees or bushes with a generally rounded shape, including deciduous trees; Maple tree

Goods and Services

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

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

For: Herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 2012

Use in Commerce: Aug. 15, 2012

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: NuAxon BioScience, Inc.

Owner Address: 44378 South Grimmer Boulevard
Fremont, CALIFORNIA 94538
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: NUAXON BIOSCIENCE, INC.
NUAXON BIOSCIENCE, INC.
44378 S GRIMMER BLVD
FREMONT, CALIFORNIA 94538-6385
UNITED STATES

Phone: 415-236-6600

Fax: 510-656-9005

Correspondent e-mail: nuaxon@gmail.com corp@nuaxon.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 27, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 11, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 11, 2013	PUBLISHED FOR OPPOSITION	
May 22, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 07, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
May 02, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 02, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
May 02, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Apr. 25, 2013	ASSIGNED TO LIE	68552
Apr. 22, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 22, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 22, 2013	NON-FINAL ACTION E-MAILED	6325
Jan. 22, 2013	NON-FINAL ACTION WRITTEN	82100
Jan. 21, 2013	ASSIGNED TO EXAMINER	82100
Sep. 27, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 26, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 26, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 27, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:06:52 EST

Mark: ORIGINAL TIGER HERBAL FORMULA



US Serial Number: 85736122
Application Filing Date: Sep. 24, 2012
US Registration Number: 4401627
Registration Date: Sep. 10, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 10, 2013
Publication Date: Mar. 05, 2013
Notice of Allowance Date: Apr. 30, 2013

Mark Information

Mark Literal Elements: ORIGINAL TIGER HERBAL FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of crouching stylized tiger with "ORIGINAL TIGER HERBAL FORMULA".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "ORIGINAL" AND "HERBAL FORMULA"
Design Search Code(s): 03.01.03 - Cats, tigers or other large cats; Cheetahs; Jaguars; Leopard; Lynx; Ocelots; Panther; Panthers; Puma; Tigers
03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers

Goods and Services

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

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

For: Herbal dietary and nutritional supplements; herbal vitamins

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2013

Use in Commerce: May 2013

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Magverz, Inc.

Owner Address: Suite 471
1507 7th St.
Santa Monica, CALIFORNIA 90401
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Matthew H. Swyers

Attorney Primary Email Address: info@thetrademarkcompany.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MATTHEW H. SWYERS
THE TRADEMARK COMPANY
344 MAPLE AVE W STE 151
VIENNA, VIRGINIA 22180-5612
UNITED STATES

Phone: 800-906-8626

Fax: 270-477-4574

Correspondent e-mail: info@thetrademarkcompany.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 10, 2013	REGISTERED-PRINCIPAL REGISTER	
Aug. 09, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 08, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	70633
Aug. 01, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 16, 2013	STATEMENT OF USE PROCESSING COMPLETE	76538
Jun. 21, 2013	USE AMENDMENT FILED	76538
Jul. 12, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Jun. 21, 2013	TEAS STATEMENT OF USE RECEIVED	
Apr. 30, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 05, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 05, 2013	PUBLISHED FOR OPPOSITION	
Feb. 13, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 26, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Jan. 25, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 25, 2013	EXAMINER'S AMENDMENT ENTERED	70633
Jan. 23, 2013	ASSIGNED TO LIE	70633
Jan. 23, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT -WRITTEN	83177
Jan. 23, 2013	ASSIGNED TO EXAMINER	83177
Sep. 28, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 27, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 27, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 08, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:06:31 EST

Mark: HERBAL AIDE



US Serial Number: 85759893
Application Filing Date: Oct. 22, 2012
US Registration Number: 4387024
Registration Date: Aug. 20, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 20, 2013
Publication Date: Jun. 04, 2013

Mark Information

Mark Literal Elements: HERBAL AIDE
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of the wording "HERBAL AIDE" in red, written underneath six wavy green lines oriented around a red circle. The red circle has a small cutout, which is center-aligned near the top of the mark. The white cutout is not claimed as a feature of the mark, and is intended to show transparent areas only. Three wavy green lines wrap around each side of the circle.
Color Drawing: Yes
Color(s) Claimed: The color(s) red and green is/are claimed as a feature of the mark.
Disclaimer: "HERBAL"
Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.
26.17.02 - Bars, wavy; Lines, wavy; Bands, wavy; Wavy line(s), band(s) or bar(s)
26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal

Goods and Services

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

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

For: Dietary and nutritional supplements; Herbal supplements; Vitamins
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 15, 2000
Use in Commerce: Jan. 15, 2000

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Herbal Aide, Inc.
Owner Address: 236 South Garfield Ave.
Monterey Park, CALIFORNIA 91754

UNITED STATES
Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maria K. Mak

Attorney Primary Email Address: regina@wongandmak.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MARIA K. MAK
WONG & MAK, LLP
790 E COLORADO BLVD STE 790
PASADENA, CALIFORNIA 91101-5441
UNITED STATES

Phone: 6267952880

Correspondent e-mail: regina@wongandmak.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 20, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 04, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 04, 2013	PUBLISHED FOR OPPOSITION	
May 15, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 30, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Apr. 25, 2013	ASSIGNED TO LIE	74221
Apr. 11, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 11, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 11, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Apr. 11, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 11, 2013	EXAMINERS AMENDMENT -WRITTEN	81877
Apr. 06, 2013	ASSIGNED TO EXAMINER	81877
Mar. 30, 2013	ASSIGNED TO EXAMINER	81877
Mar. 23, 2013	ASSIGNED TO EXAMINER	81877
Mar. 13, 2013	ASSIGNED TO EXAMINER	81877
Mar. 06, 2013	ASSIGNED TO EXAMINER	81877
Feb. 20, 2013	ASSIGNED TO EXAMINER	81877
Oct. 26, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 25, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 25, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 20, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:06:58 EST

Mark: HERBALOGIC

HERBALOGIC

US Serial Number: 85762174 Application Filing Date: Oct. 24, 2012
US Registration Number: 4402713 Registration Date: Sep. 17, 2013
Register: Principal
Mark Type: Trademark, Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 17, 2013
Publication Date: Jul. 02, 2013

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 3549535

Goods and Services

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

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

For: Dietary supplements made in whole or in part from herbal ingredients

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 30, 2008

Use in Commerce: May 30, 2008

For: Educational services, namely, conducting classes, seminars, conferences, workshops, and lectures in the field of dietary supplements and herbal and natural health, and distribution of course materials in connection therewith; providing online non-downloadable publications, namely, newsletters in the field of dietary supplements and herbal and natural health

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: May 30, 2008

Use in Commerce: May 30, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Third Coast Herb Company, Inc.
Owner Address: 3571 Far West Blvd. #40
Austin, TEXAS 78731
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jennifer M. Mikulina **Docket Number:** 90443-013/01
Attorney Primary Email Address: mweipdocket@mwe.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: JENNIFER M. MIKULINA
MCDERMOTT WILL & EMERY LLP
227 W MONROE ST STE 4400
CHICAGO, ILLINOIS 60606-5058
UNITED STATES
Phone: 312.372.2000 **Fax:** 312.984.7700
Correspondent e-mail: mweipdocket@mwe.com jmikulina@mwe.com cino@mwe.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 17, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 02, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 02, 2013	PUBLISHED FOR OPPOSITION	
Jun. 12, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 28, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
May 23, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 23, 2013	EXAMINER'S AMENDMENT ENTERED	88888
May 23, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 23, 2013	EXAMINERS AMENDMENT E-MAILED	6328
May 23, 2013	EXAMINERS AMENDMENT -WRITTEN	81854
May 23, 2013	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
May 19, 2013	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
May 07, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
May 07, 2013	ASSIGNED TO LIE	68171
Apr. 29, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 26, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 26, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 26, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 25, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 25, 2013	NON-FINAL ACTION E-MAILED	6325
Feb. 25, 2013	NON-FINAL ACTION WRITTEN	81854
Feb. 22, 2013	ASSIGNED TO EXAMINER	81854
Oct. 30, 2012	NOTICE OF PSEUDO MARK MAILED	
Oct. 29, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 27, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 17, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:20:47 EST

Mark: HERBAL VERA

Herbal Vera

US Serial Number: 85803558
US Registration Number: 4479893
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 11, 2014
Publication Date: Nov. 26, 2013

Application Filing Date: Dec. 14, 2012
Registration Date: Feb. 11, 2014
Currently TEAS Plus: Yes

Mark Information

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

Goods and Services

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

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

For: Herbal dietary and herbal nutritional supplements

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 05, 2012
Use in Commerce: Dec. 05, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Herbal Vera LLC
Owner Address: P.O Box 560520
The Colony, TEXAS 75056
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: TEXAS

Attorney/Correspondence Information

**Attorney of Record - None
Correspondent**

Correspondent Name/Address: HERBAL VERA LLC
HERBAL VERA LLC
PO BOX 560520
THE COLONY, TEXAS 75056-0528

UNITED STATES

Phone: 888-278-7396

Correspondent e-mail: info@uniqueformulas.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 11, 2014	REGISTERED-PRINCIPAL REGISTER	
Nov. 26, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 26, 2013	PUBLISHED FOR OPPOSITION	
Nov. 06, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 19, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Oct. 16, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 16, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 16, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 16, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 16, 2013	EXAMINERS AMENDMENT -WRITTEN	86332
Oct. 11, 2013	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Sep. 17, 2013	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Sep. 03, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Aug. 27, 2013	ASSIGNED TO LIE	77976
Aug. 16, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 15, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 15, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 15, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 29, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 29, 2013	NON-FINAL ACTION E-MAILED	6325
Mar. 29, 2013	NON-FINAL ACTION WRITTEN	86332
Mar. 29, 2013	ASSIGNED TO EXAMINER	86332
Jan. 03, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 18, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 11, 2014

Correspondent SHARON R. GOLD
Name/Address: TROYGOULD PC
1801 CENTURY PARK E STE 1600
LOS ANGELES, CALIFORNIA 90067-2367
UNITED STATES

Phone: 310-553-4441

Fax: 310-201-4746

Correspondent e-mail: sgold@troygould.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 04, 2014	REGISTERED-SUPPLEMENTAL REGISTER	
Dec. 28, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Dec. 24, 2013	ASSIGNED TO LIE	70138
Dec. 02, 2013	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Nov. 27, 2013	NOTICE OF REVIVAL - E-MAILED	
Nov. 27, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 27, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 27, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 27, 2013	PETITION TO REVIVE-GRANTED	88889
Nov. 27, 2013	TEAS PETITION TO REVIVE RECEIVED	
May 24, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 24, 2013	NON-FINAL ACTION E-MAILED	6325
May 24, 2013	NON-FINAL ACTION WRITTEN	73370
May 20, 2013	ASSIGNED TO EXAMINER	73370
Feb. 12, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 09, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 04, 2014

Generated on: This page was generated by TSDR on 2014-02-14 12:06:45 EST

Mark: E-Z WEIGHT LOSS TEA HERBAL BREW

E-Z Weight Loss Tea Herbal
Brew

US Serial Number: 85887340
US Registration Number: 4398088
Filed as TEAS Plus: Yes
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jul. 11, 2013
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 03, 2013

Application Filing Date: Mar. 27, 2013
Registration Date: Sep. 03, 2013
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: E-Z WEIGHT LOSS TEA HERBAL BREW
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "TEA HERBAL BREW"

Goods and Services

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

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

For: Dietary and nutritional supplements used for weight loss; Herbal teas for medicinal purposes; Therapeutic agents for weight control and appetite suppression; Weight management supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 2012

Use in Commerce: Oct. 01, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Fleishman, Victoria
Owner Address: 20241 RUNNYMEDE ST
WINNETKA, CALIFORNIA 91306
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: FLEISHMAN, VICTORIA
20241 RUNNYMEDE ST
WINNETKA, CALIFORNIA 91306-2933

UNITED STATES

Phone: 818-620-2630

Correspondent e-mail: youngyoucorp@aol.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 03, 2013	REGISTERED-SUPPLEMENTAL REGISTER	
Jul. 27, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Jul. 27, 2013	ASSIGNED TO LIE	70468
Jul. 11, 2013	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jul. 11, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 11, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 11, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 11, 2013	EXAMINERS AMENDMENT -WRITTEN	90297
Jul. 09, 2013	ASSIGNED TO EXAMINER	90297
Apr. 02, 2013	NOTICE OF PSEUDO MARK E-MAILED	
Mar. 30, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 30, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 03, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:20:06 EST

Mark: OMNI HERBALS

Omni Herbals

US Serial Number: 85908620
Application Filing Date: Apr. 18, 2013
US Registration Number: 4440141
Registration Date: Nov. 26, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 26, 2013
Publication Date: Sep. 10, 2013

Mark Information

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

Goods and Services

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

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

For: Dietary supplements, namely, herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: May 30, 2012
Use in Commerce: Sep. 04, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Omni Herbals, LLC
DBA, AKA, Formerly: DBA Omni Herbals
Owner Address: 6379 Enfield Ave
encino, CALIFORNIA 91316
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: OMNI HERBALS, LLC
OMNI HERBALS, LLC
6379 ENFIELD AVE

ENCINO, CALIFORNIA 91316-6413
UNITED STATES

Phone: 8185229473

Correspondent e-mail: tony@omniherbals.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Sep. 10, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 10, 2013	PUBLISHED FOR OPPOSITION	
Aug. 21, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 06, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Aug. 05, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 05, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 05, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 05, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 05, 2013	EXAMINERS AMENDMENT -WRITTEN	85328
Aug. 05, 2013	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Aug. 05, 2013	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Jul. 25, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Jul. 25, 2013	ASSIGNED TO LIE	70468
Jul. 05, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 04, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 02, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 02, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 25, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 25, 2013	NON-FINAL ACTION E-MAILED	6325
Jun. 25, 2013	NON-FINAL ACTION WRITTEN	85328
Jun. 21, 2013	ASSIGNED TO EXAMINER	85328
Apr. 26, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 22, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 26, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:20:27 EST

Mark: HERBALIST.COM

HERBALIST.COM

US Serial Number: 85937534
Application Filing Date: May 20, 2013
US Registration Number: 4449304
Registration Date: Dec. 10, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Sep. 18, 2013
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 10, 2013

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 3106320

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 2013
Use in Commerce: Jun. 2013

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Herbalist.com
Owner Address: 1637 N. Orange Grove Ave.
Los Angeles, CALIFORNIA 90046
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Christopher J. Day

Attorney Primary Email chris@daylawfirm.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: CHRISTOPHER J. DAY
LAW OFFICE OF CHRISTOPHER DAY
9977 N 90TH ST STE 155
SCOTTSDALE, ARIZONA 85258-4499
UNITED STATES

Phone: 602-258-4440

Fax: 602-258-4441

Correspondent e-mail: chris@daylawfirm.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 10, 2013	REGISTERED-SUPPLEMENTAL REGISTER	
Nov. 07, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Nov. 05, 2013	ASSIGNED TO LIE	73296
Oct. 22, 2013	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
Oct. 21, 2013	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Oct. 21, 2013	USE AMENDMENT ACCEPTED	67507
Sep. 19, 2013	AMENDMENT TO USE PROCESSING COMPLETE	88889
Sep. 19, 2013	USE AMENDMENT FILED	88889
Sep. 18, 2013	TEAS AMENDMENT OF USE RECEIVED	
Sep. 18, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 18, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 18, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 11, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 11, 2013	NON-FINAL ACTION E-MAILED	6325
Sep. 11, 2013	NON-FINAL ACTION WRITTEN	67507
Sep. 05, 2013	ASSIGNED TO EXAMINER	67507
Jun. 01, 2013	NOTICE OF PSEUDO MARK E-MAILED	
May 31, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 29, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 29, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 23, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 10, 2013

Attorney Primary Email legal@nutracorp.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Alison Pitt
NutraMarks, Inc.
1500 Kearns Boulevard, Suite B200
Park City, UTAH 84060
UNITED STATES

Phone: 435-655-6000

Fax: 435-658-5989

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 05, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 05, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 10, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 10, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	73376
Mar. 10, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Mar. 05, 2012	TEAS SECTION 8 & 9 RECEIVED	
Dec. 26, 2007	CASE FILE IN TICRS	
Feb. 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 13, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 04, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Apr. 04, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 04, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 09, 1997	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 07, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 25, 1992	REGISTERED-PRINCIPAL REGISTER	
Dec. 03, 1991	PUBLISHED FOR OPPOSITION	
Nov. 01, 1991	NOTICE OF PUBLICATION	
Jun. 21, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 14, 1991	EXAMINER'S AMENDMENT MAILED	
Jun. 04, 1991	ASSIGNED TO EXAMINER	60740

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 25, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Mar. 10, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 9

Registrant: McZand Herbal, Inc.

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2119/0074](#)

Pages: 8

Date Recorded: Jul. 25, 2000

Supporting Documents: [assignment-tm-2119-0074.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Address: SUITE 200
201 SPEAR STREET
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: COOLEY GODWARD LLP

Correspondent Address: ATTN: MELANIE CASS
ONE MARITIME PLAZA, 20TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 2 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2397/0129](#)

Pages: 7

Date Recorded: Nov. 20, 2001

Supporting Documents: [assignment-tm-2397-0129.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 201 SPEAR STREET, SUITE 200
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: GRAY CARY WARE & FREIDENRICH

Correspondent Address: ERIN O'BRIEN
4365 EXECUTIVE DRIVE, SUITE 1100
SAN DIEGO, CA 92121-2133

Domestic Representative - Not Found

Assignment 3 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2436/0867](#)

Pages: 18

Date Recorded: Jan. 23, 2002

Supporting Documents: [assignment-tm-2436-0867.pdf](#)

Assignor

Name: [MCZAND HERBAL, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMTIH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: WELLS, ST. JOHN ET AL

Correspondent Address: GEORGE G. GRIGEL

601 W. FIRST AVENUE, SUITE 1300
SPOKANE WA 99201-3828

Domestic Representative - Not Found

Assignment 4 of 9

Conveyance: REASSIGNMENT AND RELEASE OF SECURITY INTEREST

Reel/Frame: [2969/0672](#)

Pages: 6

Date Recorded: Nov. 04, 2004

Supporting Documents: [assignment-tm-2969-0672.pdf](#)

Assignor

Name: [COMERICA BANK](#)

Execution Date: Oct. 28, 2004

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 5 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3045/0616](#)

Pages: 9

Date Recorded: Mar. 14, 2005

Supporting Documents: [assignment-tm-3045-0616.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK](#)

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 2321 ROSECRANS AVE
SUITE 5000
EL SEGUNDO, CALIFORNIA 90245

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 6 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3081/0646](#)

Pages: 12

Date Recorded: May 11, 2005

Supporting Documents: [assignment-tm-3081-0646.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [MCG CAPITAL CORPORATION AS ADMINISTRATIVE AGENT AND AS ADMINISTRATIVE AGENT FOR ITSELF AND THE LENDERS](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1100 WILSON BOULEVARD

SUITE 3000
ARLINGTON, VIRGINIA 22209

Correspondent

Correspondent Name: PETER H. CARSON, BINGHAM MCCUTCHEN LLP
Correspondent Address: THREE EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4067

Domestic Representative - Not Found

Assignment 7 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [3478/0384](#) **Pages:** 8
Date Recorded: Feb. 08, 2007
Supporting Documents: [assignment-tm-3478-0384.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#) **Execution Date:** Jan. 10, 2007
Legal Entity Type: CORPORATION **State or Country Where Organized:** WASHINGTON

Assignee

Name: [NUTRAMARKS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: ALISON PITT
Correspondent Address: 1400 KEARNS BOULEVARD, 2ND FLOOR
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 8 of 9

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [3917/0900](#) **Pages:** 6
Date Recorded: Jan. 13, 2009
Supporting Documents: [assignment-tm-3917-0900.pdf](#)

Assignor

Name: [COMERICA BANK](#) **Execution Date:** Jan. 06, 2009
Legal Entity Type: TEXAS BANKING ASSOCIATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** WASHINGTON
Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN
Correspondent Address: C/O COOLEY GODWARD KRONISH LLP
4401 EASTGATE MALL
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 9 of 9

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [4919/0017](#) **Pages:** 6
Date Recorded: Dec. 14, 2012
Supporting Documents: [assignment-tm-4919-0017.pdf](#)

Assignor

Name: [MCG CAPITAL CORPORATION AS
ADMINISTRATIVE AGENT FOR ITSELF AND
THE LENDER](#) **Execution Date:** Feb. 24, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: PAUL A. MCLEAN

Correspondent Address: 2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

Domestic Representative - Not Found

Attorney Primary Email efiling@kmob.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Tirzah Abe Lowe
KNOBBE, MARTENS, OLSON & BEAR LLP
2040 MAIN STREET, 14TH FLOOR
IRVINE, CALIFORNIA 92614
UNITED STATES

Phone: 949-760-0404

Fax: 949-760-9502

Correspondent e-mail: efiling@kmob.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 12, 2011	CASE FILE IN TICRS	
Apr. 08, 2011	CASE FILE IN TICRS	
Oct. 22, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Oct. 22, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 14, 2008	ASSIGNED TO PARALEGAL	66607
Oct. 10, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jul. 04, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 30, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 11, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 11, 2004	TEAS SECTION 8 & 15 RECEIVED	
Aug. 08, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 29, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 08, 1998	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 06, 1998	ASSIGNED TO EXAMINER	72503
Jul. 30, 1998	STATEMENT OF USE PROCESSING COMPLETE	
Jul. 13, 1998	USE AMENDMENT FILED	
Jan. 27, 1998	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 04, 1997	PUBLISHED FOR OPPOSITION	
Oct. 03, 1997	NOTICE OF PUBLICATION	
Sep. 05, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 11, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 06, 1997	NON-FINAL ACTION MAILED	
Oct. 28, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 24, 1996	NON-FINAL ACTION MAILED	
Apr. 06, 1996	ASSIGNED TO EXAMINER	72503

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 29, 2008

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: SCANNING ON DEMAND

Date in Location: Apr. 12, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Anabolic Laboratories, Inc.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [3571/0435](#)

Pages: 5

Date Recorded: Jun. 29, 2007

Supporting Documents: [assignment-tm-3571-0435.pdf](#)**Assignor**Name: [ANABOLIC LABORATORIES, INC.](#)

Execution Date: Nov. 10, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

AssigneeName: [NEXGEN PHARMA, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 46 CORPORATE PARK, SUITE 100
IRVINE, CALIFORNIA 92606**Correspondent**

Correspondent Name: TIRZAH ABE LOWE

Correspondent Address: 2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614**Domestic Representative - Not Found**

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: AIM INTERNATIONAL INC
3923 E FLAMINGO AVE
NAMPA, IDAHO 83687
UNITED STATES

Phone: 208-465-5116

Fax: 208-463-2187

Correspondent e-mail: aimip@aimintl.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 26, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	61619
Sep. 26, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 20, 2006	ASSIGNED TO PARALEGAL	61619
Jul. 13, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 13, 2006	TEAS SECTION 8 & 9 RECEIVED	
Jul. 12, 2006	CASE FILE IN TICRS	
Jan. 25, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 29, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
May 10, 2002	REGISTERED - SEC. 8 (6-YR) FILED	
May 10, 2002	TEAS SECTION 8 RECEIVED	
Aug. 13, 1996	REGISTERED-PRINCIPAL REGISTER	
May 21, 1996	PUBLISHED FOR OPPOSITION	
Apr. 19, 1996	NOTICE OF PUBLICATION	
Mar. 06, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 11, 1995	LETTER OF SUSPENSION MAILED	
Aug. 15, 1995	EXAMINER'S AMENDMENT MAILED	
Jan. 06, 1995	NON-FINAL ACTION MAILED	
Dec. 26, 1994	ASSIGNED TO EXAMINER	67443
Dec. 24, 1994	ASSIGNED TO EXAMINER	71994

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Aug. 13, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Sep. 26, 2006

Generated on: This page was generated by TSDR on 2014-02-14 11:31:17 EST

Mark: DECONGEST HERBAL

US Serial Number: 74141600
Application Filing Date: Feb. 25, 1990
US Registration Number: 1672353
Registration Date: Jan. 21, 1992
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 26, 2012
Publication Date: Oct. 29, 1991

Mark Information

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

Goods and Services

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

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

For: dietary and nutritional supplements of herbs and other nutrients, and pharmaceutical preparations to relieve the symptoms associated with colds and flu

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 04, 1986

Use in Commerce: Apr. 01, 1986

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: NUTRAMARKS, INC.
Owner Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alison Pitt

Attorney Primary Email legal@nutracorp.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Alison Pitt
NutraMarks, Inc.
1500 Kearns Boulevard, Suite B200
Park City, UTAH 84060
UNITED STATES

Phone: 435-655-6000

Fax: 435-658-5989

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 05, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 05, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	76533
Mar. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76533
Mar. 26, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Mar. 05, 2012	TEAS SECTION 8 & 9 RECEIVED	
Dec. 17, 2007	CASE FILE IN TICRS	
Feb. 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 13, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 16, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 16, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 11, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 17, 1997	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 18, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Oct. 29, 1991	PUBLISHED FOR OPPOSITION	
Sep. 27, 1991	NOTICE OF PUBLICATION	
Jun. 12, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 04, 1991	ASSIGNED TO EXAMINER	60740

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 21, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Mar. 26, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 9

Registrant: McZand Herbal, Inc.

Conveyance: SECURITY AGREEMENT
Reel/Frame: [2119/0074](#)
Date Recorded: Jul. 25, 2000
Supporting Documents: [assignment-tm-2119-0074.pdf](#)

Pages: 8

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#) Execution Date: May 10, 2000
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)
Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found
Address: SUITE 200
201 SPEAR STREET
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: COOLEY GODWARD LLP
Correspondent Address: ATTN: MELANIE CASS
ONE MARITIME PLAZA, 20TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 2 of 9

Conveyance: SECURITY AGREEMENT
Reel/Frame: [2397/0129](#)
Date Recorded: Nov. 20, 2001
Supporting Documents: [assignment-tm-2397-0129.pdf](#)

Pages: 7

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#) Execution Date: May 10, 2000
Legal Entity Type: CORPORATION State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)
Legal Entity Type: UNKNOWN State or Country Where Organized: No Place Where Organized Found
Address: 201 SPEAR STREET, SUITE 200
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: GRAY CARY WARE & FREIDENRICH
Correspondent Address: ERIN O'BRIEN
4365 EXECUTIVE DRIVE, SUITE 1100
SAN DIEGO, CA 92121-2133

Domestic Representative - Not Found

Assignment 3 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2436/0867](#)
Date Recorded: Jan. 23, 2002
Supporting Documents: [assignment-tm-2436-0867.pdf](#)

Pages: 18

Assignor

Name: [MCZAND HERBAL, INC.](#) Execution Date: May 10, 2000
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: WASHINGTON
Address: 1441 WEST SMTIH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: WELLS, ST. JOHN ET AL
Correspondent Address: GEORGE G. GRIGEL
601 W. FIRST AVENUE, SUITE 1300

Domestic Representative - Not Found**Assignment 4 of 9**

Conveyance: REASSIGNMENT AND RELEASE OF SECURITY INTEREST

Reel/Frame: [2969/0672](#)

Pages: 6

Date Recorded: Nov. 04, 2004

Supporting Documents: [assignment-tm-2969-0672.pdf](#)**Assignor**Name: [COMERICA BANK](#)

Execution Date: Oct. 28, 2004

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

AssigneeName: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248**Correspondent**

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121**Domestic Representative - Not Found****Assignment 5 of 9**

Conveyance: SECURITY INTEREST

Reel/Frame: [3045/0616](#)

Pages: 9

Date Recorded: Mar. 14, 2005

Supporting Documents: [assignment-tm-3045-0616.pdf](#)**Assignor**Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

AssigneeName: [COMERICA BANK](#)

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 2321 ROSECRANS AVE
SUITE 5000
EL SEGUNDO, CALIFORNIA 90245**Correspondent**

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121**Domestic Representative - Not Found****Assignment 6 of 9**

Conveyance: SECURITY INTEREST

Reel/Frame: [3081/0646](#)

Pages: 12

Date Recorded: May 11, 2005

Supporting Documents: [assignment-tm-3081-0646.pdf](#)**Assignor**Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

AssigneeName: [MCG CAPITAL CORPORATION AS ADMINISTRATIVE AGENT AND AS ADMINISTRATIVE AGENT FOR ITSELF AND THE LENDERS](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1100 WILSON BOULEVARD
SUITE 3000

ARLINGTON, VIRGINIA 22209

Correspondent

Correspondent Name: PETER H. CARSON, BINGHAM MCCUTCHEN LLP
Correspondent Address: THREE EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4067

Domestic Representative - Not Found

Assignment 7 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [3478/0384](#) **Pages:** 8
Date Recorded: Feb. 08, 2007
Supporting Documents: [assignment-tm-3478-0384.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#) **Execution Date:** Jan. 10, 2007
Legal Entity Type: CORPORATION **State or Country Where Organized:** WASHINGTON

Assignee

Name: [NUTRAMARKS, INC.](#) **State or Country Where Organized:** DELAWARE
Legal Entity Type: CORPORATION
Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: ALISON PITT
Correspondent Address: 1400 KEARNS BOULEVARD, 2ND FLOOR
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 8 of 9

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [3917/0900](#) **Pages:** 6
Date Recorded: Jan. 13, 2009
Supporting Documents: [assignment-tm-3917-0900.pdf](#)

Assignor

Name: [COMERICA BANK](#) **Execution Date:** Jan. 06, 2009
Legal Entity Type: TEXAS BANKING ASSOCIATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#) **State or Country Where Organized:** WASHINGTON
Legal Entity Type: CORPORATION
Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN
Correspondent Address: C/O COOLEY GODWARD KRONISH LLP
4401 EASTGATE MALL
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 9 of 9

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [4919/0017](#) **Pages:** 6
Date Recorded: Dec. 14, 2012
Supporting Documents: [assignment-tm-4919-0017.pdf](#)

Assignor

Name: [MCG CAPITAL CORPORATION AS ADMINISTRATIVE AGENT FOR ITSELF AND THE LENDER](#) **Execution Date:** Feb. 24, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: PAUL A. MCLEAN

Correspondent Address: 2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

Domestic Representative - Not Found

UNITED STATES

Phone: (303) 442-1580

Fax: (303) 442-1588

Correspondent e-mail: dmast@mastlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 16, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Jan. 16, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 16, 2009	ASSIGNED TO PARALEGAL	76533
Dec. 10, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jun. 05, 2006	CASE FILE IN TICRS	
Jan. 05, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Dec. 08, 2005	ASSIGNED TO PARALEGAL	67603
Aug. 31, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 31, 2005	TEAS SECTION 8 & 15 RECEIVED	
Nov. 30, 1999	REGISTERED-PRINCIPAL REGISTER	
Sep. 07, 1999	PUBLISHED FOR OPPOSITION	
Aug. 06, 1999	NOTICE OF PUBLICATION	
May 04, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 22, 1999	ASSIGNED TO EXAMINER	75595

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 30, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jan. 16, 2009

Attorney Primary Email karen@eoplaw.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: KAREN WETHERELL DAVIS
ELLIOTT OSTRANDER & PRESTON PC
707 SW WASHINGTON ST
Suite 1500
PORTLAND, OREGON 97205
UNITED STATES

Phone: (503) 224-7112

Fax: (503) 224-7819

Correspondent e-mail: karen@eoplaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 15, 2011	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 29, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Nov. 29, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 20, 2007	ASSIGNED TO PARALEGAL	67603
Nov. 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 26, 2007	CASE FILE IN TICRS	
Jun. 19, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Mar. 19, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 19, 2003	PAPER RECEIVED	
Mar. 10, 1998	REGISTERED-PRINCIPAL REGISTER	
Dec. 16, 1997	PUBLISHED FOR OPPOSITION	
Nov. 14, 1997	NOTICE OF PUBLICATION	
Jul. 09, 1997	Sec. 1(B) CLAIM DELETED	67110
Oct. 08, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 06, 1997	EXAMINER'S AMENDMENT MAILED	
Sep. 30, 1997	NON-FINAL ACTION MAILED	
Sep. 04, 1997	ASSIGNED TO EXAMINER	73365

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 10, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Nov. 29, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Herb Pharm, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4556/0940](#)

Pages: 6

Date Recorded: Jun. 08, 2011

Supporting Documents: [assignment-tm-4556-0940.pdf](#)

Assignor

Name: [HERB PHARM, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jun. 03, 2011

State or Country Where Organized: OREGON

Assignee

Name: [HERB PHARM, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 20260 WILLIAMS HIGHWAY
WILLIAMS, OREGON 97544

Correspondent

Correspondent Name: CHRISTOPHER D. ERICKSON
Correspondent Address: 888 SW FIFTH AVENUE
1600 PIONEER TOWER
PORTLAND, OR 97204

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 7

Type of Proceeding: Opposition

Proceeding Number: [91208873](#) Filing Date: Jan 16, 2013
Status: Pending Status Date: Jan 16, 2013
Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Sunflower Meadows Herb Farm LLC
Correspondent Address: Brian Coleman
DRINKER BIDDLE REATH
1500 K ST NW, SUITE 1100
WASHINGTON DC , 20005
UNITED STATES
Correspondent e-mail: tmlitdocket@db.com , brian.coleman@db.com , tore.debella@db.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERB FARM	Opposition Pending	85447463	

Plaintiff(s)

Name: Herb Pharm, LLC
Correspondent Address: TYLER J VOLM
ELLIOT OSTRANDER PRESTON PC
707 SW WASHINGTON STREET, SUITE 1500
PORTLAND OR , 97205
UNITED STATES
Correspondent e-mail: tyler@eoplaw.com , john@eoplaw.com , karen@eoplaw.com , niel@eoplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERB PHARM	Renewed	75244108	2142522
HERB PHARM	Renewed	76294689	2612435

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 16, 2013	Feb 25, 2013
3	PENDING, INSTITUTED	Jan 16, 2013	
4	D'S MOTION TO DISMISS - RULE 12(B)	Feb 25, 2013	
5	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 06, 2013	
6	P OPP/RESP TO MOTION	Mar 18, 2013	
7	AMENDED NOTICE OF OPPOSITION	Mar 18, 2013	
8	D REPLY IN SUPPORT OF MOTION	Apr 08, 2013	

9	PROCEEDINGS RESUMED	Jul 18, 2013
10	CHANGE OF CORRESP ADDRESS	Jul 25, 2013
11	ANSWER	Aug 14, 2013
12	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 01, 2013
13	SUSPENDED	Oct 01, 2013
14	STIP TO SUSP PEND SETTL NEGOTIATIONS	Dec 06, 2013
15	SUSPENDED	Dec 06, 2013

Type of Proceeding: Opposition

Proceeding Number: [91120455](#) Filing Date: Apr 27, 2000
 Status: Terminated Status Date: May 08, 2002
 Interlocutory Attorney: DAVID M MERMELSTEIN

Defendant

Name: LICHTWER HOLDINGS, INC.
 Correspondent Address: FREDERICK L. TOLHURST
 COHEN & GRIGSBY
 11 STANWIX STREET 15TH FLOOR
 PITTSBURGH PA , 15222
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE LICHTWER PHARMA HERBAL SCIENCE GUARANTEE	Abandoned - No Statement Of Use Filed	75699882	

Plaintiff(s)

Name: HERB PHARM, INC.
 Correspondent Address: KAREN WETHERELL DAVIS
 BONAPARTE, ELLIOTT, OSTRANDER & PRESTON
 707 S.W. WASHINGTON STREET, #1500 PORTLAND, OR 97205

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERB PHARM	Renewed	75244108	2142522

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 27, 2000	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 04, 2000	Nov 13, 2000
3	PENDING, INSTITUTED	Oct 04, 2000	
4	ANSWER	Nov 13, 2000	
5	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 15, 2001	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 22, 2001	
7	PLN'S MOT TO EXT TRIAL SCHEDULE W/C	Jun 20, 2001	
8	SUSPENDED	Jun 27, 2001	
9	WITHDRAWAL OF OPPOSITION	Feb 11, 2002	
10	BD'S DECISION: DISMISSED W/ PREJUDICE	May 08, 2002	
11	TERMINATED	May 08, 2002	

Type of Proceeding: Opposition

Proceeding Number: [91116766](#) Filing Date: Jan 12, 2000
 Status: Terminated Status Date: Apr 17, 2000
 Interlocutory Attorney: JYLL S TAYLOR

Defendant

Name: ZAYCO INCORPORATED
 Correspondent Address: ZAYCO INCORPORATED
 69730 HIGHWAY 111 SUITE 100B
 RANCHO MIRAGE CA , 92270
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
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HERBAPHARM

Abandoned - After Inter-Partes Decision

[75710219](#)

Plaintiff(s)

Name: HERB PHARM, INC.

Correspondent Address: DAVID P. COOPER
520 S.W. YAMHILL STREET, SUITE 200
PORTLAND OR , 97204
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERB PHARM	Renewed	75244108	2142522

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 12, 2000	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Feb 03, 2000	Mar 14, 2000
3	PENDING, INSTITUTED	Feb 03, 2000	
4	WITHDRAWAL OF APPLICATION	Apr 06, 2000	
5	BOARD'S DECISION: SUSTAINED	Apr 17, 2000	
6	TERMINATED	Apr 17, 2000	

Type of Proceeding: Opposition

Proceeding Number: [91117715](#)

Filing Date: Jan 07, 2000

Status: Terminated

Status Date: Jul 11, 2001

Interlocutory Attorney: DAVID M MERMELSTEIN

Defendant

Name: C & D FOREMAN PHARM, INC.

Correspondent Address: IAN D. TITLEY
WILLIAMS, MULLEN, CLARK & DOBBINS
P.O. BOX 1320 (23218) 1021 EAST CARY STREET, 16TH FLOOR
RICHMOND VA , 23219
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL PHARMACIST	Abandoned - After Inter-Partes Decision	75607681	

Plaintiff(s)

Name: HERB PHARM, INC.

Correspondent Address: JOHN OSTRANDER
ELLIOTT, OSTRANDER & PRESTON, P.C.
707 S.W. WASHINGTON STREET, #1500
PORTLAND OR , 97205
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERB PHARM	Renewed	75244108	2142522

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 07, 2000	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Apr 06, 2000	May 16, 2000
3	PENDING, INSTITUTED	Apr 06, 2000	
4	ANSWER	May 16, 2000	
5	D'S MOTION FOR INVOLUNTARY DISMISSAL	Mar 22, 2001	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 06, 2001	
7	STIPULATION FOR AN EXTENSION OF TIME	Apr 20, 2001	
8	STIPULATED MOTION TO EXTEND BRIEFING TIME ON MOTION TO DISMISS	May 02, 2001	
9	STIP TO EXT TIME ON MOTION TO DISMISS	May 18, 2001	

10	STIP TO EXT TIME ON MOTION TO DISMISS	Jun 18, 2001
11	STIPULATION FOR AN EXTENSION OF TIME	Jun 15, 2001
12	WITHDRAWAL OF APPLICATION	Jun 28, 2001
13	BD'S DECISION: DISMISSED W/O PREJUDICE	Jul 11, 2001
14	TERMINATED	Jul 11, 2001

Type of Proceeding: Opposition

Proceeding Number: [91113144](#) **Filing Date:** Feb 22, 1999
Status: Terminated **Status Date:** Nov 08, 1999

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: MOTHERLAND HERB-PHARM, INC.

Correspondent Address: TONY D. CHEN
 ROZSA & CHEN, LLP
 15910 VENTURA BLVD, SUITE 1601
 ENCINO CA , 91436-2815
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
MOTHERLAND HERB-PHARM	Abandoned - After Inter-Partes Decision	75267028	

Plaintiff(s)

Name: HERB PHARM, INC.

Correspondent Address: DAVID P. COPPER
 HERB PHARM, INC.
 520 S.W. YAMHILL STREET, SUITE 200
 PORTLAND CA , 97204
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERB PHARM	Renewed	75244108	2142522

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 22, 1999	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Apr 16, 1999	May 26, 1999
3	PENDING, INSTITUTED	Mar 19, 1999	
4	PL'S COMMUNICATION RE: CORRECTIVE ACTION	May 10, 1999	
5	P'S INQUIRY RE CORRECTIVE ACTION	Jul 12, 1999	
6	TRIAL DATES RESET, ANSWER DUE: 9-13-99	Aug 04, 1999	
7	ABANDONMENT OF APPLICATION	Sep 14, 1999	
8	BOARD'S DECISION: SUSTAINED	Nov 04, 1999	
9	TERMINATED	Nov 08, 1999	

Type of Proceeding: Opposition

Proceeding Number: [91111412](#) **Filing Date:** Aug 06, 1998
Status: Terminated **Status Date:** May 23, 2000

Interlocutory Attorney: CINDY B GREENBAUM

Defendant

Name: RICK HEINTZMAN DBA HEINTZMAN FARMS

Correspondent Address: NICKOLAS E. WESTMAN
 WESTMAN, CHAMPLIN & KELLY
 SUITE 1600-INTERNATIONAL CENTRE 900 SECOND AVENUE SOUTH
 MINNEAPOLIS MN , 55402-3319
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HEINTZMAN PHARMS	Cancelled - Section 8	75320715	2552900

Plaintiff(s)

Name: HERB PHARM, INC.

Correspondent Address: DAVID P. COOPER
KOLISCH, HARTWELL & DICKINSON
520 S.W. YAMHILL STREET, SUITE 200
PORTLAND OR , 97204
UNITED STATES

Mark	Application Status	Serial Number	Registration Number
HERB PHARM	Renewed	75244108	2142522

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 06, 1998	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Aug 27, 1998	Oct 06, 1998
3	PENDING, INSTITUTED	Aug 27, 1998	
4	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Oct 06, 1998	
5	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Nov 09, 1998	
6	PROC:'S SUSP. SIX MONTHS	Dec 14, 1998	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Dec 10, 1998	
8	PROC RESUMED; ANSWER DUE 9-3-99; TRIAL D ATES SET	Aug 04, 1999	
9	ANSWER	Sep 07, 1999	
10	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 18, 2000	
11	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Mar 20, 2000	
12	P'S MOT TO DISMISS	May 15, 2000	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	May 23, 2000	
14	TERMINATED	May 23, 2000	

Type of Proceeding: Opposition

Proceeding Number: [91110310](#)

Filing Date: Apr 24, 1998

Status: Terminated

Status Date: Nov 30, 1998

Interlocutory Attorney: LINDA M SKORO

Defendant

Name: BASE TEN SYSTEMS, INC.

Correspondent Address: IRA J. SCHAEFER
SPRUNG HORN KRAMER & WOODS
SUITE 202 120 WHITE PLAINS ROAD
TARRYTOWN NY , 10591-5534
UNITED STATES

Mark	Application Status	Serial Number	Registration Number
PHARM2	Abandoned - No Statement Of Use Filed	75129543	

Plaintiff(s)

Name: HERB PHARM, INC.

Correspondent Address: DAVID P. COOPER
KOLISCH HARTWELL & DICKINSON
SUITE 200 520 S.W. YAMHILL STREET
PORTLAND OR , 97204
UNITED STATES

Mark	Application Status	Serial Number	Registration Number
HERB PHARM	Renewed	75244108	2142522

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 24, 1998	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	May 06, 1998	Jun 15, 1998
3	PENDING, INSTITUTED	May 06, 1998	

4	ANSWER	Jun 15, 1998
5	TRIAL DATES SET	Jul 09, 1998
6	DEF'S COMMUNICATION	Sep 03, 1998
7	BD'S DECISION: DISMISSED W/O PREJUDICE	Nov 30, 1998
8	TERMINATED	Nov 30, 1998

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Mark: HERBA

US Serial Number: 75266041
US Registration Number: 2745427
Register: Principal
Mark Type: Trademark
Status: A Section 8 declaration has been accepted.
Status Date: Aug. 13, 2009
Publication Date: Dec. 03, 2002

Application Filing Date: Mar. 28, 1997
Registration Date: Aug. 05, 2003

Mark Information

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

Goods and Services

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

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

For: meal replacement and dietary supplement drinks

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 1989

Use in Commerce: Mar. 01, 1989

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: E. Excel International, Inc.
Owner Address: 9957 South Jordan Gateway
Sandy, UTAH 84070
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Brent T. Winder
Attorney Primary Email: bwinder@joneswaldo.com
Docket Number: 13246.0144
Attorney Email: Yes

Address: _____

Authorized:

Correspondent

Correspondent Name/Address: Brent T. Winder
JONES WALDO HOLBROOK & MCDONOUGH, PC
170 S MAIN ST STE 1500
SALT LAKE CITY, UTAH 84101-1644
UNITED STATES

Phone: 801-521-3200

Fax: 801-328-0537

Correspondent e-mail: bwinder@joneswaldo.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 13, 2009	REGISTERED - SEC. 15 ACKNOWLEDGED	65765
Aug. 13, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED	65765
Aug. 12, 2009	ASSIGNED TO PARALEGAL	65765
Aug. 10, 2009	TEAS SECTION 15 RECEIVED	
Aug. 10, 2009	ASSIGNED TO PARALEGAL	69471
Aug. 05, 2009	TEAS SECTION 8 RECEIVED	
Jul. 14, 2008	CASE FILE IN TICRS	
Jun. 25, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 25, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 25, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 25, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 05, 2003	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2003	EXTENSION OF TIME TO OPPOSE RECEIVED	
Dec. 03, 2002	PUBLISHED FOR OPPOSITION	
Nov. 13, 2002	NOTICE OF PUBLICATION	
Sep. 22, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 13, 2002	EXAMINERS AMENDMENT MAILED	
May 06, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 06, 2002	PAPER RECEIVED	
Jun. 08, 1998	LETTER OF SUSPENSION MAILED	
Jun. 08, 1998	ASSIGNED TO EXAMINER	72503
Mar. 26, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 22, 1997	NON-FINAL ACTION MAILED	
Sep. 17, 1997	ASSIGNED TO EXAMINER	72506
Sep. 10, 1997	ASSIGNED TO EXAMINER	73730

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Aug. 13, 2009

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [75266041](#)

Filing Date: Feb 13, 2003

Status: Terminated

Status Date: Feb 13, 2003

Interlocutory Attorney:

Defendant

Name: E. Excel International, Inc.

Correspondent Address: MICHAEL W. STARWEATHER
JONES WALDO HOLBROOK & MCDONOUGH
170 SOUTH MAIN STREET SUTIE 1500
SALT LAKE CITY UT , 84145-0120
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBA	Section 8 - Accepted	75266041	2745427

Potential Opposer(s)

Name: Herbalife

Correspondent Address: Mavis S. Gallenson
Ladas & Parry
5670 Wilshire Boulevard, Suite 2100
Los Angeles CA , 90036-5679
UNITED STATES

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Dec 24, 2002	
2	EXTENSION OF TIME GRANTED	Feb 13, 2003	
3	INCOMING - EXT TIME TO OPPOSE FILED	Feb 12, 2003	
4	EXTENSION OF TIME GRANTED	Feb 28, 2003	

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Mark: HERBACOY



US Serial Number: 76600639

Application Filing Date: Jul. 02, 2004

US Registration Number: 2914395

Registration Date: Dec. 28, 2004

Register: Principal

Mark Type: Trademark

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

Status Date: Dec. 28, 2004

Publication Date: Oct. 05, 2004

Mark Information

Mark Literal Elements: HERBACOY

Standard Character Claim: No

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

Design Search Code(s): 02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures
04.07.01 - Plants forming a person; Plants or combinations of plants representing a person; Plants representing a person; Person formed by plants
05.15.02 - Laurel leaves or branches (borders or frames); Wreaths
05.15.25 - Other decorations made of plants
26.01.02 - Plain single line circles; Circles, plain single line
26.01.20 - Circles within a circle

Goods and Services

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

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

For: herbal preparations to be use as nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 10, 1980

Use in Commerce: Mar. 16, 1982

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Herbacoy Natural Products Inc

Owner Address: 6714 NW 72 AVE
MIAMI, FLORIDA 33166
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: RAUL GONZALEZ
HERBACCOY NATURAL PRODUCTS INC
6714 NW 72ND AVE
MIAMI, FLORIDA 33166-3045
UNITED STATES

Phone: (305) 884-6818

Fax: (305) 883-0910

Correspondent e-mail: herbacoy@bellsouth.net

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 28, 2004	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2004	PUBLISHED FOR OPPOSITION	
Sep. 15, 2004	NOTICE OF PUBLICATION	
Aug. 04, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	76532
Jul. 30, 2004	ASSIGNED TO LIE	76532
Jul. 27, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 27, 2004	EXAMINER'S AMENDMENT MAILED	
Jul. 23, 2004	EXAMINER'S AMENDMENT ENTERED	76985
Jul. 23, 2004	ASSIGNED TO EXAMINER	69196
Jul. 15, 2004	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 28, 2004

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Mark: HERBAL 3+

HERBAL 3+

US Serial Number: 76630040 Application Filing Date: Jan. 26, 2005
US Registration Number: 3122433 Registration Date: Aug. 01, 2006
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Sep. 14, 2011
Publication Date: May 09, 2006

Mark Information

Mark Literal Elements: HERBAL 3+
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "HERBAL"

Goods and Services

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

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

For: dietary supplements
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 1998 Use in Commerce: Sep. 1998

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: FORM YOU 3 INTERNATIONAL, INC.
Owner Address: 395 Springside Drive
Akron, OHIO 443332496
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: OHIO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tama R. Drenski Docket Number: FY3.T.US0014
Attorney Primary Email Address: pto@rennerkenner.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tama R. Drenski
RENNER KENNER GREIVE BOBAK TAYLOR ET AL

106 S. Main Street
First National Tower, 4th Floor
AKRON, OHIO 44308-1456
UNITED STATES

Phone: 330/376-1242

Fax: 330/376-9646

Correspondent e-mail: pto@rennerkenner.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 14, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 14, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Sep. 14, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Aug. 09, 2011	TEAS SECTION 8 & 15 RECEIVED	
Aug. 01, 2006	REGISTERED-PRINCIPAL REGISTER	
May 09, 2006	PUBLISHED FOR OPPOSITION	
Apr. 19, 2006	NOTICE OF PUBLICATION	
Mar. 20, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Mar. 17, 2006	ASSIGNED TO LIE	78289
Mar. 14, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	77978
Feb. 22, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	77978
Feb. 22, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 30, 2005	NON-FINAL ACTION MAILED	
Aug. 30, 2005	NON-FINAL ACTION WRITTEN	81098
Aug. 24, 2005	ASSIGNED TO EXAMINER	81098
Mar. 02, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Sep. 14, 2011

Attorney Primary Email info@mhdpatents.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Dale Paul DiMaggio
MALIN HALEY DIMAGGIO & BOWEN, P.A.
1936 S. ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA 33316
UNITED STATES

Phone: 954-763-3303

Fax: 954-522-6507

Correspondent e-mail: info@mhdpatents.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 10, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 10, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
May 10, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
May 08, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Apr. 16, 2013	TEAS SECTION 8 & 9 RECEIVED	
Feb. 03, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 28, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 19, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Oct. 17, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Oct. 01, 2009	TEAS SECTION 8 & 15 RECEIVED	
May 20, 2008	CASE FILE IN TICRS	
May 06, 2003	REGISTERED-PRINCIPAL REGISTER	
Feb. 11, 2003	PUBLISHED FOR OPPOSITION	
Jan. 22, 2003	NOTICE OF PUBLICATION	
Oct. 25, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2002	ASSIGNED TO EXAMINER	76612
Sep. 27, 2001	LETTER OF SUSPENSION MAILED	
Apr. 30, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 22, 2000	LETTER OF SUSPENSION MAILED	
Aug. 24, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 24, 2000	NON-FINAL ACTION MAILED	
Feb. 14, 2000	ASSIGNED TO EXAMINER	76582
Feb. 11, 2000	ASSIGNED TO EXAMINER	76684

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 06, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 10, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: SLIM FOR LIFE, INC.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4138/0185](#)

Pages: 3

Date Recorded: Jan. 27, 2010

Supporting Documents: [assignment-tm-4138-0185.pdf](#)

Assignor

Name: [SLIM FOR LIFE, INC.](#)

Execution Date: Jan. 26, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Assignee

Name: [PHILLIP R. SCHUMAN TRUST](#)

Legal Entity Type: TRUST

State or Country Where Organized: FLORIDA

Address: 60 BAY COLONY LANE
FORT LAUDERDALE, FLORIDA 33308

Composed Of: COMPOSED OF PHILLIP A. SCHUMAN,
TRUSTEE

Correspondent

Correspondent Name: CATHERINE FERGUSON, ESQ.

Correspondent Address: 1936 SOUTH ANDREWS AVENUE
FORT LAUDERDALE, FL 33316

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-13 21:13:58 EST

Mark: HERBAL CALM

US Serial Number: 73453446
Application Filing Date: Nov. 18, 1983
US Registration Number: 1317572
Registration Date: Feb. 05, 1985
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 16, 2005
Publication Date: Nov. 27, 1984

Mark Information

Mark Literal Elements: HERBAL CALM
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: No claim is made to the exclusive right to use "Herbal", apart from the mark as shown.

Goods and Services

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

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

For: Vitamins and Dietary Food Supplements
International Class(es): 005 - Primary Class
U.S Class(es): 018
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 12, 1982
Use in Commerce: Nov. 12, 1982

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: ISI BRANDS INC.
Owner Address: 3133 ORCHARD VISTA DRIVE, SE
GRAND RAPIDS, MICHIGAN 49546
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: MICHIGAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas L. Lockhart
Docket Number: Idea Sphere

Attorney Primary Email trademarks@varnumlaw.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: THOMAS L LOCKHART
VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
333 BRIDGE ST PO BOX 352
GRAND RAPIDS, MICHIGAN 49501
UNITED STATES

Phone: (616) 336-6000

Fax: (616) 336-7000

Correspondent e-mail: trademarks@varnumlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 23, 2008	CASE FILE IN TICRS	
Nov. 16, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Nov. 16, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 28, 2005	ASSIGNED TO PARALEGAL	69471
Jul. 26, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 04, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 04, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 26, 2005	TEAS SECTION 8 & 9 RECEIVED	
Jan. 17, 1991	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 03, 1990	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 05, 1985	REGISTERED-PRINCIPAL REGISTER	
Nov. 27, 1984	PUBLISHED FOR OPPOSITION	
Nov. 13, 1984	NOTICE OF PUBLICATION	
Aug. 10, 1984	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 26, 1984	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 11, 1984	NON-FINAL ACTION MAILED	
May 10, 1984	ASSIGNED TO EXAMINER	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 05, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: May 23, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 9

Registrant: Nature's Herbs, Inc.

Assignment 1 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0656/0974](#)

Pages: 0

Date Recorded: Jun. 16, 1989

Supporting Documents: No Supporting Documents Available

Assignor

Name: [NATURE'S HERBS, INC.](#)

Execution Date: May 31, 1989

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [NATUR-PHARMA, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1113 NORTH INDUSTRIAL PARK ROAD
OREM, UTAH 84057

Correspondent

Correspondent Name: JONES, WALDO, HOLBROOK & MCDONOUGH, P.C.

Correspondent Address: 170 SOUTH MAIN STREET
SALT LAKE CITY, UT 84101

Domestic Representative - Not Found

Assignment 2 of 9

Conveyance: MERGER

Reel/Frame: [1517/0225](#)

Pages: 33

Date Recorded: Aug. 07, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [TWIN LABORATORIES INC.](#)

Execution Date: May 06, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Name: [TWINLAB EXPORT CORP.](#)

Execution Date: May 06, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [TWINLAB SPECIALTY CORP.](#)

Execution Date: May 06, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [ALVITA PRODUCTS, INC.](#)

Execution Date: May 06, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Name: [B. BROS. REALTY CORP.](#)

Execution Date: May 06, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [NATUR-PHARMA INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 2120 SMITHTOWN AVENUE
NEW YORK, NEW YORK 11779

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTIEN

Correspondent Address: ANTHONY F. LO CICERO, ESQ.
90 PARK AVENUE
NEW YORK, NY 10016

Domestic Representative - Not Found

Assignment 3 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [1513/0306](#)

Pages: 95

Date Recorded: Aug. 07, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [TLG LABORATORIES HOLDING CORPORATION](#)

Execution Date: May 07, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [TWIN LABORATORIES INCORPORATED](#)

Execution Date: May 07, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: [ADVANCED RESEARCH PRESS, INCORPORATED](#)

Execution Date: May 07, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [CHEMICAL BANK \(AS AGENT\)](#)

Legal Entity Type: BANKING CORPORATION

State or Country Where Organized: NEW YORK

Address: 270 PARK AVENUE
NEW YORK, NEW YORK 10017

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN

Correspondent Address: ANTHONY F. LO CICERO
90 PARK AVENUE, 21ST FLOOR
NEW YORK, NY 10016

Domestic Representative - Not Found

Assignment 4 of 9

Conveyance: CHANGE OF NAME

Reel/Frame: [1517/0258](#)

Pages: 33

Date Recorded: Aug. 07, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [NATUR-PHARMA INC.](#)

Execution Date: May 07, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [TWIN LABORATORIES INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: ATTN: PHILLIP M. KAZIN, ESQ.
2120 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN

Correspondent Address: ANTHONY F. LO CICERO, ESQ.
90 PARK AVENUE
NEW YORK, NY 10016

Domestic Representative - Not Found

Assignment 5 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2305/0001](#)

Pages: 157

Date Recorded: May 25, 2001

Supporting Documents: [assignment-tm-2305-0001.pdf](#)

Assignor

Name: [TWIN LABORATORIES INC.](#)

Execution Date: Apr. 19, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [BLECHMAN, ROSS](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 150 MOTOR PARKWAY
C/O TWIN LABORATORIES INC.
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, LINDA](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, DEAN](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, SHARON](#)
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, BRIAN](#)
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, ROBIN](#)
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, STEVE](#)
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, ELYSE](#)
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, NEIL](#)
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, HELENA](#)
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Correspondent

Correspondent Name: SHLESINGER, ARKWRIGHT & GARVEY LLP
Correspondent Address: JAMES E. SHLESINGER, ESQ.
3000 SOUTH EADS STREET
ARLINGTON, VIRGINIA 22202

Domestic Representative - Not Found

Assignment 6 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2882/0768](#) Pages: 35
Date Recorded: Dec. 24, 2003
Supporting Documents: [assignment-tm-2882-0768.pdf](#)

Assignor

Name: [TWINLAB CORPORATION](#) Execution Date: Dec. 18, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: [TWIN LABORATORIES INC.](#) Execution Date: Dec. 18, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: UTAH

Name: [TWIN LABORATRIES \(UK\) LTD.](#) Execution Date: Dec. 18, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: UNITED KINGDOM

Assignee

Name: [ISI BRANDS INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MICHIGAN

Address: 3133 ORCHARD VISTA DRIVE, SE
GRAND RAPIDS, MICHIGAN 49546

Correspondent

Correspondent Name: PAUL, HASTINGS, JANOFSKY & WALKER LLP

Correspondent Address: JENNIFER ST. JOHN YOUNT, ESQ.
515 SO. FLOWER STREET, 25F
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 7 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [2884/0728](#)

Pages: 46

Date Recorded: Dec. 24, 2003

Supporting Documents: [assignment-tm-2884-0728.pdf](#)

Assignor

Name: [ISI BRANDS INC.](#)

Execution Date: Dec. 18, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: MICHIGAN

Assignee

Name: [HIGHBRIDGE/ZWIRN SPECIAL OPPORTUNITIES FUND, L.P.](#)

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: DELAWARE

Address: 9 WEST 57TH STREET, 27TH FLOOR
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: PAUL, HASTINGS, JANOFSKY & WALKER LLP

Correspondent Address: JENNIFER ST. JOHN YOUNT, ESQ.
515 SO. FLOWER STREET, 25F
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 8 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3775/0032](#)

Pages: 59

Date Recorded: May 09, 2008

Supporting Documents: [assignment-tm-3775-0032.pdf](#)

Assignor

Name: [ISI BRANDS INC.](#)

Execution Date: Jan. 07, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: MICHIGAN

Assignee

Name: [FIFTH THIRD BANK](#)

Legal Entity Type: BANKING CORPORATION

State or Country Where Organized: MICHIGAN

Address: 38 FOUNTAIN SQUARE PLAZA,
MD 10AT63
CINCINNATI, OHIO 49503

Correspondent

Correspondent Name: RICHARD S. DONNELL

Correspondent Address: 1828 L STREET, NW
11TH FLOOR
WASHINGTON, DC 20036

Domestic Representative - Not Found

Assignment 9 of 9

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [5183/0110](#)

Pages: 8

Date Recorded: Dec. 29, 2013

Supporting Documents: [assignment-tm-5183-0110.pdf](#)

Assignor

Name: [FIFTH THIRD BANK, SUCCESSOR BY](#)

Execution Date: Dec. 19, 2013

[MERGER TO FIFTH THIRD BANK, A MICHIGAN
BANKING CORPORATION](#)

Legal Entity Type: BANKING CORPORATION

**State or Country Where
Organized:** OHIO

Assignee

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

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** MICHIGAN

Address: 3133 ORCHARD VISTA DRIVE
GRAND RAPIDS, MICHIGAN 49546

Correspondent

Correspondent Name: VORYS, SATER, SEYMOUR AND PEASE LLP

Correspondent Address: P.O. BOX 2255 -- IPLAW@VORYS
ATTN: TANYA MARIE CURCIO
COLUMBUS, OH 43216-2255

Domestic Representative - Not Found

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MICHAEL A. PAINTER

Docket Number: 20088.007

Correspondent

Correspondent Name/Address: Michael A. Painter, Esq.
Isaacman, Kaufman & Painter
10250 Constellation Boulevard
Suite 2900
Los Angeles, CALIFORNIA 90067
UNITED STATES

Phone: (310) 881-6800

Fax: (310) 881-6801

Correspondent e-mail: painter@ikplaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 28, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 11, 2007	CASE FILE IN TICRS	
Oct. 11, 2006	REVIEW OF CORRESPONDENCE COMPLETE	59315
Aug. 15, 2005	PAPER RECEIVED	
Feb. 28, 2005	PAPER RECEIVED	
Apr. 02, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 20, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 07, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 07, 2003	PAPER RECEIVED	
Feb. 10, 1998	REGISTERED-PRINCIPAL REGISTER	
Dec. 10, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 09, 1997	ASSIGNED TO EXAMINER	72512
Dec. 04, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Oct. 27, 1997	USE AMENDMENT FILED	
Apr. 29, 1997	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 04, 1997	PUBLISHED FOR OPPOSITION	
Jan. 04, 1997	NOTICE OF PUBLICATION	
Nov. 21, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 30, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 17, 1996	NON-FINAL ACTION MAILED	
Sep. 10, 1996	ASSIGNED TO EXAMINER	73702

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Filed Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Apr. 11, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: VITAMIN CLASSICS, INC.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3210/0139](#)

Pages: 4

Date Recorded: Feb. 28, 2005

Supporting Documents: [assignment-tm-3210-0139.pdf](#)

Assignor

Name: [VITAMIN CLASSICS, INC., A CALIFORNIA CORPORATION](#)

Execution Date: Feb. 18, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [VITAMIN CLASSICS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: OHIO

Address: 24007 VENTURA BLVD., SUITE 135
CALABASAS, CALIFORNIA 91302

Correspondent

Correspondent Name: MICHAEL A. PAINTER

Correspondent Address: ISAACMAN, KAUFMAN & PAINTER
8484 WILSHIRE BLVD.
SUITE 850
BEVERLY HILLS, CA 90211

Domestic Representative - Not Found

Attorney Primary Email vr@usulaw.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: VANESSA RIVIERE
ULLMAN, SHAPIRO & ULLMAN LLP
299 BROADWAY STE 1700
NEW YORK, NEW YORK 10007
UNITED STATES

Phone: (212) 571-0068

Fax: (212) 571-9424

Correspondent e-mail: vr@usulaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2006	CASE FILE IN TICRS	
Jun. 24, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	61619
Jun. 24, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 21, 2006	ASSIGNED TO PARALEGAL	61619
Mar. 29, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 29, 2006	TEAS SECTION 8 & 9 RECEIVED	
Mar. 29, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 29, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 05, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Sep. 16, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 16, 2002	PAPER RECEIVED	
Sep. 17, 1996	REGISTERED-PRINCIPAL REGISTER	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 09, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 04, 1996	EXAMINER'S AMENDMENT MAILED	
Apr. 01, 1996	ASSIGNED TO EXAMINER	67443
Mar. 27, 1996	ASSIGNED TO EXAMINER	69185

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 17, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 26, 2006

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91161531](#)

Filing Date: Jul 29, 2004

Status: Terminated

Status Date: Jul 30, 2004

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: BrainGenesis Biotechnology Co., Ltd.

Correspondent Address: THOMAS J. MOORE
BACON & THOMAS, PLLC
625 SLATERS LANE, FOURTH FLOOR
ALEXANDRIA VA , 22314-1176
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number
BNG-1	Abandoned - After Inter-Partes Decision	76479924	

Plaintiff(s)

Name: BNG ENTERPRISES, INC.

Correspondent Address: CHARLES H. KNULL
ULLMAN, SHAPIRO & ULLMAN, LLP
299 BROADWAY, SUITE 1700
NEW YORK NY , 10007
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBAL CLEAN	Renewed	75003292	2001460

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 29, 2004	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 30, 2004	Sep 08, 2004
3	PENDING, INSTITUTED	Jul 30, 2004	
4	NOTICE OF DEFAULT	Nov 09, 2004	
5	BOARD'S DECISION: SUSTAINED	Feb 10, 2005	
6	TERMINATED	Feb 10, 2005	

Type of Proceeding: Extension of Time

Proceeding Number: [76479924](#)

Filing Date: Jun 29, 2004

Status: Terminated

Status Date: Aug 31, 2004

Interlocutory Attorney:

Defendant

Name: BrainGenesis Biotechnology Co., Ltd.

Correspondent Address: THOMAS J. MOORE
BACON & THOMAS, PLLC
625 SLATERS LANE, FOURTH FLOOR
ALEXANDRIA VA , 22314-1176
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number
BNG-1	Abandoned - After Inter-Partes Decision	76479924	

Potential Opposer(s)

Name: BNG ENTERPRISES, INC.

Correspondent Address: CHARLES H. KNULL
ULLMAN, SHAPIRO & ULLMAN, LLP
299 BROADWAY, SUITE 1700
NEW YORK NY , 10007
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HERBAL CLEAN	Renewed	75003292	2001460

Name: BNG Enterprises, Inc.

Correspondent Address: Vanessa Riviere
Ullman, Shapiro & Ullman, LLP
299 Broadway, Suite 1700
New York NY , 10007
UNITED STATES

Correspondent e-mail: vr@usulaw.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jun 29, 2004	
2	EXTENSION OF TIME GRANTED	Jun 29, 2004	

Correspondent

Correspondent Name/Address: JAMES C NEMMERS SHUTTLEWORTH & INGERSOLL PC 115 3RD ST PO BOX 2107 CEDAR RAPIDS, IOWA 52406 UNITED STATES

Domestic Representative - Not Found

Prosecution History

Table with 3 columns: Date, Description, Proceeding Number. Rows include dates from 1994 to 2012 and descriptions of trademark registration events.

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 30, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 22, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Maharishi Ayurveda Products International Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 1696/0191

Pages: 4

Date Recorded: Feb. 06, 1998

Supporting Documents: No Supporting Documents Available

Assignor

Name: MAHARISHI AYURVEDA PRODUCTS INTERNATIONAL, INC.

Execution Date: Feb. 02, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Assignee

Name: MAHARISHI AYUR-VED PRODUCTS INTERNATIONAL, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: COLORADO

Organized:

Address: 1068 ELKTON DRIVE
COLORADO SPRINGS, COLORADO 80907

Correspondent

Correspondent Name: JAMES C. NEMMERS

Correspondent Address: 500 FIRSTAR BANK BUILDING
P.O. BOX 2107
CEDAR RAPIDS, IOWA 52406-2107

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: MERGER

Reel/Frame: [4836/0029](#)

Pages: 4

Date Recorded: Aug. 03, 2012

Supporting Documents: [assignment-tm-4836-0029.pdf](#)

Assignor

Name: [MAHARISHI AYUR-VED PRODUCTS INTERNATIONAL, INC.](#)

Execution Date: Oct. 17, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: COLORADO

Assignee

Name: [MAHARISHI AYUR-VED PRODUCTS INTERNATIONAL CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Address: 1680 HIGHWAY ONE NORTH, SUITE 2200
FAIRFIELD, IOWA 52556

Correspondent

Correspondent Name: JAMES C. NEMMERS

Correspondent Address: P.O. BOX 2107
CEDAR RAPIDS, IOWA 52406

Domestic Representative - Not Found

Correspondent Name/Address: IRENE B FISHER
NBTY INC
90 ORVILLE DR
BOHEMIA, NEW YORK 11716
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 13, 2009	CASE FILE IN TICRS	
Aug. 18, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 18, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 13, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 12, 2003	TEAS SECTION 8 & 9 RECEIVED	
Oct. 02, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 10, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 11, 1993	REGISTERED-PRINCIPAL REGISTER	
Feb. 16, 1993	PUBLISHED FOR OPPOSITION	
Jan. 15, 1993	NOTICE OF PUBLICATION	
Dec. 09, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 17, 1992	EXAMINER'S AMENDMENT MAILED	
Nov. 04, 1992	ASSIGNED TO EXAMINER	67443

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 11, 2003

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Feb. 13, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Bioenergy Nutrients, Inc.

Assignment 1 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: [1662/0321](#)

Pages: 9

Date Recorded: Sep. 22, 1997

Supporting Documents: No Supporting Documents Available

Assignor

Name: [BIOENERGY NUTRIENTS, INC.](#)

Execution Date: Sep. 10, 1997

Legal Entity Type: CORPORATION

State or Country Where Organized: COLORADO

Assignee

Name: [AMRION, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: COLORADO

Address: 6565 ODELL PLACE
BOULDER, COLORADO 80301

Correspondent

Correspondent Name: DUFT, GRAZIANO & FOREST, P.C.

Correspondent Address: MARTIN L. SHIVELY
1790 - 30TH STREET, SUITE 140
BOULDER, CO 80301-1018

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: TRANSFER OF ASSETS

Reel/Frame: [2538/0001](#)

Pages: 74

Date Recorded: Jul. 02, 2002

Supporting Documents: [assignment-tm-2538-0001.pdf](#)

Assignor

Name: [AMRION, INC.](#)

Execution Date: May 14, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: COLORADO

Assignee

Name: [NATURESMART, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 90 ORVILLE DRIVE
BOHEMIA, NEW YORK 11716

Correspondent

Correspondent Name: ERIC S. KLEE, ESQ.

Correspondent Address: ASSISTANT GENERAL COUNSEL
90 ORVILLE DRIVE
BOHEMIA, NY 11716

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [2357/0440](#)

Pages: 48

Date Recorded: Aug. 27, 2001

Supporting Documents: [assignment-tm-2357-0440.pdf](#)

Assignor

Name: [NATURESMART, LLC](#)

Execution Date: May 29, 2001

Legal Entity Type: COLORADO LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [CHASE MANHATTAN BANK, AS ADMINISTRATIVE AGENT, THE](#)

Legal Entity Type: NEW YORK BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: P.O. BOX 2558
HOUSTON, TEXAS 77252

Correspondent

Correspondent Name: SIMPSON THACHER & BARTLETT

Correspondent Address: ROBYN GREENBERG, ESQ.
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Correspondent

Correspondent Name/Address: GRETCHEN R. STROUD
COOLEY LLP
1299 Pennsylvania Avenue NW, Suite 700
Washington, DISTRICT OF COLUMBIA 20004
UNITED STATES

Phone: 202-842-7800

Fax: 202-84207899

Correspondent e-mail: trademarks@cooley.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 15, 2007	CASE FILE IN TICRS	
Mar. 21, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	61619
Mar. 21, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 21, 2006	ASSIGNED TO PARALEGAL	61619
Oct. 27, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Oct. 27, 2005	TEAS SECTION 8 & 9 RECEIVED	
Dec. 21, 2001	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 09, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 07, 1995	REGISTERED-PRINCIPAL REGISTER	
Aug. 16, 1995	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 16, 1995	ASSIGNED TO EXAMINER	64390
Aug. 11, 1995	STATEMENT OF USE PROCESSING COMPLETE	
Jun. 09, 1995	USE AMENDMENT FILED	
Mar. 07, 1995	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 13, 1994	PUBLISHED FOR OPPOSITION	
Nov. 11, 1994	NOTICE OF PUBLICATION	
Jul. 19, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 18, 1994	EXAMINER'S AMENDMENT MAILED	
Jun. 25, 1994	ASSIGNED TO EXAMINER	64390

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 07, 2005

TM Staff and Location Information

**TM Staff Information - None
File Location**

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 15, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Rainbow Light Nutritional Systems, Inc.

Assignment 1 of 1

Conveyance: MERGER AND CHANGE OF NAME

Reel/Frame: [2618/0513](#)

Pages: 3

Date Recorded: Nov. 13, 2002

Supporting Documents: [assignment-tm-2618-0513.pdf](#)

Assignor

Name: [RAINBOW LIGHT NUTRITIONAL SYSTEMS, INC.](#)

Execution Date: Jun. 24, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [RAINBOW LIGHT NUTRITIONAL SYSTEMS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 125 MCPHERSON STREET
SANTA CRUZ, CALIFORNIA 95060

Correspondent

Correspondent Name: COOLEY GODWARD LLP

Correspondent Address: KATHRYN M. WHEBLE, ESQ.
ONE MARITIME PLAZA, 20TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Phone: 2084632626

Correspondent e-mail: aimip@aimintl.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 21, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	66607
May 21, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
May 18, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 18, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 06, 2008	CASE FILE IN TICRS	
Jan. 25, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 14, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 14, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 23, 2002	REGISTERED - SEC. 15 ACKNOWLEDGED	
May 19, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 17, 2002	REGISTERED - SEC. 15 AFFIDAVIT FILED	
May 09, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 17, 2002	TEAS SECTION 8 & 9 RECEIVED	
May 17, 2002	TEAS SECTION 15 RECEIVED	
Mar. 21, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Feb. 18, 1998	REGISTERED - SEC. 8 (6-YR) FILED	
Aug. 11, 1992	REGISTERED-PRINCIPAL REGISTER	
May 19, 1992	PUBLISHED FOR OPPOSITION	
Apr. 17, 1992	NOTICE OF PUBLICATION	
Jan. 16, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 1991	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 17, 1991	NON-FINAL ACTION MAILED	
Jun. 26, 1991	ASSIGNED TO EXAMINER	69983

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 11, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 21, 2012

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen Nemec

Attorney Primary Email Address: snemec@jvwlaw.net

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stephen Nemec
James, Vernon & Weeks, PA
1626 Lincoln Way
Coeur d' Alene, IDAHO 83814
UNITED STATES

Phone: 208-667-0683

Fax: 208-664-1684

Correspondent e-mail: snemec@jvwlaw.net s_nemec_esq@hotmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 09, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Aug. 09, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Aug. 09, 2012	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	64591
Aug. 09, 2012	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	64591
Jul. 26, 2012	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	64591
Aug. 09, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Aug. 01, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 27, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 27, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 26, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 26, 2012	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Mar. 20, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Feb. 01, 2008	ASSIGNED TO PARALEGAL	70132
Jan. 29, 2008	TEAS SECTION 8 & 15 RECEIVED	
Apr. 10, 2007	CASE FILE IN TICRS	
Jul. 31, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 14, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 29, 2002	REGISTERED-PRINCIPAL REGISTER	
Aug. 20, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 13, 2001	ASSIGNED TO EXAMINER	73703
Aug. 06, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Jul. 23, 2001	USE AMENDMENT FILED	
Jan. 23, 2001	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 31, 2000	PUBLISHED FOR OPPOSITION	
Sep. 29, 2000	NOTICE OF PUBLICATION	
Apr. 07, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 22, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 21, 1999	NON-FINAL ACTION MAILED	
Jul. 16, 1999	ASSIGNED TO EXAMINER	73703

Maintenance Filings or Post Registration Information

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Jan. 29, 2012

Change in Registration: Yes

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: TMO LAW OFFICE 115

Date in Location: Aug. 09, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: MJP Botanicals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4829/0645](#)

Pages: 2

Date Recorded: Jul. 26, 2012

Supporting Documents: [assignment-tm-4829-0645.pdf](#)

Assignor

Name: [MJP BOTANICALS, INC.](#)

Execution Date: Jul. 19, 2012

Legal Entity Type: CORPORATION

State or Country Where
Organized: NEVADA

Assignee

Name: [PARKER, MARGARET](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 2106 SOUTH BIG BEAR ROAD
COEUR D ALENE, IDAHO 83814

Correspondent

Correspondent Name: STEPHEN NEMEC

Correspondent Address: 1626 LINCOLN WAY
COEUR D ALENE, ID 83814

Domestic Representative - Not Found

Attorney Primary Email siskindpto@harveysiskind.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: LAWRENCE J SISKIND
HARVEY SISKIND LLP
FOUR EMBARCADERO CENTER 39TH FLOOR
SAN FRANCISCO, CALIFORNIA 94111-4115
UNITED STATES

Phone: (415) 354-0100

Fax: (415) 391-7124

Correspondent e-mail: siskindpto@harveysiskind.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 11, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59807
Aug. 11, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 11, 2008	ASSIGNED TO PARALEGAL	59807
Aug. 04, 2008	TEAS SECTION 8 & 9 RECEIVED	
Aug. 07, 2007	CASE FILE IN TICRS	
Jan. 08, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 27, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 27, 2003	PAPER RECEIVED	
Mar. 21, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 18, 1998	REGISTERED-PRINCIPAL REGISTER	
Jun. 23, 1998	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 22, 1998	ASSIGNED TO EXAMINER	73341
May 26, 1998	STATEMENT OF USE PROCESSING COMPLETE	
May 26, 1998	USE AMENDMENT FILED	
Mar. 10, 1998	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 16, 1997	PUBLISHED FOR OPPOSITION	
Nov. 14, 1997	NOTICE OF PUBLICATION	
Oct. 13, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 01, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 22, 1997	NON-FINAL ACTION MAILED	
Sep. 12, 1997	ASSIGNED TO EXAMINER	73341

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 18, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Aug. 11, 2008

Generated on: This page was generated by TSDR on 2014-02-13 21:16:08 EST

Mark: HERBAL HARVEST

US Serial Number: 73794360
US Registration Number: 1574314
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Dec. 28, 2009
Publication Date: Oct. 10, 1989

Application Filing Date: Apr. 20, 1989
Registration Date: Jan. 02, 1990

Mark Information

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

Goods and Services

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

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

For: FOOD SUPPLEMENTS CONTAINING VITAMINS AND MINERALS

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 14, 1989

Use in Commerce: Apr. 14, 1989

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: VITAMIN WORLD, INC.
Owner Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lee Grosskreuz Hechtel

Attorney Primary Email Address: lhechtel@nbyt.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Lee Grosskreuz Hechtel
NBTY, Inc.
2100 Smithtown Avenue
Legal Dept.
Ronkonkoma, NEW YORK 11779
UNITED STATES

Phone: 631-218-7335

Fax: 631-218-7341

Correspondent e-mail: lhechtel@nbyt.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 21, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 28, 2009	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	73376
Dec. 28, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 19, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	73376
Dec. 18, 2009	TEAS SECTION 8 & 9 RECEIVED	
Dec. 01, 2008	CASE FILE IN TICRS	
Jun. 29, 2000	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jun. 29, 2000	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 22, 1999	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 28, 1996	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 27, 1995	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 02, 1990	REGISTERED-PRINCIPAL REGISTER	
Oct. 10, 1989	PUBLISHED FOR OPPOSITION	
Sep. 09, 1989	NOTICE OF PUBLICATION	
Jul. 31, 1989	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 31, 1989	ALLOWANCE/COUNT WITHDRAWN	
Jul. 06, 1989	EXAMINER'S AMENDMENT MAILED	
Jul. 06, 1989	ASSIGNED TO EXAMINER	62178

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 02, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Dec. 28, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: UNITED VITAMIN MANUFACTURING CORP.

Assignment 1 of 3

Conveyance: SECURITY AGREEMENT

Reel/Frame: [1675/0217](#)

Pages: 463

Date Recorded: Dec. 16, 1997

Supporting Documents: No Supporting Documents Available

Assignor

Name: [NBTY, INC.](#) Execution Date: Sep. 23, 1997
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [CHASE MANHATTAN BANK, THE](#)
Legal Entity Type: BANKING ORGANIZATION State or Country Where Organized: NEW YORK
Address: 270 PARK AVENUE
NEW YORK, NEW YORK 10016

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN
Correspondent Address: ANTHONY F. LO CICERO, ESQ.
90 PARK AVENUE
NEW YORK, NY 10016

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: RELEASE OF SECURITY INTEREST
Reel/Frame: [3240/0746](#) Pages: 12
Date Recorded: Aug. 11, 2003
Supporting Documents: [assignment-tm-3240-0746.pdf](#)

Assignor

Name: [JP MORGAN CHASE BANK, AS ADMINISTRATIVE AGENT](#) Execution Date: Jul. 23, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [NBTY, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 90 ORVILLE DRIVE
NEW YORK, NEW YORK 11716

Correspondent

Correspondent Name: TONYA CHAPPLE
Correspondent Address: C/O CSC
80 STATE ST.
ALBANY, NY 12207

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [4132/0178](#) Pages: 4
Date Recorded: Jan. 14, 2010
Supporting Documents: [assignment-tm-4132-0178.pdf](#)

Assignor

Name: [UNITED VITAMIN MANUFACTURING CORPORATION](#) Execution Date: Jan. 08, 2010
Legal Entity Type: CORPORATION State or Country Where Organized: NEW YORK

Assignee

Name: [VITAMIN WORLD, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: LEE GROSSKREUZ HECHTEL
Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT
RONKONKOMA, NY 11779

Domestic Representative - Not Found

Attorney Name: Michael E. Mangelson, Esq.

Attorney Primary Email TM-SLC@stoel.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Michael E. Mangelson, Esq.
STOEL RIVES LLP
201 So. Main Street, Suite 1100
One Utah Center
Salt Lake City, UTAH 84111
UNITED STATES

Phone: (801) 578-6903

Fax: (801) 578-6999

Correspondent e-mail: TM-SLC@stoel.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 12, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 12, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 12, 2006	CASE FILE IN TICRS	
Nov. 25, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Nov. 25, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 19, 2006	ASSIGNED TO PARALEGAL	70131
Aug. 15, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 15, 2006	TEAS SECTION 8 & 9 RECEIVED	
Mar. 31, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jan. 07, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 07, 2003	PAPER RECEIVED	
Apr. 22, 1997	REGISTERED-PRINCIPAL REGISTER	
Jan. 28, 1997	PUBLISHED FOR OPPOSITION	
Dec. 27, 1996	NOTICE OF PUBLICATION	
Nov. 22, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 15, 1996	EXAMINER'S AMENDMENT MAILED	
Oct. 09, 1996	ASSIGNED TO EXAMINER	73716

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 22, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Dec. 12, 2006

Attorney Name: Kevin T. Grzelak

Docket Number: SCH054 T427

Attorney Primary Email ptomail@priceheneveld.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Kevin T. Grzelak
Price Heneveld LLP
695 Kenmoor SE, PO Box 2567
Grand Rapids, MICHIGAN 49501
UNITED STATES

Phone: 616-949-9610

Fax: 616-957-8196

Correspondent e-mail: ptomail@priceheneveld.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 21, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 21, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	77315
Jul. 21, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	77315
Jul. 21, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Jul. 11, 2012	TEAS SECTION 8 & 9 RECEIVED	
May 16, 2012	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 16, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 09, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 20, 2008	CASE FILE IN TICRS	
Sep. 06, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 06, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 14, 2002	RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 9	
May 22, 2002	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	
Mar. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Oct. 15, 1997	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Sep. 23, 1997	REGISTERED - SEC. 8 (6-YR) FILED	
Aug. 18, 1992	REGISTERED-SUPPLEMENTAL REGISTER	
May 04, 1992	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Mar. 25, 1992	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 25, 1992	FINAL REFUSAL MAILED	
Oct. 16, 1991	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 10, 1991	USE AMENDMENT ACCEPTED	
Aug. 05, 1991	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 03, 1991	AMENDMENT TO USE PROCESSING COMPLETE	
Aug. 05, 1991	USE AMENDMENT FILED	
Jul. 08, 1991	NON-FINAL ACTION MAILED	
May 18, 1991	ASSIGNED TO EXAMINER	67971

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Aug. 18, 2012

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Jul. 21, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 7

Registrant: Natureworks, Inc.

Assignment 1 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [1228/0190](#)

Pages: 7

Date Recorded: Oct. 11, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [NATUREWORKS, INC.](#)

Execution Date: Jul. 28, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [ASTA MEDICA A.G.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: GERMANY

Address: WEISSMULLERSTRASSE 45 FRANKFURT, GERMANY

Correspondent

Correspondent Name: STEWART E. LAVEY, ESQ.

Correspondent Address: SHANLEY & FISHER, PC
131 MADISON AVENUE
MORRISTOWN, NJ 07962

Domestic Representative - Not Found

Assignment 2 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1956/0913](#)

Pages: 5

Date Recorded: Sep. 09, 1999

Supporting Documents: [assignment-tm-1956-0913.pdf](#)

Assignor

Name: [ASTA MEDICA](#)

Execution Date: Aug. 12, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [ABKIT INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 207 EAST 94TH STREET
NEW YORK, NEW YORK 10128

Correspondent

Correspondent Name: SMITH, GAMBRELL & RUSSELL, LLP

Correspondent Address: ROBERT G. WEILACHER
INTELLECTUAL PROPERTY GROUP
1850 M STREET, N.W., SUTIE 800
WASHINGTON, D.C. 20036

Domestic Representative - Not Found

Assignment 3 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2140/0825](#)

Pages: 5

Date Recorded: Aug. 28, 2000

Supporting Documents: [assignment-tm-2140-0825.pdf](#)

Assignor

Name: [ASTA MEDICA AG](#)

Execution Date: Feb. 28, 2000

Legal Entity Type: LIMITED JOINT STOCK COMPANY GERMANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [ABKIT INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 207 EAST 94TH STREET

NEW YORK, NEW YORK 10128

Correspondent

Correspondent Name: THELEN REID & PRIEST LLP
Correspondent Address: BECKY L. TROUTMAN
101 SECOND STREET, SUITE 1800
SAN FRANCISCO, CA 94105-3601

Domestic Representative - Not Found

Assignment 4 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2140/0861](#) **Pages:** 6
Date Recorded: Aug. 28, 2000
Supporting Documents: [assignment-tm-2140-0861.pdf](#)

Assignor

Name: [ABKIT, INC.](#) **Execution Date:** Mar. 06, 2000
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [TIKBA ACQUISITION CORP.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 207 EAST 94TH STREET
NEW YORK, NEW YORK 10128

Correspondent

Correspondent Name: THELEN REID & PRIEST LLP
Correspondent Address: BECKY L. TROUTMAN
101 SECOND STREET, SUITE 1800
SAN FRANCISCO, CA 94105-3601

Domestic Representative - Not Found

Assignment 5 of 7

Conveyance: CHANGE OF NAME
Reel/Frame: [2287/0271](#) **Pages:** 7
Date Recorded: Apr. 30, 2001
Supporting Documents: [assignment-tm-2287-0271.pdf](#)

Assignor

Name: [TIKBA ACQUISITION CORP.](#) **Execution Date:** Mar. 06, 2000
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [ABKIT, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 1013 CENTRE ROAD
WILMINGTON, DELAWARE 19805

Correspondent

Correspondent Name: THELEN REID & PRIEST LLP
Correspondent Address: BECKY L. TROUTMAN, ESQ.
101 SECOND STREET, SUITE 1800
SAN FRANCISCO, CALIFORNIA 94105-3601

Domestic Representative - Not Found

Assignment 6 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [4056/0214](#) **Pages:** 4
Date Recorded: Sep. 02, 2009
Supporting Documents: [assignment-tm-4056-0214.pdf](#)

Assignor

Name: [ABKIT, INC.](#) **Execution Date:** May 01, 2009
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [ENZYMATIC THERAPY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 825 CHALLENGER DRIVE
GREEN BAY, WISCONSIN 54311

Correspondent

Correspondent Name: GORDON M. WALKER

Correspondent Address: 1375 NORTH MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UT 84663

Domestic Representative - Not Found

Assignment 7 of 7

Conveyance: CERTIFICATE OF CONVERSION

Reel/Frame: [4775/0081](#)

Pages: 7

Date Recorded: May 08, 2012

Supporting Documents: [assignment-tm-4775-0081.pdf](#)

Assignor

Name: [ENZYMATIC THERAPY, INC.](#)

Execution Date: Dec. 31, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Assignee

Name: [ENZYMATIC THERAPY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WISCONSIN

Address: 825 CHALLENGER DRIVE
GREEN BAY, WISCONSIN 54311

Correspondent

Correspondent Name: KEVIN T. GRZELAK

Correspondent Address: 695 KENMOOR SE, PO BOX 2567
GRAND RAPIDS, MI 49501

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-14 11:32:49 EST

Mark: HERBALIFE



US Serial Number: 74327252
Application Filing Date: Nov. 02, 1992
US Registration Number: 1811780
Registration Date: Dec. 21, 1993
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 17, 2013
Publication Date: Sep. 28, 1993

Mark Information

Mark Literal Elements: HERBALIFE
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Color(s) Claimed: Color is not claimed as a feature of the mark.
Lining and Stippling Statement: The mark is lined for the colors green and brown.
Design Search Code(s): 05.13.25 - Bales of hay or straw; Hay in bales; Other plants including bales of hay or straw; Straw in bales
26.01.01 - Circles as carriers or as single line borders

Related Properties Information

Claimed Ownership of US Registrations: 1254211, 1406018, 1406425

Goods and Services

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

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

For: hair shampoos, [rinses,] conditioners, skin cleansers, moisturizers, facial creams [and suntan lotions]

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 18, 1980

Use in Commerce: Jul. 18, 1980

For: dietary and vitamin and mineral supplements

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 18, 1980

Use in Commerce: Jul. 18, 1980

For: publications and printed matter; namely, periodic informational magazines and brochures in the field of health and well-being

International Class(es): 016 - Primary Class

U.S Class(es): 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 02, 1992

Use in Commerce: Nov. 02, 1992

For: herbal food beverages

International Class(es): 030 - Primary Class

U.S Class(es): 045, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 18, 1980

Use in Commerce: Jul. 18, 1980

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: HERBALIFE INTERNATIONAL, INC.
Owner Address: 800 West Olympic Boulevard
 Los Angeles, CALIFORNIA 90015
 UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Marc Phillip Bodner **Docket Number:** 694-010-3914
Attorney Primary Email Address: marcpbodner@gmail.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Marc Phillip Bodner
 920 EAST 17th STREET, APT. 116
 Brooklyn, NEW YORK 11230
 UNITED STATES
Phone: 212-810-2670 **Fax:** 323-934-0202
Correspondent e-mail: marcpbodner@gmail.com **Correspondent e-mail Authorized:** Yes

Domestic Representative

Domestic Representative Name: Marc Phillip Bodner **Phone:** 212-810-2670
Domestic Representative e-mail: marcpbodner@gmail.com **Domestic Representative e-mail Authorized:** Yes

Prosecution History

Date	Description	Proceeding Number
Nov. 17, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 17, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	76293
Nov. 17, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76293
Nov. 14, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	76293
Nov. 14, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jul. 13, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 13, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 06, 2007	CASE FILE IN TICRS	
Aug. 23, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 21, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
May 21, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 29, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 17, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 11, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 21, 1993	REGISTERED-PRINCIPAL REGISTER	
Sep. 28, 1993	PUBLISHED FOR OPPOSITION	
Aug. 27, 1993	NOTICE OF PUBLICATION	
Jul. 29, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	

Jul. 26, 1993 EXAMINER'S AMENDMENT MAILED
Jul. 19, 1993 CORRESPONDENCE RECEIVED IN LAW OFFICE
Jan. 29, 1993 NON-FINAL ACTION MAILED
Dec. 23, 1992 ASSIGNED TO EXAMINER

59851

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 21, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Nov. 17, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: HERBALIFE INTERNATIONAL, INC.

Assignment 1 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [2523/0782](#)

Pages: 13

Date Recorded: Aug. 07, 2002

Supporting Documents: [assignment-tm-2523-0782.pdf](#)

Assignor

Name: [HERBALIFE INTERNATIONAL, INC.](#)

Execution Date: Jul. 31, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Assignee

Name: [UBS AG, STAMFORD BRANCH](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Address: 677 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

Correspondent

Correspondent Name: SKADDEN, ARPS SLATE ET AL.

Correspondent Address: SION KIM, ESQ.
FOUR TIMES SQUARE
NEW YORK, NY 10036-6522

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: RELEASE (TRADEMARKS)

Reel/Frame: [3005/0862](#)

Pages: 8

Date Recorded: Jan. 06, 2005

Supporting Documents: [assignment-tm-3005-0862.pdf](#)

Assignor

Name: [USB AG, STAMFORD BRANCH](#)

Execution Date: Dec. 21, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Assignee

Name: [HERBALIFE INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Address: 1800 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067

Correspondent

Correspondent Name: SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

Correspondent Address: MATTHEW B. FAGIN, ESQ.
FOUR TIMES SQUARE
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [3006/0101](#)

Pages: 170

Date Recorded: Jan. 06, 2005

Supporting Documents: [assignment-tm-3006-0101.pdf](#)

Assignor

Name: [HERBALIFE INTERNATIONAL, INC.](#)

Execution Date: Dec. 21, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Assignee

Name: [MORGAN STANLEY & CO. INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1633 BROADWAY, 25TH FLOOR
NEW YORK, NEW YORK 10036

Correspondent

Correspondent Name: SKADDEN ARPS SLATE ET.AL.

Correspondent Address: MATTHEW B. FAGIN, ESQ.
FOUR TIMES SQUARE
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [3372/0716](#)

Pages: 165

Date Recorded: Jul. 25, 2006

Supporting Documents: [assignment-tm-3372-0716.pdf](#)

Assignor

Name: [MORGAN STANLEY & CO. INCORPORATED](#)

Execution Date: Jul. 21, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [HERBALIFE INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Address: 1800 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067

Correspondent

Correspondent Name: ELAINE KIFF, ESQ.

Correspondent Address: SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
FOUR TIMES SQUARE
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [3373/0070](#)

Pages: 167

Date Recorded: Jul. 31, 2006

Supporting Documents: [assignment-tm-3373-0070.pdf](#)

Assignor

Name: [HERBALIFE INTERNATIONAL, INC.](#)

Execution Date: Jul. 21, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Assignee

Name: [MERRILL LYNCH CAPITAL CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 4 WORLD FINANCIAL CENTER
22ND FLOOR

NEW YORK, NEW YORK 10080

Correspondent

Correspondent Name: ELAINE ZIFF, ESQ.

Correspondent Address: SKADDEN, ARPS, SLATE, MEAGHER ET AL.
FOUR TIMES SQUARE
NEW YORK, NEW YORK 10036

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 9

Type of Proceeding: Opposition

Proceeding Number: [91213485](#)

Filing Date: Nov 13, 2013

Status: Pending

Status Date: Nov 13, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: EU YAN SANG INTERNATIONAL LTD

Correspondent Address: Christie Baty Hudgins
Finnegan, Henderson, Farabow, Garrett &
901 New York Avenue, NW
Washington DC , 20001
UNITED STATES

Correspondent e-mail: docketing@finnegan.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL	Opposition Pending	85693396	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: Susan Hwang
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 43rd Floor
Los Angeles CA , 90071
UNITED STATES

Correspondent e-mail: shwang@sheppardmullin.com , kraygor@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Renewed	74556324	1969346
HERBALIFE	Renewed	76154006	2512368
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE NUTRITION CLUB	Registered	78502406	3399409
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448
HERBALIFE NUTRITION INSTITUTE	Registered	85369618	4170467
HERBALIFE	Registered	85658531	4402483

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 13, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2013	Dec 24, 2013
3	PENDING, INSTITUTED	Nov 14, 2013	
4	STIP FOR EXT	Dec 19, 2013	
5	EXTENSION OF TIME GRANTED	Dec 19, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91211166](#)

Filing Date: Jun 19, 2013

Status: Terminated

Status Date: Oct 04, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Carlsbad Trading Company, Inc.

Correspondent Address: CARLSBAD TRADING COMPANY INC
300 CARLSBAD VILLAGE DR , STE 108 225
CARLSBAD CA , 92008 2900
UNITED STATES

Correspondent e-mail: cberetz@carlsbadtrading.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
QUELLITALL	Abandoned - After Inter-Partes Decision	85706548	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS PARRY LLP
5670 WILSHIRE BLVD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Registered	77079192	3404283
HERBALIFE	Renewed	74327252	1811780
	Renewed	74556325	2002163
HFF HERBALIFE FAMILY FOUNDATION	Section 8 and 15 - Accepted and Acknowledged	78686482	3120358
HERBALIFE KIDS	Registered	77976715	3617448
	Registered	77609886	3642777
HERBALIFE	Renewed	76154006	2512368

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 19, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 19, 2013	Jul 29, 2013
3	PENDING, INSTITUTED	Jun 19, 2013	
4	NOTICE OF DEFAULT	Aug 14, 2013	
5	BD DECISION: SUSTAINED	Oct 04, 2013	
6	TERMINATED	Oct 04, 2013	

Type of Proceeding: Cancellation

Proceeding Number: [92057369](#)

Filing Date: Jun 19, 2013

Status: Pending

Status Date: Jun 19, 2013

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Sunu Harvest

Correspondent Address: STEPHANIE Y TOMATIS
SUNU HARVEST
4 CELTIC DR
ARDEN NC , 28704-9157
UNITED STATES

Correspondent e-mail: stephanie@mormoringa.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
MOR	Cancellation Pending	85484268	4189744

Plaintiff(s)**Name:** Herbalife International, Inc.**Correspondent Address:** ELIZABETH A LINFORD
LADAS & PARRY LLP
5670 WILSHIRE BOULEVARD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES**Correspondent e-mail:** elinford@la.ladas.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Registered	77079192	3404283
	Renewed	74327252	1811780
	Renewed	74556325	2002163
HFF HERBALIFE FAMILY FOUNDATION	Section 8 and 15 - Accepted and Acknowledged	78686482	3120358
HERBALIFE KIDS	Registered	77976715	3617448
	Registered	77609886	3642777
HERBALIFE	Renewed	76154006	2512368

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 19, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 20, 2013	Jul 30, 2013
3	PENDING, INSTITUTED	Jun 20, 2013	
4	NOTICE OF DEFAULT	Aug 14, 2013	
5	D RESP TO BD ORDER/INQUIRY	Sep 13, 2013	
6	BOARD'S ORDER	Sep 17, 2013	
7	TRIAL DATES RESET	Nov 06, 2013	
8	D MOT FOR EXT W/O CONSENT	Jan 05, 2014	
9	BD'S ORDER	Feb 05, 2014	

Type of Proceeding: Opposition**Proceeding Number:** [91207990](#)**Filing Date:** Nov 14, 2012**Status:** Terminated**Status Date:** Oct 04, 2013**Interlocutory Attorney:** MARY CATHERINE FAINT**Defendant****Name:** Madre Labs, Inc.**Correspondent Address:** C G GORDON MARTIN
THE LAW OFFICES OF C G GORDON MARTIN
99 SOUTH LAKE AVENUE, SUITE 501
PASADENA CA , 91101
UNITED STATES**Correspondent e-mail:** cggordonmartin@earthlink.net**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HERBALIVER	Abandoned - After Inter-Partes Decision	85647549	

Plaintiff(s)**Name:** Herbalife International, Inc.**Correspondent Address:** ELIZABETH A LINFORD
LADAS & PARRY LLP
5670 WILSHIRE BLVD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES**Correspondent e-mail:** elinford@la.ladas.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211

HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Section 8 and 15 - Accepted and Acknowledged	78967116	3324677
HERBALIFE KIDS	Registered	77975944	3535290
HERBALIFE KIDS	Registered	77976715	3617448

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 14, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2012	Dec 24, 2012
3	PENDING, INSTITUTED	Nov 14, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Dec 04, 2012	
5	EXTENSION OF TIME GRANTED	Dec 04, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Feb 19, 2013	
7	EXTENSION OF TIME GRANTED	Feb 19, 2013	
8	STIP FOR EXT	Apr 19, 2013	
9	EXTENSION OF TIME GRANTED	Apr 19, 2013	
10	P CHANGE OF CORRESP ADDRESS	May 17, 2013	
11	STIP FOR EXT	May 17, 2013	
12	EXTENSION OF TIME GRANTED	May 17, 2013	
13	STIP FOR EXT	Jun 20, 2013	
14	EXTENSION OF TIME GRANTED	Jun 20, 2013	
15	W/DRAW OF APPLICATION	Jun 21, 2013	
16	BD DECISION: DISMISSED W/O PREJ	Oct 04, 2013	
17	TERMINATED	Oct 04, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91205967](#)

Filing Date: Jul 05, 2012

Status: Terminated

Status Date: Apr 16, 2013

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: True Healthy Products, LLC

Correspondent Address: BRIAN S STEINBERGER
LAW OFFICES OF BRIAN S STEINBERGER PA
101 BREVARD AVE
COCOA FL , 32922-7904
UNITED STATES

Correspondent e-mail: brianss@vol.com , brianss.rosanne@vol.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE HEALTHYPRODUCTS	Abandoned - After Inter-Partes Decision	85413117	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS & PARRY LLP
5670 WILSHIRE BOULEVARD, SUITE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Registered	77079192	3404283
HERBALIFE	Renewed	74327252	1811780
	Renewed	74556325	2002163

HFF HERBALIFE FAMILY FOUNDATION	Section 8 and 15 - Accepted and Acknowledged	78686482	3120358
HERBALIFE KIDS	Registered	77976715	3617448
	Registered	77609886	3642777
HERBALIFE	Renewed	76154006	2512368

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 05, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 06, 2012	Aug 15, 2012
3	PENDING, INSTITUTED	Jul 06, 2012	
4	P MOT FOR EXT W/ CONSENT	Jul 20, 2012	
5	EXTENSION OF TIME GRANTED	Jul 20, 2012	
6	P MOT FOR EXT W/ CONSENT	Oct 12, 2012	
7	EXTENSION OF TIME GRANTED	Oct 12, 2012	
8	P MOT FOR EXT W/ CONSENT	Dec 04, 2012	
9	EXTENSION OF TIME GRANTED	Dec 04, 2012	
10	P MOT FOR EXT W/ CONSENT	Feb 06, 2013	
11	EXTENSION OF TIME GRANTED	Feb 06, 2013	
12	W/DRAW OF APPLICATION W/ CONSENT	Apr 12, 2013	
13	BD DECISION: DISMISSED W/O PREJ	Apr 16, 2013	
14	TERMINATED	Apr 16, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91199658](#)

Filing Date: May 02, 2011

Status: Terminated

Status Date: May 02, 2011

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: JOil (S) Pte. Ltd.

Correspondent Address: KATHRYN E SMITH
WOOD HERRON EVANS LLP
441 VINE ST STE 2700
CINCINNATI OH , 45202 2814
UNITED STATES

Correspondent e-mail: ksmith@whepatent.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
JOIL	Registered	79077912	4381515

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: ELIZABETH A LINFORD
LADAS PARRY LLP
5670 WILSHIRE BLVD STE 2100
LOS ANGELES CA , 90036
UNITED STATES

Correspondent e-mail: elinford@la.ladas.com , alogan@la.ladas.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Registered	77079192	3404283
HERBALIFE	Renewed	74327252	1811780
	Renewed	74556325	2002163
	Registered	77609886	3642777
HERBALIFE KIDS	Registered	77976715	3617448
HFF HERBALIFE FAMILY FOUNDATION	Section 8 and 15 - Accepted and Acknowledged	78686482	3120358

HERBALIFE

Renewed

[76154006](#)[2512368](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 02, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 04, 2011	Jun 13, 2011
3	PENDING, INSTITUTED	May 04, 2011	
4	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jun 07, 2011	
5	EXTENSION OF TIME GRANTED	Jun 07, 2011	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jul 11, 2011	
7	EXTENSION OF TIME GRANTED	Jul 11, 2011	
8	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 09, 2011	
9	EXTENSION OF TIME GRANTED	Aug 10, 2011	
10	ANSWER	Sep 12, 2011	
11	P'S MOT TO SUSP PEND DISP CIV ACTION	Jan 16, 2012	
12	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 18, 2012	
13	W/DRAW OF OPPOSITION	Jun 13, 2013	
14	BD DECISION: DISMISSED W/ PREJ	Jul 03, 2013	
15	TERMINATED	Jul 03, 2013	
16	BD DECISION: DISMISSED W/ PREJ	Jul 03, 2013	

Type of Proceeding: OppositionProceeding Number: [91179474](#)

Filing Date: Sep 12, 2007

Status: Terminated

Status Date: Jul 23, 2009

Interlocutory Attorney: LINDA M SKORO

Defendant

Name: George K. Zoorob

Correspondent Address: George K. Zoorob
1111 E Filmore Street
Colorado Springs CO , 80907-6372
UNITED STATESCorrespondent e-mail: gkzoorob@hotmail.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HERBALVIVE	Abandoned - After Inter-Partes Decision	78971706	

Plaintiff(s)

Name: Herbalife International, Inc.

Correspondent Address: Susan Hwang
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 48th Floor
Los Angeles CA , 90071
UNITED STATESCorrespondent e-mail: shwang@sheppardmullin.com , kragor@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211
HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Renewed	74556324	1969346
HERBALIFE	Renewed	76154006	2512368
TEAM HERBALIFE	Cancelled - Section 8	78630951	3182778

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 12, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 12, 2007	Oct 22, 2007

3	PENDING, INSTITUTED	Sep 12, 2007
4	ANSWER AND MOTION TO CONSOLIDATE	Sep 21, 2007
5	Dupl. of #4- - should be in 91179475	Sep 27, 2007
6	PROC CONSOLIDATED W/ 91179475	Oct 04, 2007
7	STIPULATION FOR AN EXTENSION OF TIME	Mar 19, 2008
8	EXTENSION OF TIME GRANTED	Mar 19, 2008
9	STIPULATION FOR AN EXTENSION OF TIME	Jun 27, 2008
10	EXTENSION OF TIME GRANTED	Jun 27, 2008
11	STIPULATION FOR AN EXTENSION OF TIME	Jul 25, 2008
12	EXTENSION OF TIME GRANTED	Jul 25, 2008
13	STIPULATION FOR AN EXTENSION OF TIME	Sep 25, 2008
14	EXTENSION OF TIME GRANTED	Sep 25, 2008
15	STIPULATION FOR AN EXTENSION OF TIME	Oct 24, 2008
16	EXTENSION OF TIME GRANTED	Oct 24, 2008
17	STIPULATION FOR AN EXTENSION OF TIME	Dec 23, 2008
18	EXTENSION OF TIME GRANTED	Dec 23, 2008
19	STIPULATION FOR AN EXTENSION OF TIME	Feb 20, 2009
20	EXTENSION OF TIME GRANTED	Feb 20, 2009
21	STIPULATION FOR AN EXTENSION OF TIME	Mar 24, 2009
22	EXTENSION OF TIME GRANTED	Mar 24, 2009
23	STIPULATION FOR AN EXTENSION OF TIME	Apr 23, 2009
24	EXTENSION OF TIME GRANTED	Apr 24, 2009
25	STIPULATION FOR AN EXTENSION OF TIME	Jun 22, 2009
26	EXTENSION OF TIME GRANTED	Jun 22, 2009
27	WITHDRAWAL OF APPLICATION WITH CONSENT	Jul 22, 2009
28	BD'S DECISION: DISMISSED W/O PREJUDICE	Jul 23, 2009
29	TERMINATED	Jul 23, 2009

Type of Proceeding: Opposition

Proceeding Number: 91179475	Filing Date: Sep 12, 2007
Status: Terminated	Status Date: Jul 23, 2009
Interlocutory Attorney: LINDA M SKORO	

Defendant

Name: Zoorob, George K.
Correspondent Address: ZOOROB, GEORGE K.
1111 E FILLMORE ST
COLORADO SPRINGS CO , 80907-6372
UNITED STATES
Correspondent e-mail: gkzoorob@hotmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAVIVE	Abandoned - After Inter-Partes Decision	78971675	

Plaintiff(s)

Name: Herbalife International, Inc.
Correspondent Address: Susan Hwang
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 48th Floor
Los Angeles CA , 90071
UNITED STATES
Correspondent e-mail: shwang@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	73274277	1254211

HERBALIFE	Renewed	74327252	1811780
HERBALIFE	Renewed	74556324	1969346
HERBALIFE	Renewed	76154006	2512368
TEAM HERBALIFE	Cancelled - Section 8	78630951	3182778

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 12, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 12, 2007	Oct 22, 2007
3	PENDING, INSTITUTED	Sep 12, 2007	
4	PROC CONSOLIDATED W/ 91179474	Oct 04, 2007	
5	BD'S DECISION: DISMISSED W/O PREJUDICE	Jul 23, 2009	
6	TERMINATED	Jul 23, 2009	

Type of Proceeding: Opposition

Proceeding Number: [91116710](#) Filing Date: Jan 10, 2000

Status: Terminated Status Date: Oct 30, 2000

Interlocutory Attorney: ALBERT J ZERVAS

Defendant

Name: HERBSTAR INTERNATIONAL, INC.

Correspondent Address: HERBSTAR INTERNATIONAL, INC.
250 WEST 39TH STREET 15TH FLOOR
NEW YORK NY , 10018-4414
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBSTAR	Abandoned - After Inter-Partes Decision	75378669	

Plaintiff(s)

Name: HERBALIFE INTERNATIONAL, INC.

Correspondent Address: KENNETH L. WILTON
SMALL LARKIN, LLP
10940 WILSHIRE BOULEVARD EIGHTEENTH FLOOR
LOS ANGELES CA , 90024
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALIFE	Renewed	74327252	1811780

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 10, 2000	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Jan 27, 2000	Mar 07, 2000
3	PENDING, INSTITUTED	Jan 27, 2000	
4	NOTICE OF DEFAULT	Jul 14, 2000	
5	BOARD'S DECISION: SUSTAINED	Oct 30, 2000	
6	TERMINATED	Oct 30, 2000	

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Mark: HERBALOZENGE

HERBALOZENGE

US Serial Number: 74350317
Application Filing Date: Jan. 21, 1993
US Registration Number: 1890772
Registration Date: Apr. 25, 1995
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Sep. 07, 2004
Publication Date: Jan. 31, 1995

Mark Information

Mark Literal Elements: HERBALOZENGE
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "HERBAL LOZENGE"
Acquired Distinctiveness Claim: In whole

Goods and Services

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

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

For: dietary and nutritional supplements of herbs and other nutrients, cough drops and antitussive pharmaceutical preparations

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 29, 1986

Use in Commerce: Jun. 01, 1986

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: NUTRAMARKS, INC.
Owner Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alison Pitt
Attorney Primary Email Address: legal@nutracorp.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Alison Pitt
 NutraMarks, Inc.
 1500 Kearns Boulevard, Suite B200
 Park City, UTAH 84060
 UNITED STATES

Phone: 435-655-6000

Fax: 435-658-5989

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 05, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 05, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 15, 2011	CASE FILE IN TICRS	
Mar. 21, 2011	CASE FILE IN TICRS	
Feb. 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 13, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 07, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 07, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 23, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 23, 2004	TEAS SECTION 8 & 9 RECEIVED	
Jul. 19, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 10, 2000	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 25, 1995	REGISTERED-PRINCIPAL REGISTER	
Jan. 31, 1995	PUBLISHED FOR OPPOSITION	
Jan. 02, 1995	NOTICE OF PUBLICATION	
Sep. 30, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 24, 1994	EXAMINER'S AMENDMENT MAILED	
Jul. 12, 1994	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 22, 1994	FINAL REFUSAL MAILED	
Jul. 16, 1993	NON-FINAL ACTION MAILED	
May 27, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 26, 1993	NON-FINAL ACTION MAILED	
Mar. 31, 1993	ASSIGNED TO EXAMINER	67971

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 25, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Apr. 15, 2011

Assignment Abstract Of Title Information

Summary

Assignment 1 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2119/0074](#)

Pages: 8

Date Recorded: Jul. 25, 2000

Supporting Documents: [assignment-tm-2119-0074.pdf](#)**Assignor**Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

AssigneeName: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Address: SUITE 200
201 SPEAR STREET
SAN FRANCISCO, CALIFORNIA 94105**Correspondent**

Correspondent Name: COOLEY GODWARD LLP

Correspondent Address: ATTN: MELANIE CASS
ONE MARITIME PLAZA, 20TH FLOOR
SAN FRANCISCO, CA 94111**Domestic Representative - Not Found****Assignment 2 of 9**

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2397/0129](#)

Pages: 7

Date Recorded: Nov. 20, 2001

Supporting Documents: [assignment-tm-2397-0129.pdf](#)**Assignor**Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

AssigneeName: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 201 SPEAR STREET, SUITE 200
SAN FRANCISCO, CALIFORNIA 94105**Correspondent**

Correspondent Name: GRAY CARY WARE & FREIDENRICH

Correspondent Address: ERIN O'BRIEN
4365 EXECUTIVE DRIVE, SUITE 1100
SAN DIEGO, CA 92121-2133**Domestic Representative - Not Found****Assignment 3 of 9**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2455/0891](#)

Pages: 19

Date Recorded: Feb. 25, 2002

Supporting Documents: [assignment-tm-2455-0891.pdf](#)**Assignor**Name: [MCZAND HERBAL, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

AssigneeName: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDAL, WASHINGTON 98248**Correspondent**

Correspondent Name: WELLS ST JOHN PS

Correspondent Address: GEORGE G. GRIGEL
601 W FIRST AVENUE
SUITE 1300
SPOKANE WA 99201-3828

Domestic Representative - Not Found

Assignment 4 of 9

Conveyance: REASSIGNMENT AND RELEASE OF SECURITY INTEREST

Reel/Frame: [2969/0672](#)

Pages: 6

Date Recorded: Nov. 04, 2004

Supporting Documents: [assignment-tm-2969-0672.pdf](#)

Assignor

Name: [COMERICA BANK](#)

Execution Date: Oct. 28, 2004

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 5 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3045/0616](#)

Pages: 9

Date Recorded: Mar. 14, 2005

Supporting Documents: [assignment-tm-3045-0616.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK](#)

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 2321 ROSECRANS AVE
SUITE 5000
EL SEGUNDO, CALIFORNIA 90245

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 6 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3081/0646](#)

Pages: 12

Date Recorded: May 11, 2005

Supporting Documents: [assignment-tm-3081-0646.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [MCG CAPITAL CORPORATION AS ADMINISTRATIVE AGENT AND AS ADMINISTRATIVE AGENT FOR ITSELF AND THE LENDERS](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Organized:

Address: 1100 WILSON BOULEVARD
SUITE 3000
ARLINGTON, VIRGINIA 22209

Correspondent

Correspondent Name: PETER H. CARSON, BINGHAM MCCUTCHEN LLP

Correspondent Address: THREE EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4067

Domestic Representative - Not Found

Assignment 7 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3478/0384](#)

Pages: 8

Date Recorded: Feb. 08, 2007

Supporting Documents: [assignment-tm-3478-0384.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Jan. 10, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [NUTRAMARKS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: ALISON PITT

Correspondent Address: 1400 KEARNS BOULEVARD, 2ND FLOOR
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 8 of 9

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3917/0900](#)

Pages: 6

Date Recorded: Jan. 13, 2009

Supporting Documents: [assignment-tm-3917-0900.pdf](#)

Assignor

Name: [COMERICA BANK](#)

Execution Date: Jan. 06, 2009

Legal Entity Type: TEXAS BANKING ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: C/O COOLEY GODWARD KRONISH LLP
4401 EASTGATE MALL
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 9 of 9

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [4919/0017](#)

Pages: 6

Date Recorded: Dec. 14, 2012

Supporting Documents: [assignment-tm-4919-0017.pdf](#)

Assignor

Name: [MCG CAPITAL CORPORATION AS
ADMINISTRATIVE AGENT FOR ITSELF AND
THE LENDER](#)

Execution Date: Feb. 24, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: PAUL A. MCLEAN

Correspondent Address: 2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

Domestic Representative - Not Found

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Mark: HERBAL NITRO



US Serial Number: 75843917
Application Filing Date: Nov. 09, 1999
US Registration Number: 2395815
Registration Date: Oct. 17, 2000
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jan. 16, 2010
Publication Date: Jul. 25, 2000

Mark Information

Mark Literal Elements: HERBAL NITRO
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM
Disclaimer: "HERBAL"

Goods and Services

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

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

For: dietary supplement
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 01, 1998
Use in Commerce: Oct. 04, 1999

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: HERBAL NITRO INC.
Owner Address: 1025 CALIMESA BLVD. 5B
CALIMESA, CALIFORNIA 92320
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: DANTE P SPANO
FAT FREE INTERNATIONAL
35133 RAVENCREST
YUCAIPA, CALIFORNIA 92399
UNITED STATES

Prosecution History

Date	Description	Proceeding Number
Jul. 31, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 16, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jan. 16, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 12, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Jan. 07, 2010	TEAS SECTION 8 & 9 RECEIVED	
Feb. 18, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED	65765
Feb. 02, 2006	CASE FILE IN TICRS	
Nov. 28, 2005	REGISTERED - SEC. 8 (6-YR) FILED	
Nov. 28, 2005	TEAS SECTION 8 RECEIVED	
Oct. 17, 2000	REGISTERED-PRINCIPAL REGISTER	
Jul. 25, 2000	PUBLISHED FOR OPPOSITION	
Jun. 26, 2000	NOTICE OF PUBLICATION	
Apr. 18, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 18, 2000	ASSIGNED TO EXAMINER	72150
Apr. 13, 2000	EXAMINER'S AMENDMENT MAILED	
Mar. 13, 2000	NON-FINAL ACTION MAILED	
Mar. 09, 2000	ASSIGNED TO EXAMINER	72150

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Oct. 17, 2010

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Jan. 16, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Spano, Dante P.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5076/0476](#)

Pages: 2

Date Recorded: Jul. 23, 2013

Supporting Documents: [assignment-tm-5076-0476.pdf](#)

Assignor

Name: [SPANO, DANTE P.](#)

Execution Date: Jul. 22, 2013

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

DBA, AKA, TA, Formerly: FORMERLY DANTE P. SPANO DBA FAT FREE INTERNATIONAL

Assignee

Name: [HERBAL NITRO INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 1025 CALIMESA BLVD. 5B
CALIMESA, CALIFORNIA 92320

Correspondent

Correspondent Name: DANTE P. SPANO

Correspondent Address: 35133 RAVENCREST CT.
YUCAIPA, CA 92399

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Cancellation

Proceeding Number: [92050127](#)

Filing Date: Oct 30, 2008

Status: Terminated

Status Date: Sep 15, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Blue Beverages Envasadora Ltd.

Correspondent Address: JEFFREY M FURR
2622 DEBOLT RD
UTICA OH , 43080-9604
UNITED STATES

Correspondent e-mail: JeffMFurr@aol.com , jeffmfurr@furrllawfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
NITRO ENERGY DRINK	Registered	78472068	3146505

Plaintiff(s)

Name: Dante Peter Spano

Correspondent Address: SHELLEY M. COBOS
LOZA & LOZA LLP
305 N 2ND AVE #127
UPLAND CA , 91786-6064
UNITED STATES

Correspondent e-mail: shelley@lozaip.com , tina@lozaip.com , shirley@lozaip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL NITRO	Renewed	75843917	2395815
LIQUID HERBAL NITRO	Registered	77508066	3816147

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 30, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 30, 2008	Dec 09, 2008
3	PENDING, INSTITUTED	Oct 30, 2008	
4	ANSWER	Dec 10, 2008	
5	STIPULATED PROTECTIVE ORDER	Feb 05, 2009	
6	P'S MOTION TO COMPEL DISCOVERY	Feb 13, 2009	
7	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 19, 2009	
8	D'S OPPOSITION/RESPONSE TO MOTION	Mar 06, 2009	
9	PROCEEDINGS RESUMED	Mar 12, 2009	
10	P'S MOT FOR SUM JUDGMENT (CONFIDENTIAL)	Jun 04, 2009	
11	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jun 22, 2009	
12	MOT TO AMEND ANSWER & AMENDED ANSWER	Jun 30, 2009	
13	P'S MOT FOR SUM JUDGMENT (PUBLIC)	Jun 30, 2009	
14	D'S OPPOSITION/RESPONSE TO MOTION	Jul 06, 2009	
15	P'S MOTION TO STRIKE	Jul 10, 2009	
16	D'S OPPOSITION TO MOTION FOR SUMM. JUDGEMENT	Jul 06, 2009	
17	P'S REPLY IN SUPPORT OF MOTION	Jul 20, 2009	
18	D'S OPPOSITION/RESPONSE TO MOTION	Jul 27, 2009	

19	PL'S MOT. FOR SUMM. JUDGMENT DENIED	Dec 07, 2009	
20	P'S NOTICE OF DISCOVERY DEPOSITION	Feb 05, 2010	
21	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 08, 2010	
22	SUSPENDED	Feb 08, 2010	
23	WITHDRAWAL OF PETITION FOR CANCELLATION	Aug 10, 2010	
24	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 20, 2010	Sep 19, 2010
25	WITHDRAWAL OF PETITION FOR CANCELLATION	Aug 26, 2010	
26	BOARD'S DECISION: DISMISSED	Sep 15, 2010	
27	TERMINATED	Sep 15, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91158258](#)

Filing Date: Sep 29, 2003

Status: Terminated

Status Date: Jul 26, 2004

Interlocutory Attorney: ANGELA LYKOS

Defendant

Name: Doctors for Nutrition, Inc.

Correspondent Address: Doctors for Nutrition, Inc.
415 South Granados Avenue
Solana Beach CA , 92075
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
LIQUID NITRO	Abandoned - After Inter-Partes Decision	78155908	

Plaintiff(s)

Name: Spano, Dante P.

Correspondent Address: DANTE P. SPANO
FAT FREE INTERNATIONAL
35133 RAVENCREST CT.
YUCAIPA CA , 92399
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL NITRO	Renewed	75843917	2395815

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 29, 2003	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 28, 2003	Dec 07, 2003
3	PENDING, INSTITUTED	Oct 28, 2003	
4	NOTICE OF DEFAULT	May 26, 2004	
5	BOARD'S DECISION: SUSTAINED	Jul 26, 2004	
6	TERMINATED	Jul 26, 2004	

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Mark: HERBAL PLUS

US Serial Number: 75014285
US Registration Number: 2004480
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Sep. 30, 2006
Publication Date: Jul. 09, 1996

Application Filing Date: Nov. 03, 1995
Registration Date: Oct. 01, 1996

Mark Information

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

Related Properties Information

International Registration Number: 0937567
International Application(s) /Registration(s) Based on this Property: Z1232238/0937567

Goods and Services

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

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

For: dietary supplements

International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)

U.S Class(es): 006, 018, 044, 046, 051, 052

First Use: Sep. 1992
Use in Commerce: Sep. 1992

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: GENERAL NUTRITION INVESTMENT COMPANY
Owner Address: 1011 Centre Road, Suite 322

Wilmington, DELAWARE 19805
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Janet P. Peyton
Attorney Primary Email Address: trademarks@mcguirewoods.com
Docket Number: 2036753-6002
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Janet P. Peyton
McGuireWoods LLP
901 E. Cary Street
Richmond, VIRGINIA 23219-4030
UNITED STATES
Phone: 804-775-1166
Fax: 804-698-2230
Correspondent e-mail: trademarks@mcguirewoods.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 04, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 04, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 02, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Oct. 02, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 24, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 24, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 25, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 11, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 30, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	65765
Sep. 30, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 16, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 16, 2006	PAPER RECEIVED	
Jun. 21, 2006	CASE FILE IN TICRS	
Jan. 02, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 12, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 12, 2002	PAPER RECEIVED	
Oct. 01, 1996	REGISTERED-PRINCIPAL REGISTER	
Jul. 09, 1996	PUBLISHED FOR OPPOSITION	
Jun. 07, 1996	NOTICE OF PUBLICATION	
Apr. 24, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 23, 1996	ASSIGNED TO EXAMINER	72519

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Oct. 01, 2006

TM Staff and Location Information

TM Staff Information - None
File Location

Assignment Abstract Of Title Information**Summary**

Total Assignments: 8

Registrant: GENERAL NUTRITION INVESTMENT
COMPANY**Assignment 1 of 8**

Conveyance: MERGER

Reel/Frame: [1948/0101](#)

Pages: 29

Date Recorded: Aug. 23, 1999

Supporting Documents: [assignment-tm-1948-0101.pdf](#)**Assignor**Name: [GENERAL NUTRITION INVESTMENT
COMPANY](#)

Execution Date: Feb. 01, 1999

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE**Assignee**Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where
Organized: ARIZONAAddress: 300 SIXTH AVENUE
PITTSBURGH, PENNSYLVANIA 15222**Correspondent**

Correspondent Name: GENERAL NUTRITION INVESTMENT COMPANY

Correspondent Address: DAVID J. SULLIVAN
300 SIXTH AVENUE
PITTSBURGH, PA 15222**Domestic Representative - Not Found****Assignment 2 of 8**

Conveyance: CHANGE OF NAME

Reel/Frame: [2756/0645](#)

Pages: 10

Date Recorded: Nov. 24, 2003

Supporting Documents: [assignment-tm-2756-0645.pdf](#)**Assignor**Name: [GENERAL NUTRITION INVESTMENT
COMPANY](#)

Execution Date: Oct. 28, 2003

Legal Entity Type: CORPORATION

State or Country Where
Organized: ARIZONA**Assignee**Name: [GN INVESTMENT OLDSCO COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where
Organized: ARIZONAAddress: 300 SIXTH STREET
PITTSBURGH, PENNSYLVANIA 15222**Correspondent**

Correspondent Name: VEDDER, PRICE, KAUFMAN & KAMM HOLZ

Correspondent Address: HOLLY MILLER
222 NORTH LASALLE STREET
24TH FLOOR
CHICAGO, IL 60601**Domestic Representative - Not Found****Assignment 3 of 8**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2762/0001](#)

Pages: 39

Date Recorded: Dec. 09, 2003

Supporting Documents: [assignment-tm-2762-0001.pdf](#)**Assignor**Name: [GN INVESTMENT OLDSCO COMPANY](#)

Execution Date: Dec. 05, 2003

Legal Entity Type: CORPORATION

State or Country Where
Organized: ARIZONA**Assignee**

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Address: 300 SIXTH STREET
PITTSBURGH, PENNSYLVANIA 15222

Correspondent

Correspondent Name: VEDDER, PRICE, KAUFMAN & KAMMHOLZ

Correspondent Address: HOLLY MILLER
222 N. LASALLE ST.
24TH FLOOR
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 4 of 8

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2894/0022](#)

Pages: 14

Date Recorded: Dec. 30, 2003

Supporting Documents: [assignment-tm-2894-0022.pdf](#)

Assignor

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Execution Date: Dec. 05, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Assignee

Name: [LEHMAN COMMERCIAL PAPER INC., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: 745 SEVENTH AVENUE, 8TH FLOOR
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: LOTHAM & WATKINS

Correspondent Address: ROSALIND RODBURG
885 3RD AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 5 of 8

Conveyance: RELEASE OF SECURITY INTEREST AT REEL/FRAME NO. 2894/0022

Reel/Frame: [3517/0793](#)

Pages: 18

Date Recorded: Apr. 09, 2007

Supporting Documents: [assignment-tm-3517-0793.pdf](#)

Assignor

Name: [LEHMAN COMMERCIAL PAPER, INC.](#)

Execution Date: Mar. 16, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Address: 300 SIXTH STREET
PITTSBURGH, PENNSYLVANIA 15222

Correspondent

Correspondent Name: LATHAM & WATKINS LLP

Correspondent Address: 650 TOWN CENTER DRIVE
SUITE 2000
COSTA MESA, CA 92626

Domestic Representative - Not Found

Assignment 6 of 8

Conveyance: INTELLECTUAL PROPERTY SECURITY AGREEMENT

Reel/Frame: [3525/0297](#)

Pages: 76

Date Recorded: Apr. 19, 2007

Supporting Documents: [assignment-tm-3525-0297.pdf](#)

Assignor

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Execution Date: Mar. 16, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Assignee

Name: [JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Address: 270 PARK AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: LATHAM & WATKINS LLP

Correspondent Address: 650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CA 92626

Domestic Representative - Not Found

Assignment 7 of 8

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [4491/0157](#)

Pages: 75

Date Recorded: Mar. 04, 2011

Supporting Documents: [assignment-tm-4491-0157.pdf](#)

Assignor

Name: [JPMORGAN CHASE BANK, N.A.](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: NEW YORK

Assignee

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Legal Entity Type: COMPANY

State or Country Where Organized: ARIZONA

Address: 1002 SOUTH 63RD AVENUE AT BUCKEYE
PHOENIX, ARIZONA 85043

Correspondent

Correspondent Name: PROSKAUER ROSE LLP

Correspondent Address: ONE INTERNATIONAL PLACE
BOSTON, MA 02110

Domestic Representative - Not Found

Assignment 8 of 8

Conveyance: SECURITY INTEREST

Reel/Frame: [4496/0412](#)

Pages: 124

Date Recorded: Mar. 15, 2011

Supporting Documents: [assignment-tm-4496-0412.pdf](#)

Assignor

Name: [GNC CORPORATION](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [GENERAL NUTRITION CENTERS, INC.](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [GENERAL NUTRITION CORPORATION](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Name: [GNC TRANSPORTATION, LLC](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: PENNSYLVANIA

Name: [GNC FUNDING, INC.](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 383 MADISON AVENUE, 24TH FLOOR
NEW YORK, NEW YORK 10179

Correspondent

Correspondent Name: MINDY M. LOK, ESQ.

Correspondent Address: SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Name/Address: Tishcon Corp
30 New York Ave
Westbury, NEW YORK 11590
UNITED STATES

Correspondent e-mail: james@tishcon.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 04, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 04, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 24, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED	68335
Apr. 24, 2009	ASSIGNED TO PARALEGAL	68335
Apr. 22, 2009	TEAS SECTION 8 RECEIVED	
Jul. 18, 2007	CASE FILE IN TICRS	
Sep. 16, 2003	REGISTERED-PRINCIPAL REGISTER	
Jul. 10, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 10, 2003	ASSIGNED TO EXAMINER	72503
Jun. 13, 2003	STATEMENT OF USE PROCESSING COMPLETE	
May 12, 2003	USE AMENDMENT FILED	
May 13, 2003	PAPER RECEIVED	
Nov. 12, 2002	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 20, 2002	PUBLISHED FOR OPPOSITION	
Jul. 31, 2002	NOTICE OF PUBLICATION	
Jun. 03, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 14, 2000	LETTER OF SUSPENSION MAILED	
Feb. 16, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 16, 1999	NON-FINAL ACTION MAILED	
Jul. 22, 1999	ASSIGNED TO EXAMINER	72503
Jul. 13, 1999	ASSIGNED TO EXAMINER	74290
Jul. 09, 1999	ASSIGNED TO EXAMINER	72617

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 24, 2009

Attorney Name: FRANK H. ANDORKA

Correspondent

Correspondent Name/Address: FRANK H ANDORKA
BAKER HOSTETLER
NATIONAL CITY
1900 E 9TH ST STE 3200
CLEVELAND, OHIO 44114-3485
UNITED STATES

Domestic Representative

Domestic Representative Name: FRANK H. ANDORKA AND BAKER &
HOSTETLER

Prosecution History

Date	Description	Proceeding Number
Dec. 11, 2008	CASE FILE IN TICRS	
Nov. 03, 2000	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Nov. 03, 2000	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 23, 2000	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 08, 1996	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 08, 1995	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 20, 1990	REGISTERED-PRINCIPAL REGISTER	
Dec. 26, 1989	PUBLISHED FOR OPPOSITION	
Nov. 27, 1989	NOTICE OF PUBLICATION	
Oct. 14, 1989	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 25, 1989	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 30, 1989	NON-FINAL ACTION MAILED	
Jul. 19, 1989	ASSIGNED TO EXAMINER	60740

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 20, 2000

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: SCANNING ON DEMAND

Date in Location: Dec. 11, 2008

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Mark: HERBAL SLIM

US Serial Number: 73216166
US Registration Number: 1160578
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Aug. 16, 2011
Publication Date: Apr. 21, 1981
Application Filing Date: May 18, 1979
Registration Date: Jul. 14, 1981

Mark Information

Mark Literal Elements: HERBAL SLIM
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: No claim is made to exclusive use of the word "Herbal" apart from the mark as shown.

Goods and Services

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

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

For: Dietary Supplements Containing Herbs
International Class(es): 005 - Primary Class
U.S Class(es): 018
Class Status: ACTIVE
Basis: 1(a)
First Use: May 11, 1977
Use in Commerce: May 11, 1977

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: NATURE'S WAY PRODUCTS, INC.
Owner Address: 825 Challenger Drive
Green Bay, WISCONSIN 54311
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: CHAD WIEGAND

Attorney Primary Email cwiegand@enzy.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: CHAD WIEGAND
NATURE'S WAY PRODUCTS, INC.
825 CHALLENGER DRIVE
GREEN BAY, WISCONSIN 54311
UNITED STATES

Phone: 920-469-4402

Fax: 920-469-4429

Correspondent e-mail: cwiegand@enzy.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 16, 2011	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	64591
Aug. 16, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Aug. 15, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Jul. 05, 2011	TEAS SECTION 8 & 9 RECEIVED	
Jan. 06, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 06, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 16, 2009	CASE FILE IN TICRS	
Jul. 09, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 09, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 06, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 16, 1987	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 22, 1987	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 14, 1981	REGISTERED-PRINCIPAL REGISTER	
Apr. 21, 1981	PUBLISHED FOR OPPOSITION	
Feb. 24, 1981	NOTICE OF PUBLICATION	
Oct. 09, 1980	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 08, 1980	NON-FINAL ACTION MAILED	
Aug. 23, 1979	ASSIGNED TO EXAMINER	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 14, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Aug. 16, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 7

Registrant: Old Fashioned Herb Co., Inc.

Assignment 1 of 7

Conveyance: CERTIFIED COPY OF A CHANGE OF NAME FILED IN THE OFFICE OF THE LT. GOVERNOR/SECRETARY OF STATE OF UTAH ON FEB. 1, 1980.

Reel/Frame: [0368/0514](#)

Pages: 3

Date Recorded: May 13, 1980

Supporting Documents: No Supporting Documents Available

Assignor

Name: [OLD FASHIONED HERB CO.](#) Execution Date: Apr. 22, 1980
Legal Entity Type: UNKNOWN State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [OLD FASHIONED HERB CO., INC.](#)
Legal Entity Type: UNKNOWN State or Country Where Organized: No Place Where Organized Found
Address: No Assignee Address Found

Correspondent

Correspondent Name: MCCUNE & MCCUNE
Correspondent Address: P.O. BOX 746
96 E. 100 S.
PROVO, UT 84601

Domestic Representative - Not Found

Assignment 2 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
Reel/Frame: [0549/0987](#) Pages: 1
Date Recorded: Jan. 20, 1987
Supporting Documents: No Supporting Documents Available

Assignor

Name: [OLD FASHIONED HERB CO. INC.](#) Execution Date: Jan. 15, 1987
Legal Entity Type: CORPORATION State or Country Where Organized: UTAH

Assignee

Name: [NATURE'S WAY PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: ARIZONA
Address: 10 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Correspondent

Correspondent Name: NATURE'S WAY PRODUCTS, INC.
Correspondent Address: 10 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UT 84663

Domestic Representative - Not Found

Assignment 3 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
Reel/Frame: [0730/0864](#) Pages: 0
Date Recorded: Aug. 06, 1990
Supporting Documents: No Supporting Documents Available

Assignor

Name: [NATURE'S WAY PRODUCTS, INC.](#) Execution Date: Jul. 17, 1990
Legal Entity Type: CORPORATION State or Country Where Organized: ARIZONA

Assignee

Name: [NATURE'S WAY PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: UTAH
Address: 10 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Correspondent

Correspondent Name: BRETT F. WOOD, ESQ.
Correspondent Address: NATURE'S WAY PRODUCTS, INC.
10 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UT 84663

Domestic Representative - Not Found

Assignment 4 of 7

Conveyance: SECURITY INTEREST
Reel/Frame: [1990/0160](#) Pages: 24

Date Recorded: Nov. 12, 1999

Supporting Documents: [assignment-tm-1990-0160.pdf](#)

Assignor

Name:	MMS HOLDING COMPANY FORMERLY MURDOCK MADAUS SCHABE HOLDING COMPANY	Execution Date:	Oct. 29, 1999
Legal Entity Type:	CORPORATION	State or Country Where Organized:	UTAH
Name:	NATURE'S WAY PRODUCTS, INC.	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	NATURALIFE CORPORATION	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	MURDOCK MADAUS SCHWABE PROFESSIONAL PRODUCTS, INC.	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	ALPHAPAK, INC.	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	HEALTH PRODUCTS INTERNATIONAL CORP.	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	MMS AMERICA CORPORATION	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	NUTRITION PROFESSIONALS, INC.	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	NATURAL PRODUCTS, INC.	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	MMS VENTURES, INC.	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	MMS INTERNATIONAL, INC.	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	MMS FOREIGN SALES CORPORATION	Execution Date:	Oct. 29, 1999
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found

Assignee

Name: [GENERAL ELECTRIC CAPITAL CORPORATION](#)
Legal Entity Type: CORPORATION
State or Country Where Organized: NEW YORK
Address: SUITE 2800
10 SOUTH LA SALLE
CHICAGO, ILLINOIS 60603

Correspondent

Correspondent Name: MURPHY SHENEMAN JULIAN & ROGERS
Correspondent Address: RANDY ROGERS, ESQ.
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 5 of 7

Conveyance: ASSIGNMENT & RELEASE OF PATENT TRADEMARK & COPOYRIGHT SECURITY AGREEMENT
Reel/Frame: [2322/0557](#) Pages: 19
Date Recorded: Apr. 10, 2001

Supporting Documents: [assignment-tm-2322-0557.pdf](#)

Assignor

Name: [GENERAL ELECTRIC CAPITAL CORPORATION](#) **Execution Date:** Mar. 27, 2001
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Assignee

Name: [MMS HOLDING COMPANY](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NATURE'S WAY PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NATURALIFE CORPORATION](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [MURDOCK MADAUS SCHWABE PROFESSIONAL PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [ALPHAPAK, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [HEALTH PRODUCTS INTERNATIONAL CORP.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [MMS AMERICA CORPORATION](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NUTRITION PROFESSIONALS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NATURAL PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [MMS VENTURES, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [MMS INTERNATIONAL INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY

SPRINGVILLE, UTAH 84663

Name: [NUTRITION PROFESSIONALS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Correspondent

Correspondent Name: MURPHY SHENEMAN JULIAN & ROGERS

Correspondent Address: RANDY ROGERS
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 6 of 7

Conveyance: SECURITY INTEREST

Reel/Frame: [2304/0719](#)

Pages: 16

Date Recorded: May 30, 2001

Supporting Documents: [assignment-tm-2304-0719.pdf](#)

Assignor

Name: [NATURE'S WAY PRODUCTS, INC.](#)

Execution Date: May 08, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [WELLS FARGO BUSINESS CREDIT, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Address: MAC C7300-300, 1740 BROADWY
DENVER, COLORADO 80274

Correspondent

Correspondent Name: DORSEY & WHITNEY LLP

Correspondent Address: CAROLYN PETERS
WELLS FARGO PLAZA
170 SOUTH MAIN STREET, SUITE 900
SALT LAKE CITY, UT 84101

Domestic Representative - Not Found

Assignment 7 of 7

Conveyance: (SECURITY AGREEMENT) RE-RECORD TO CORRECT THE NUMBER OF MICROFILM PAGES FROM 16 TO 15 AT REEL 2304 FRAME 0719.

Reel/Frame: [2326/0431](#)

Pages: 15

Date Recorded: May 30, 2001

Supporting Documents: [assignment-tm-2326-0431.pdf](#)

Assignor

Name: [NATURE'S WAY PRODUCTS, INC.](#)

Execution Date: May 08, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [WELLS FARGO BUSINESS CREDIT, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Address: MAC C7300-300, 1740 BROADWY
DENVER, COLORADO 80274

Correspondent

Correspondent Name: DORSEY & WHITNEY LLP

Correspondent Address: CAROLYN PETERS
WELLS FARGO PLAZA
170 SOUTH MAIN STREET, SUITE 900
SALT LAKE CITY, UT 84101

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-14 11:36:50 EST

Mark: HERBAL SLUMBER

HERBAL SLUMBER

US Serial Number: 75498013
Application Filing Date: Jun. 08, 1998
US Registration Number: 2267062
Registration Date: Aug. 03, 1999
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Sep. 08, 2009
Publication Date: May 11, 1999

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 1706209

Goods and Services

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

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

For: DIETARY SUPPLEMENTS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1986

Use in Commerce: Sep. 1986

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: NUTRAMARKS, INC.
Owner Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alison Pitt
Attorney Primary Email Address: legal@nutracorp.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Alison Pitt
 NUTRAMARKS, INC.
 1500 KEARNS BOULEVARD, SUITE B-200
 PARK CITY, UTAH 84060
 UNITED STATES

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Sep. 08, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Sep. 08, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 11, 2009	ASSIGNED TO PARALEGAL	69471
Aug. 07, 2009	TEAS SECTION 8 & 9 RECEIVED	
Aug. 24, 2006	CASE FILE IN TICRS	
Sep. 27, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 10, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 10, 2005	TEAS SECTION 8 & 15 RECEIVED	
Aug. 03, 1999	REGISTERED-PRINCIPAL REGISTER	
May 11, 1999	PUBLISHED FOR OPPOSITION	
Apr. 09, 1999	NOTICE OF PUBLICATION	
Feb. 22, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 12, 1999	EXAMINER'S AMENDMENT MAILED	
Feb. 11, 1999	ASSIGNED TO EXAMINER	74666

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 03, 2009

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: POST REGISTRATION

Date in Location: Sep. 08, 2009

Assignment Abstract Of Title Information**Summary**

Total Assignments: 2

Registrant: OWENS, CAROLINE

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2936/0621](#)

Pages: 8

Date Recorded: Sep. 14, 2004

Supporting Documents: [assignment-tm-2936-0621.pdf](#)

Assignor

Name: [OWENS, ANTHONY MARK](#)

Execution Date: May 14, 2004

Legal Entity Type: INDIVIDUAL

Citizenship: No Citizenship Found

Name: [OWENS, CAROLINE S.](#)

Execution Date: May 14, 2004

Legal Entity Type: INDIVIDUAL

Citizenship: No Citizenship Found

Name: [NATURAL BALANCE, INC.](#)

Execution Date: May 14, 2004

Legal Entity Type: CORPORATION

State or Country Where: COLORADO

Organized:

Name: [BODY GOLD, LLC](#)
Legal Entity Type: LTD LIAB JT ST CO

Execution Date: May 14, 2004
State or Country Where Organized: COLORADO

Name: [PEP INTERNATIONAL, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: May 14, 2004
State or Country Where Organized: COLORADO

Assignee

Name: [NUTRAMARKS, INC.](#)
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: NUTRAMARKS, INC.

Correspondent Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [3009/0096](#)

Pages: 11

Date Recorded: Jul. 23, 2004

Supporting Documents: [assignment-tm-3009-0096.pdf](#)

Assignor

Name: [NUTRAMARKS, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jun. 16, 2004
State or Country Where Organized: DELAWARE

Assignee

Name: [COOPERATIVE CENTRALE RAIFFEISEN-BOERENLEENBANK B.A](#)
Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Address: 245 PARK AVENUE
NEW YORK, NEW YORK 10167-0062

Correspondent

Correspondent Name: WHITE & CASE LLP

Correspondent Address: ELIZABETH A. NUNN
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-13 21:15:03 EST

Mark: HERBAL START ENERGY BOOSTER



US Serial Number: 73590871
US Registration Number: 1443801
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Oct. 13, 2006
Publication Date: Mar. 31, 1987

Application Filing Date: Mar. 31, 1986
Registration Date: Jun. 23, 1987

Mark Information

Mark Literal Elements: HERBAL START ENERGY BOOSTER
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Disclaimer: "HERBAL" AND "ENERGY BOOSTER"
Design Search Code(s): 01.15.04 - Explosions; Sparks; Fireworks display
26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders

Goods and Services

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

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

For: VITAMINS, MINERALS AND DIETARY SUPPLEMENTS

International Class(es): 005 - Primary Class
U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 09, 1986
Use in Commerce: Jan. 09, 1986

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PACIFIC PACKAGING CONCEPTS, INC.
DBA, AKA, Formerly: DBA C & A ENTERPRISES
Owner Address: 1067 E. BEDMAR STREET
CARSON, CALIFORNIA 90746
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: I. MORLEY DRUCKER

Correspondent

Correspondent Name/Address: I MORLEY DRUCKER
FULWIDER PATTON LLP
6060 CTR DR
10TH FL
LOS ANGELES, CALIFORNIA 90045
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2006	CASE FILE IN TICRS	
Oct. 13, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Oct. 13, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 29, 2006	ASSIGNED TO PARALEGAL	64591
Aug. 10, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 10, 2006	PAPER RECEIVED	
Apr. 05, 1993	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 24, 1992	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 23, 1987	REGISTERED-PRINCIPAL REGISTER	
Mar. 31, 1987	PUBLISHED FOR OPPOSITION	
Feb. 28, 1987	NOTICE OF PUBLICATION	
Jan. 23, 1987	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 02, 1987	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 09, 1986	NON-FINAL ACTION MAILED	
Dec. 05, 1986	ALLOWANCE/COUNT WITHDRAWN	
Oct. 28, 1986	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 12, 1986	NON-FINAL ACTION MAILED	
Jun. 05, 1986	ASSIGNED TO EXAMINER	62177

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 23, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Oct. 30, 2006

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: AUBREY ENTERPRISES, INC.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0698/0989](#)

Pages: 0

Date Recorded: Apr. 03, 1990

Supporting Documents: No Supporting Documents Available

Assignor

Name: [AUBREY ENTERPRISES, INC.](#)

Execution Date: Dec. 07, 1989

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PACIFIC PACKAGING CONCEPTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 717 EAST GARDENA BOULEVARD
GARDENA, CALIFORNIA 90248

Correspondent

Correspondent Name:

Correspondent Address: No Correspondent Address Found

Domestic Representative - Not Found

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Mark: HERBAL START

US Serial Number: 73590868
US Registration Number: 1416373
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jun. 09, 2006
Publication Date: Aug. 19, 1986

Application Filing Date: Mar. 31, 1986
Registration Date: Nov. 11, 1986

Mark Information

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

Goods and Services

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

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

For: VITAMINS, MINERALS AND DIETARY SUPPLEMENTS

International Class(es): 005 - Primary Class
U.S Class(es): 018

Class Status: ACTIVE
Basis: 1(a)

First Use: Jan. 09, 1986
Use in Commerce: Jan. 09, 1986

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PACIFIC PACKAGING CONCEPTS, INC.
DBA, AKA, Formerly: DBA FRESH START VITAMINS, INC. AND C&A ENTERPRISES, INC.
Owner Address: 1067 E. BEDMAR ST.
CARSON, CALIFORNIA 90746
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: I MORLEY DRUCKER

Correspondent

Correspondent Name/Address: I MORLEY DRUCKER
 FULWIDER PATTON LEE UTECHT LLP
 6060 CTR DR 10TH FL
 LOS ANGELES, CALIFORNIA 90045
 UNITED STATES

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jun. 09, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59807
Jun. 09, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 06, 2006	ASSIGNED TO PARALEGAL	59807
Mar. 01, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 01, 2006	PAPER RECEIVED	
Jan. 24, 2001	COUNTERCLAIM OPP. NO. 999999	119552
Feb. 05, 1993	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 30, 1992	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 11, 1986	REGISTERED-PRINCIPAL REGISTER	
Aug. 19, 1986	PUBLISHED FOR OPPOSITION	
Jul. 20, 1986	NOTICE OF PUBLICATION	
Jun. 16, 1986	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 10, 1986	EXAMINER'S AMENDMENT MAILED	
Jun. 05, 1986	ASSIGNED TO EXAMINER	62177

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 11, 2006

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: POST REGISTRATION

Date in Location: Jun. 09, 2006

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Registrant: AUBREY ENTERPRISES, INC.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0698/0989](#)

Pages: 0

Date Recorded: Apr. 03, 1990

Supporting Documents: No Supporting Documents Available

Assignor

Name: [AUBREY ENTERPRISES, INC.](#)

Execution Date: Dec. 07, 1989

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PACIFIC PACKAGING CONCEPTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 717 EAST GARDENA BOULEVARD
GARDENA, CALIFORNIA 90248

Correspondent

Correspondent Name:

Correspondent Address: No Correspondent Address Found

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91119552](#)

Filing Date: Apr 28, 2000

Status: Terminated

Status Date: Jul 24, 2000

Interlocutory Attorney: ANGELA LYKOS

Defendant

Name: BASIC RESEARCH, L.L.C.

Correspondent Address: DENNIS W. GAY
BASIC RESEARCH, LLC
5742 WEST HAROLD GATTY DR
SALT LAKE CITY UT , 84116
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
THYROSTART	Section 8 and 15 - Accepted and Acknowledged	75516313	2990795

Plaintiff(s)

Name: PACIFIC PACKAGING CONCEPTS, INC. DBA FRESH START VITAMIN CO. DBA C & A ENTERPRISES

Correspondent Address: I. MORLEY DRUCKER
FULWIDER PATTON LEE & UTECHT, LLP
6060 CENTER DRIVE 10TH FLOOR
LOS ANGELES CA , 90045
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HEART START	Renewed	73812917	1589678
HERBAL START	Renewed	73590868	1416373
SUPER START	Renewed	73590870	1444789
HEART START	Renewed	73812917	1589678

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 28, 2000	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Jul 24, 2000	Sep 02, 2000
3	PENDING, INSTITUTED	Jul 24, 2000	
4	ANSWER & COUNTERCLAIM	Sep 11, 2000	
5	PL'S CHANGE OF ADDRESS	Dec 05, 2000	
6	PL'S ANSWER TO COUNTERCLAIM DUE 2/24/01	Jan 24, 2001	
7	D'S MOT TO EXT TIME FOR D TO SERVE IT'S RESP. TO PLS INTERROG W/CON	Jan 16, 2001	
8	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 24, 2001	
9	STIPULATION FOR AN EXTENSION OF TIME	Feb 05, 2001	
10	ANSWER TO COUNTERCLAIM	Feb 20, 2001	
11	STIPULATED PROTECTIVE ORDER	Mar 20, 2001	
12	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 26, 2001	
13	D'S REPLY IN FURTHER SUPPORT OF IT'S MOT FOR SJ/DECLARATION	Jun 13, 2001	
14	D'S MOTION FOR SJ	Mar 30, 2001	

15	DELETE ENTRY	Jul 12, 2001	
16	P'S OPP TO D'S MOT FOR SJ	May 17, 2001	
17	S.J. DENIED; PROCS RESUMED; T. D. RESET	Sep 17, 2001	
18	STIP. TO EXT. TIME	Dec 26, 2001	
19	D'S CHANGE OF ADDRESS	Dec 26, 2001	
20	REQ TO WITHDRAW AS DEF'S COUNSEL	Jun 03, 2002	
21	WITHDRAWAL GRANTED; DEF. ALLOWED 30 DYS TO APPOINT NEW COUNSEL	Sep 04, 2002	
22	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 18, 2003	May 18, 2003
23	DEF RESPONSE TO SHOW CAUSE ORDER	May 05, 2003	
24	PARTIES HAVE UNTIL 9/29/03 TO FILE AMENDMENT; PROC. REMAIN SUSPENDED	Aug 29, 2003	
25	P'S REQ FOR DISM W/PREJ	Oct 02, 2003	
26	D'S MOTION TO AMEND ITS APPLICATION	Dec 03, 2003	
27	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 20, 2004	
28	TERMINATED	Aug 20, 2004	

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Mark: HERBAL TECHNOLOGIES

US Serial Number: 74620716
US Registration Number: 1963594
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Sep. 13, 1995
Status: A Section 8 declaration has been accepted.
Status Date: Jan. 14, 2002

Application Filing Date: Jan. 05, 1995
Registration Date: Mar. 19, 1996

Mark Information

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

Goods and Services

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

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

For: dietary supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 10, 1994

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Oct. 10, 1994

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: NATURAL ORGANICS, INC.
Owner Address: 548 Broadhollow Road
Melville, NEW YORK 11747
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: PASQUALE A. RAZZANO

Docket Number: P.2732.209

Correspondent

Correspondent Name/Address: PASQUALE A RAZZANO
 FITZPATRICK, CELLA, HARPER & SCINTO
 30 ROCKEFELLER PLZ
 NEW YORK, NEW YORK 10112-3801
 UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 17, 2006	CASE FILE IN TICRS	
Jan. 14, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Nov. 20, 2001	REGISTERED - SEC. 8 (6-YR) FILED	
May 20, 1998	CANCELLATION TERMINATED NO. 999999	26775
May 20, 1998	CANCELLATION DISMISSED NO. 999999	26775
Oct. 15, 1997	CANCELLATION INSTITUTED NO. 999999	26775
Mar. 19, 1996	REGISTERED-SUPPLEMENTAL REGISTER	
Dec. 07, 1995	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Sep. 13, 1995	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 30, 1995	NON-FINAL ACTION MAILED	
May 15, 1995	ASSIGNED TO EXAMINER	71994

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Aug. 17, 2006

Proceedings**Summary**

Number of Proceedings: 1

Type of Proceeding: CancellationProceeding Number: [92026775](#)

Filing Date: Sep 10, 1997

Status: Terminated

Status Date: May 20, 1998

Interlocutory Attorney: TERRY E HOLTZMAN

Defendant

Name: NATURAL ORGANICS, INC.

Correspondent Address: PASQUALE A. RAZZANO
 FITZPATRICK, CELLA, HARPER & SCINTO
 277 PARK AVENUE
 NEW YORK NY , 10172
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBAL TECHNOLOGIES	Section 8 - Accepted	74620716	1963594

Plaintiff(s)

Name: HERBTECH INC.

Correspondent Address: STEPHEN J. JEFFRIES
 GADSBY & HANNAH LLP
 7TH FLOOR 1747 PENNSYLVANIA AVENUE, N.W.
 WASHINGTON DC , 20006
 UNITED STATES

Associated marks

Mark	Serial	Registration

Mark	Application Status	Number	Number
HERBTECH	Cancelled - Section 8	75036187	2373098
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 10, 1997	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Oct 15, 1997	Nov 24, 1997
3	PENDING, INSTITUTED	Oct 15, 1997	
4	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Nov 24, 1997	
5	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 23, 1998	
6	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Mar 25, 1998	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Mar 27, 1998	
8	WITHDRAWAL OF PETITION FOR CANCELLATION	Apr 29, 1998	
9	BOARD'S DECISION: DISMISSED W/ PREJUDICE	May 20, 1998	
10	TERMINATED	May 20, 1998	

Attorney Primary Email john.yung@bullivant.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: John P. Yung
Bullivant Houser Bailey PC
1415 L Street
Suite 1000
Sacramento, CALIFORNIA 95814
UNITED STATES

Phone: (916) 930-2524

Fax: (916) 930-2501

Correspondent e-mail: john.yung@bullivant.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 23, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
May 23, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 13, 2008	ASSIGNED TO PARALEGAL	68335
May 01, 2008	TEAS SECTION 8 & 9 RECEIVED	
Aug. 03, 2007	CASE FILE IN TICRS	
Jan. 12, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 05, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 05, 2003	TEAS SECTION 8 & 15 RECEIVED	
Oct. 06, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 12, 1998	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 12, 1998	ASSIGNED TO EXAMINER	63030
Aug. 07, 1998	STATEMENT OF USE PROCESSING COMPLETE	
Jul. 24, 1998	USE AMENDMENT FILED	
Feb. 17, 1998	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 25, 1997	PUBLISHED FOR OPPOSITION	
Oct. 24, 1997	NOTICE OF PUBLICATION	
Sep. 26, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 1997	EXAMINER'S AMENDMENT MAILED	
Sep. 18, 1997	ASSIGNED TO EXAMINER	63030

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 06, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: May 23, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Nuherbs Company

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1878/0162](#)

Pages: 4

Date Recorded: Mar. 22, 1999

Supporting Documents: [assignment-tm-1878-0162.pdf](#)

Assignor

Name: [LAU, HENRY K.C. DBA NUHERBS COMPANY](#)

Execution Date: Feb. 17, 1999

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [NUHERBS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 3820 PENNIMAN AVENUE
OAKLAND, CALIFORNIA 94619

Correspondent

Correspondent Name: REGINA J. SCHRODER

Correspondent Address: 300 CAPITOL MALL, SUITE 1100
SACRAMENTO, CALIFORNIA 95814

Domestic Representative - Not Found

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Mark: HERBAL UP

US Serial Number: 73705372
Application Filing Date: Jan. 13, 1988
US Registration Number: 1510643
Registration Date: Nov. 01, 1988
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 28, 2009
Publication Date: Aug. 09, 1988

Mark Information

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

Goods and Services

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

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

For: VITAMINS AND NUTRITIONAL DIETARY SUPPLEMENTS

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 23, 1983

Use in Commerce: Dec. 23, 1983

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: NATURE'S WAY PRODUCTS, INC.
Owner Address: 825 Challenger Drive
Green Bay, WISCONSIN 54311
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: LOREN D. ISRAELSEN

Correspondent

Correspondent Name/Address: Chad Wiegan
 Nature's Way Products, Inc.
 825 Challenger Drive
 Green Bay, WISCONSIN 54311
 UNITED STATES

Phone: 920-469-4402

Fax: 920-469-4429

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 06, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 06, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 28, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Mar. 28, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 23, 2009	ASSIGNED TO PARALEGAL	70131
Jan. 19, 2009	TEAS SECTION 8 & 9 RECEIVED	
Jul. 15, 2008	CASE FILE IN TICRS	
Mar. 17, 1994	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 12, 1993	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 01, 1988	REGISTERED-PRINCIPAL REGISTER	
Aug. 09, 1988	PUBLISHED FOR OPPOSITION	
Jul. 08, 1988	NOTICE OF PUBLICATION	
Jun. 17, 1988	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 18, 1988	EXAMINERS AMENDMENT MAILED	
Apr. 09, 1988	NON-FINAL ACTION MAILED	
Mar. 14, 1988	ASSIGNED TO EXAMINER	66354

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 01, 2008

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: POST REGISTRATION

Date in Location: Mar. 28, 2009

Assignment Abstract Of Title Information**Summary**

Total Assignments: 5

Registrant: NATURE'S WAY PRODUCTS, INC.

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0730/0864](#)

Pages: 0

Date Recorded: Aug. 06, 1990

Supporting Documents: No Supporting Documents Available

Assignor

Name: [NATURE'S WAY PRODUCTS, INC.](#)

Execution Date: Jul. 17, 1990

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Assignee

Name: [NATURE'S WAY PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 10 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Correspondent

Correspondent Name: BRETT F. WOOD, ESQ.

Correspondent Address: NATURE'S WAY PRODUCTS, INC.
10 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UT 84663

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [1990/0160](#)

Pages: 24

Date Recorded: Nov. 12, 1999

Supporting Documents: [assignment-tm-1990-0160.pdf](#)

Assignor

Name: [MMS HOLDING COMPANY FORMERLY
MURDOCK MADAUS SCHABE HOLDING
COMPANY](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Name: [NATURE'S WAY PRODUCTS, INC.](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [NATURALIFE CORPORATION](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [MURDOCK MADAUS SCHWABE
PROFESSIONAL PRODUCTS, INC.](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [ALPHAPAK, INC.](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [HEALTH PRODUCTS INTERNATIONAL CORP.](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [MMS AMERICA CORPORATION](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [NUTRITION PROFESSIONALS, INC.](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [NATURAL PRODUCTS, INC.](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [MMS VENTURES, INC.](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [MMS INTERNATIONAL, INC.](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [MMS FOREIGN SALES CORPORATION](#)

Execution Date: Oct. 29, 1999

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GENERAL ELECTRIC CAPITAL CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: SUITE 2800
10 SOUTH LA SALLE
CHICAGO, ILLINOIS 60603

Correspondent

Correspondent Name: MURPHY SHENEMAN JULIAN & ROGERS

Correspondent Address: RANDY ROGERS, ESQ.
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNMENT & RELEASE OF PATENT TRADEMARK & COPOYRIGHT SECURITY AGREEMENT

Reel/Frame: [2322/0557](#)

Pages: 19

Date Recorded: Apr. 10, 2001

Supporting Documents: [assignment-tm-2322-0557.pdf](#)

Assignor

Name: [GENERAL ELECTRIC CAPITAL CORPORATION](#)

Execution Date: Mar. 27, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [MMS HOLDING COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NATURE'S WAY PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NATURALIFE CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [MURDOCK MADAUS SCHWABE PROFESSIONAL PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [ALPHAPAK, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [HEALTH PRODUCTS INTERNATIONAL CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [MMS AMERICA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NUTRITION PROFESSIONALS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NATURAL PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [MMS VENTURES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [MMS INTERNATIONAL INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Name: [NUTRITION PROFESSIONALS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 1375 MOUNTAIN SPRINGS PARKWAY
SPRINGVILLE, UTAH 84663

Correspondent

Correspondent Name: MURPHY SHENEMAN JULIAN & ROGERS

Correspondent Address: RANDY ROGERS
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [2304/0719](#)

Pages: 16

Date Recorded: May 30, 2001

Supporting Documents: [assignment-tm-2304-0719.pdf](#)

Assignor

Name: [NATURE'S WAY PRODUCTS, INC.](#)

Execution Date: May 08, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [WELLS FARGO BUSINESS CREDIT, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Address: MAC C7300-300, 1740 BROADWY
DENVER, COLORADO 80274

Correspondent

Correspondent Name: DORSEY & WHITNEY LLP

Correspondent Address: CAROLYN PETERS
WELLS FARGO PLAZA
170 SOUTH MAIN STREET, SUITE 900
SALT LAKE CITY, UT 84101

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: (SECURITY AGREEMENT) RE-RECORD TO CORRECT THE NUMBER OF MICROFILM PAGES FROM 16 TO 15 AT REEL 2304
FRAME 0719.

Reel/Frame: [2326/0431](#)

Pages: 15

Date Recorded: May 30, 2001

Supporting Documents: [assignment-tm-2326-0431.pdf](#)

Assignor

Name: [NATURE'S WAY PRODUCTS, INC.](#)

Execution Date: May 08, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [WELLS FARGO BUSINESS CREDIT, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Address: MAC C7300-300, 1740 BROADWY
DENVER, COLORADO 80274

Correspondent

Correspondent Name: DORSEY & WHITNEY LLP

Correspondent Address: CAROLYN PETERS
WELLS FARGO PLAZA
170 SOUTH MAIN STREET, SUITE 900
SALT LAKE CITY, UT 84101

Domestic Representative - Not Found

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Mark: HERBAL WAY

HERBAL WAY

US Serial Number: 76650850
Application Filing Date: Nov. 28, 2005
US Registration Number: 3330121
Registration Date: Nov. 06, 2007
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 06, 2007
Publication Date: Sep. 26, 2006
Notice of Allowance Date: Dec. 19, 2006

Mark Information

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

Goods and Services

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

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

For: Vitamins and Dietary Supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 20, 2006
Use in Commerce: Oct. 20, 2006

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: E J Industries, Inc.
Owner Address: 8045 Highway 72 West, Suite 200
Madison, ALABAMA 35758
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: ALABAMA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen R. Greiner
Docket Number: 4020.00

Correspondent

Correspondent Name/Address: STEPHEN R GREINER
GREINER LAW OFFICES PC
6701 DEMOCRACY BLVD STE 110
BETHESDA, MARYLAND 20817-1589
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 06, 2007	REGISTERED-PRINCIPAL REGISTER	
Sep. 28, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	76243
Sep. 28, 2007	ASSIGNED TO LIE	76243
Aug. 28, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 06, 2007	STATEMENT OF USE PROCESSING COMPLETE	76985
May 31, 2007	USE AMENDMENT FILED	76985
May 31, 2007	PAPER RECEIVED	
Dec. 19, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 26, 2006	PUBLISHED FOR OPPOSITION	
Sep. 06, 2006	NOTICE OF PUBLICATION	
Aug. 08, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76538
Aug. 08, 2006	ASSIGNED TO LIE	76538
Jul. 24, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 22, 2006	AMENDMENT FROM APPLICANT ENTERED	76529
Jul. 12, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	76529
Jul. 12, 2006	PAPER RECEIVED	
Jun. 01, 2006	NON-FINAL ACTION MAILED	
Jun. 01, 2006	NON-FINAL ACTION WRITTEN	74288
Jun. 01, 2006	ASSIGNED TO EXAMINER	74288
Dec. 09, 2005	APPLICATION FILING RECEIPT MAILED	
Dec. 05, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 28, 2007

Generated on: This page was generated by TSDR on 2014-02-13 21:14:22 EST

Mark: HERBALIFELINE

US Serial Number: 73571155
Application Filing Date: Dec. 02, 1985
US Registration Number: 1406425
Registration Date: Aug. 26, 1986
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 04, 2006
Publication Date: Jun. 03, 1986

Mark Information

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

Goods and Services

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

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

For: NUTRITIONAL SUPPLEMENTS OF VITAMINS, MINERALS, MARINE LIPID COMPLEX AND HERBS IN CAPSULE FORM
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 07, 1983
Use in Commerce: Oct. 07, 1983

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: HERBALIFE INTERNATIONAL, INC.
Owner Address: 800 West Olympic Boulevard
Suite 406
Los Angeles, CALIFORNIA 90015
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: ELIZABETH A. LINFORD
Docket Number: 602000600

Correspondent

Correspondent Name/Address: ELIZABETH A. LINFORD,
Ladas & Parry LLP
5670 WILSHIRE BOULEVARD
SUITE 2100
LOS ANGELES, CALIFORNIA 90036
UNITED STATES

Phone: 323-934-2300

Fax: 323-934-0202

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jul. 13, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 13, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 13, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 13, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 04, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	71378
Nov. 04, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 27, 2006	ASSIGNED TO PARALEGAL	71378
Aug. 29, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Sep. 28, 2006	CASE FILE IN TICRS	
Aug. 29, 2006	PAPER RECEIVED	
Aug. 23, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 15, 1992	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 07, 1992	RESPONSE RECEIVED TO POST REG. ACTION	
Mar. 03, 1992	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	
Sep. 30, 1991	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 26, 1986	REGISTERED-PRINCIPAL REGISTER	
Jun. 03, 1986	PUBLISHED FOR OPPOSITION	
May 04, 1986	NOTICE OF PUBLICATION	
Feb. 27, 1986	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 07, 1986	ASSIGNED TO EXAMINER	62920

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 26, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Nov. 04, 2006

Assignment Abstract Of Title Information**Summary**

Total Assignments: 10

Registrant: HERBALIFE INTERNATIONAL

Assignment 1 of 10

Conveyance: CHANGE OF NAME 19840228

Reel/Frame: [0675/0056](#)

Pages: 0

Date Recorded: Oct. 16, 1989

Supporting Documents: No Supporting Documents Available

Assignor

Name: [HERBALIFE](#)
Legal Entity Type: LIMITED PARTNERSHIP

Execution Date: Feb. 21, 1984
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [HERBALIFE INTERNATIONAL](#)
Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: No Assignee Address Found

Correspondent

Correspondent Name: DICKSTEIN, SHAPIRO & MORIN
Correspondent Address: STE. 800, 8300 BOONE BLVD.
VIENNA, VA 22182

Domestic Representative - Not Found

Assignment 2 of 10

Conveyance: DUE TO DISSOLUTION OF PARTNERSHIP ALL ASSETS OF SAID ASSIGNOR WERE TRANSFERRED TO ASSIGNEE, EFFECTIVE JULY 1, 1986.

Reel/Frame: [0882/0070](#)

Pages: 4

Date Recorded: Jul. 07, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [HERBALIFE INTERNATIONAL, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jun. 30, 1986
State or Country Where Organized: CALIFORNIA

Assignee

Name: [HERBALIFE PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: No Assignee Address Found

Correspondent

Correspondent Name: DICKSTEIN, SHAPIRO & MORIN
Correspondent Address: CHARLES W. SABER
2101 L STREET, N.W.7-1526
WASHINGTON, DC 20037-1526

Domestic Representative - Not Found

Assignment 3 of 10

Conveyance: CHANGE OF NAME 19870109

Reel/Frame: [0675/0054](#)

Pages: 0

Date Recorded: Oct. 16, 1989

Supporting Documents: No Supporting Documents Available

Assignor

Name: [HERBALIFE INTERNATIONAL, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jan. 08, 1987
State or Country Where Organized: CALIFORNIA

Assignee

Name: [HERBALIFE INTERNATIONAL OF AMERICA, INC.](#)
Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: No Assignee Address Found

Correspondent

Correspondent Name: DICKSTEIN, SHAPIRO & MORIN
Correspondent Address: STE. 800, 8300 BOONE BLVD.
VIENNA, VA 22182

Domestic Representative - Not Found

Assignment 4 of 10

Conveyance: CHANGE OF NAME 19860701

Reel/Frame: [0685/0001](#)

Pages: 0

Date Recorded: Oct. 16, 1989

Supporting Documents: No Supporting Documents Available

Assignor

Name: [HERBALIFE PRODUCTS, INC.](#) Execution Date: Jun. 30, 1989
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee

Name: [HERBALIFE INTERNATIONAL, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Address: No Assignee Address Found

Correspondent

Correspondent Name: DICKSTEIN, SHAPIRO & MORIN
Correspondent Address: STE. 800, 8300 BOONE BOULEVARD
VIENNA, VA 22182

Domestic Representative - Not Found

Assignment 5 of 10

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
Reel/Frame: [0882/0066](#) Pages: 4
Date Recorded: Jul. 07, 1992
Supporting Documents: No Supporting Documents Available

Assignor

Name: [HERBALIFE INTERNATIONAL OF AMERICA, INC.](#) Execution Date: May 21, 1992
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee

Name: [HERBALIFE INTERNATIONAL, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: NEVADA

Address: 9800 LACIENEGA BOULEVARD
INGLEWOOD, CALIFORNIA 90301

Correspondent

Correspondent Name: DICKSTEIN, SHAPIRO & MORIN
Correspondent Address: CHARLES W. SABER
2101 L STREET, N.W.
WASHINGTON, DC 20037

Domestic Representative - Not Found

Assignment 6 of 10

Conveyance: SECURITY INTEREST
Reel/Frame: [2523/0782](#) Pages: 13
Date Recorded: Aug. 07, 2002
Supporting Documents: [assignment-tm-2523-0782.pdf](#)

Assignor

Name: [HERBALIFE INTERNATIONAL, INC.](#) Execution Date: Jul. 31, 2002
Legal Entity Type: CORPORATION State or Country Where Organized: NEVADA

Assignee

Name: [UBS AG, STAMFORD BRANCH](#)
Legal Entity Type: CORPORATION State or Country Where Organized: SWITZERLAND

Address: 677 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

Correspondent

Correspondent Name: SKADDEN, ARPS SLATE ET AL.
Correspondent Address: SION KIM, ESQ.
FOUR TIMES SQUARE
NEW YORK, NY 10036-6522

Domestic Representative - Not Found

Assignment 7 of 10

Conveyance: RELEASE (TRADEMARKS)
Reel/Frame: [3005/0862](#) Pages: 8
Date Recorded: Jan. 06, 2005
Supporting Documents: [assignment-tm-3005-0862.pdf](#)

Assignor

Name: [USB AG, STAMFORD BRANCH](#) Execution Date: Dec. 21, 2004
 Legal Entity Type: CORPORATION State or Country Where Organized: SWITZERLAND

Assignee

Name: [HERBALIFE INTERNATIONAL, INC.](#)
 Legal Entity Type: CORPORATION State or Country Where Organized: NEVADA
 Address: 1800 CENTURY PARK EAST
 LOS ANGELES, CALIFORNIA 90067

Correspondent

Correspondent Name: SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
 Correspondent Address: MATTHEW B. FAGIN, ESQ.
 FOUR TIMES SQUARE
 NEW YORK, NY 10036

Domestic Representative - Not Found**Assignment 8 of 10**

Conveyance: SECURITY INTEREST
 Reel/Frame: [3006/0101](#) Pages: 170
 Date Recorded: Jan. 06, 2005
 Supporting Documents: [assignment-tm-3006-0101.pdf](#)

Assignor

Name: [HERBALIFE INTERNATIONAL, INC.](#) Execution Date: Dec. 21, 2004
 Legal Entity Type: CORPORATION State or Country Where Organized: NEVADA

Assignee

Name: [MORGAN STANLEY & CO. INC.](#)
 Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
 Address: 1633 BROADWAY, 25TH FLOOR
 NEW YORK, NEW YORK 10036

Correspondent

Correspondent Name: SKADDEN ARPS SLATE ET.AL.
 Correspondent Address: MATTHEW B. FAGIN, ESQ.
 FOUR TIMES SQUARE
 NEW YORK, NY 10036

Domestic Representative - Not Found**Assignment 9 of 10**

Conveyance: RELEASE OF SECURITY INTEREST
 Reel/Frame: [3372/0716](#) Pages: 165
 Date Recorded: Jul. 25, 2006
 Supporting Documents: [assignment-tm-3372-0716.pdf](#)

Assignor

Name: [MORGAN STANLEY & CO. INCORPORATED](#) Execution Date: Jul. 21, 2006
 Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [HERBALIFE INTERNATIONAL, INC.](#)
 Legal Entity Type: CORPORATION State or Country Where Organized: NEVADA
 Address: 1800 CENTURY PARK EAST
 LOS ANGELES, CALIFORNIA 90067

Correspondent

Correspondent Name: ELAINE KIFF, ESQ.
 Correspondent Address: SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
 FOUR TIMES SQUARE
 NEW YORK, NY 10036

Domestic Representative - Not Found**Assignment 10 of 10**

Conveyance: SECURITY INTEREST
 Reel/Frame: [3373/0070](#) Pages: 167

Date Recorded: Jul. 31, 2006

Supporting Documents: [assignment-tm-3373-0070.pdf](#)

Assignor

Name: [HERBALIFE INTERNATIONAL, INC.](#) Execution Date: Jul. 21, 2006
Legal Entity Type: CORPORATION State or Country Where Organized: NEVADA

Assignee

Name: [MERRILL LYNCH CAPITAL CORPORATION](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 4 WORLD FINANCIAL CENTER
22ND FLOOR
NEW YORK, NEW YORK 10080

Correspondent

Correspondent Name: ELAINE ZIFF, ESQ.
Correspondent Address: SKADDEN, ARPS, SLATE, MEAGHER ET AL.
FOUR TIMES SQUARE
NEW YORK, NEW YORK 10036

Domestic Representative - Not Found

Correspondent LORI M STOCKTON
Name/Address: BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BLVD 7TH FL
LOS ANGELES, CALIFORNIA 90025-1026
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 07, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Mar. 07, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 12, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 12, 2005	TEAS SECTION 8 & 9 RECEIVED	
May 29, 2001	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Mar. 05, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 28, 1995	REGISTERED-PRINCIPAL REGISTER	
Nov. 01, 1994	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 20, 1994	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 06, 1994	USE AMENDMENT FILED	
Aug. 31, 1994	EXTENSION 1 GRANTED	
Jul. 25, 1994	EXTENSION 1 FILED	
Feb. 01, 1994	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 09, 1993	PUBLISHED FOR OPPOSITION	
Oct. 08, 1993	NOTICE OF PUBLICATION	
Aug. 24, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 12, 1993	ASSIGNED TO EXAMINER	67971

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 28, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Mar. 07, 2005

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Frankie Avalon Products, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3637/0287](#)

Pages: 4

Date Recorded: Oct. 10, 2007

Supporting Documents: [assignment-tm-3637-0287.pdf](#)

Assignor

Name: [FRANKIE AVALON PRODUCTS, INC.](#)

Execution Date: Aug. 01, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [AVALLONE, FRANK T](#)

Legal Entity Type: INDIVIDUAL

Citizenship: No Citizenship Found

Address: 4303 SPRING FOREST LANE
WESTLAKE VILLAGE, CALIFORNIA 91362

DBA, AKA, TA, Formerly: AKA FRANKIE AVALON

Correspondent

Correspondent Name: LORI S. KOZAK

Correspondent Address: 12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3637/0326](#)

Pages: 4

Date Recorded: Oct. 10, 2007

Supporting Documents: [assignment-tm-3637-0326.pdf](#)

Assignor

Name: [AVALLONE, FRANK T.](#)

Execution Date: Aug. 01, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [FRANKIE AVALON'S VENUS, LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 5158 GOLDMAN AVENUE, UNIT 1
MOORPARK, CALIFORNIA 93021

Correspondent

Correspondent Name: LORI S. KOZAK

Correspondent Address: 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

Domestic Representative - Not Found

Attorney Primary Email legal@nutracorp.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Alison Pitt
NutraMarks, Inc.
1500 Kearns Boulevard, Suite B200
Park City, UTAH 84060
UNITED STATES

Phone: 435-655-6000

Fax: 435-658-5989

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 05, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 05, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 26, 2007	CASE FILE IN TICRS	
Feb. 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 13, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 19, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jun. 19, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 04, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 04, 1999	REGISTERED - SEC. 15 ACKNOWLEDGED	
Apr. 16, 1999	CANCELLATION TERMINATED NO. 999999	25934
Apr. 16, 1999	CANCELLATION DISMISSED NO. 999999	25934
Nov. 09, 1998	REGISTERED - SEC. 15 AFFIDAVIT FILED	
Feb. 11, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Jan. 16, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 04, 1997	CANCELLATION INSTITUTED NO. 999999	25934
Feb. 25, 1992	REGISTERED-PRINCIPAL REGISTER	
Dec. 03, 1991	PUBLISHED FOR OPPOSITION	
Nov. 01, 1991	NOTICE OF PUBLICATION	
Jun. 21, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 14, 1991	EXAMINER'S AMENDMENT MAILED	
Jun. 04, 1991	ASSIGNED TO EXAMINER	60740

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 25, 2002

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Dec. 26, 2007

Assignment Abstract Of Title Information

Summary

Assignment 1 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2119/0074](#)

Pages: 8

Date Recorded: Jul. 25, 2000

Supporting Documents: [assignment-tm-2119-0074.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Address: SUITE 200
201 SPEAR STREET
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: COOLEY GODWARD LLP

Correspondent Address: ATTN: MELANIE CASS
ONE MARITIME PLAZA, 20TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 2 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2397/0129](#)

Pages: 7

Date Recorded: Nov. 20, 2001

Supporting Documents: [assignment-tm-2397-0129.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 201 SPEAR STREET, SUITE 200
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: GRAY CARY WARE & FREIDENRICH

Correspondent Address: ERIN O'BRIEN
4365 EXECUTIVE DRIVE, SUITE 1100
SAN DIEGO, CA 92121-2133

Domestic Representative - Not Found

Assignment 3 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2436/0867](#)

Pages: 18

Date Recorded: Jan. 23, 2002

Supporting Documents: [assignment-tm-2436-0867.pdf](#)

Assignor

Name: [MCZAND HERBAL, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMTIH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: WELLS, ST. JOHN ET AL

Correspondent Address: GEORGE G. GRIGEL
601 W. FIRST AVENUE, SUITE 1300
SPOKANE WA 99201-3828

Domestic Representative - Not Found

Assignment 4 of 9

Conveyance: REASSIGNMENT AND RELEASE OF SECURITY INTEREST

Reel/Frame: [2969/0672](#)

Pages: 6

Date Recorded: Nov. 04, 2004

Supporting Documents: [assignment-tm-2969-0672.pdf](#)

Assignor

Name: [COMERICA BANK](#)

Execution Date: Oct. 28, 2004

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 5 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3045/0616](#)

Pages: 9

Date Recorded: Mar. 14, 2005

Supporting Documents: [assignment-tm-3045-0616.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK](#)

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 2321 ROSECRANS AVE
SUITE 5000
EL SEGUNDO, CALIFORNIA 90245

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 6 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3081/0646](#)

Pages: 12

Date Recorded: May 11, 2005

Supporting Documents: [assignment-tm-3081-0646.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [MCG CAPITAL CORPORATION AS ADMINISTRATIVE AGENT AND AS ADMINISTRATIVE AGENT FOR ITSELF AND THE LENDERS](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1100 WILSON BOULEVARD
SUITE 3000
ARLINGTON, VIRGINIA 22209

Correspondent

Correspondent Name: PETER H. CARSON, BINGHAM MCCUTCHEN LLP

Correspondent Address: THREE EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4067

Domestic Representative - Not Found

Assignment 7 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3478/0384](#)

Pages: 8

Date Recorded: Feb. 08, 2007

Supporting Documents: [assignment-tm-3478-0384.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Jan. 10, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [NUTRAMARKS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: ALISON PITT

Correspondent Address: 1400 KEARNS BOULEVARD, 2ND FLOOR
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 8 of 9

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3917/0900](#)

Pages: 6

Date Recorded: Jan. 13, 2009

Supporting Documents: [assignment-tm-3917-0900.pdf](#)

Assignor

Name: [COMERICA BANK](#)

Execution Date: Jan. 06, 2009

Legal Entity Type: TEXAS BANKING ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: C/O COOLEY GODWARD KRONISH LLP
4401 EASTGATE MALL
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 9 of 9

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [4919/0017](#)

Pages: 6

Date Recorded: Dec. 14, 2012

Supporting Documents: [assignment-tm-4919-0017.pdf](#)

Assignor

Name: [MCG CAPITAL CORPORATION AS
ADMINISTRATIVE AGENT FOR ITSELF AND
THE LENDER](#)

Execution Date: Feb. 24, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: PAUL A. MCLEAN

Correspondent Address: 2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Cancellation

Proceeding Number: [92025934](#)

Filing Date: Feb 24, 1997

Status: Terminated

Status Date: Apr 16, 1999

Interlocutory Attorney: FRANCES S WOLFSON

Defendant

Name: MCZAND HERBAL, INC.

Correspondent Address: JAY H. GELLER
EAST TOWER, SUITE 600
2434 WEST OLYMPIC BLVD
SANTA MONICA CA , 90404
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
INSURE HERBAL	Renewed	74141599	1676529

Plaintiff(s)

Name: UNITED VITAMIN MANUFACTURING CORP.

Correspondent Address: STUART J. SINDER
KENYON & KENYON
ONE BROADWAY
NEW YORK NY , 10004
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALSURE	Cancelled - Section 8	75094428	2594465

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 24, 1997	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Mar 04, 1997	Apr 13, 1997
3	PENDING, INSTITUTED	Mar 04, 1997	
4	ANSWER	Apr 07, 1997	
5	TRIAL DATES SET	Apr 16, 1997	
6	PL'S REQ TO SUSPEND	Sep 05, 1997	
7	PROCEEDINGS SUSPENDED 6 MONTHS	Oct 09, 1997	
8	TRIAL DATES RESET	May 21, 1998	
9	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jul 20, 1998	
10	PL'S W/DRAWAL OF CANC.	Oct 23, 1998	
11	PETITION TO CANCEL DISMISSED WITH PREJUDICE	Apr 16, 1999	
12	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Apr 16, 1999	
13	TERMINATED	Apr 16, 1999	

Type of Proceeding: Opposition

Proceeding Number: [91104766](#)

Filing Date: Jan 09, 1997

Status: Terminated

Status Date: Jan 05, 1999

Interlocutory Attorney:

Defendant

Name: UNITED VITAMIN MANUFACTURING CORP.

Correspondent Address: OLGA GONZALEZ
3191 CORAL WAY SUITE 609
MIAMI FL , 33145
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HERBALSURE	Cancelled - Section 8	75094428	2594465

Plaintiff(s)

Name: MCZAND HERBAL, INC.

Correspondent Address: JAY H. GELLER
EAST TOWER, SUITE 600
2454 WEST OLYMPIC AVENUE
SANTA MONICA CA , 90404
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
INSURE HERBAL	Renewed	74141599	1676529

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 09, 1997	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Feb 20, 1997	Apr 01, 1997
3	PENDING, INSTITUTED	Feb 20, 1997	
4	TRIAL DATES SET	May 01, 1997	
5	DEF'S MOTION TO SUSPEND W/CONSENT	Sep 05, 1997	
6	SUSPENDED	Nov 19, 1997	
7	PROCEEDINGS RESUMED; TRIAL DATES RESET	May 20, 1998	
8	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jul 24, 1998	
9	WITHDRAWAL OF OPPOSITION	Oct 23, 1998	
10	BD'S DECISION: DISMISSED W/ PREJUDICE	Jan 05, 1999	
11	TERMINATED	Jan 05, 1999	

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alison Pitt

Attorney Primary Email Address: legal@nutracorp.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Alison Pitt
NutraMarks, Inc.
1500 Kearns Boulevard, Suite B200
Park City, UTAH 84060
UNITED STATES

Phone: 435-655-6000

Fax: 435-658-5989

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 05, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 05, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 17, 2007	CASE FILE IN TICRS	
Feb. 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 13, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 02, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Apr. 02, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 22, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 22, 2003	TEAS SECTION 8 & 9 RECEIVED	
May 13, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 26, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 09, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 02, 1993	REGISTERED-PRINCIPAL REGISTER	
Aug. 10, 1993	PUBLISHED FOR OPPOSITION	
Jul. 09, 1993	NOTICE OF PUBLICATION	
Jun. 03, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 06, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 04, 1993	FINAL REFUSAL MAILED	
Jan. 25, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 18, 1992	ASSIGNED TO EXAMINER	61380
Jul. 30, 1992	NON-FINAL ACTION MAILED	
Jun. 02, 1992	ASSIGNED TO EXAMINER	70740

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 02, 2003

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Sep. 17, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 9

Registrant: McZand Herbal, Inc.

Assignment 1 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2119/0074](#)

Pages: 8

Date Recorded: Jul. 25, 2000

Supporting Documents: [assignment-tm-2119-0074.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Address: SUITE 200
201 SPEAR STREET
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: COOLEY GODWARD LLP

Correspondent Address: ATTN: MELANIE CASS
ONE MARITIME PLAZA, 20TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 2 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2397/0129](#)

Pages: 7

Date Recorded: Nov. 20, 2001

Supporting Documents: [assignment-tm-2397-0129.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 201 SPEAR STREET, SUITE 200
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: GRAY CARY WARE & FREIDENRICH

Correspondent Address: ERIN O'BRIEN
4365 EXECUTIVE DRIVE, SUITE 1100
SAN DIEGO, CA 92121-2133

Domestic Representative - Not Found

Assignment 3 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2455/0891](#)

Pages: 19

Date Recorded: Feb. 25, 2002

Supporting Documents: [assignment-tm-2455-0891.pdf](#)

Assignor

Name: [MCZAND HERBAL, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: WELLS ST JOHN PS

Correspondent Address: GEORGE G. GRIGEL
601 W FIRST AVENUE
SUITE 1300
SPOKANE WA 99201-3828

Domestic Representative - Not Found

Assignment 4 of 9

Conveyance: REASSIGNMENT AND RELEASE OF SECURITY INTEREST

Reel/Frame: [2969/0672](#)

Pages: 6

Date Recorded: Nov. 04, 2004

Supporting Documents: [assignment-tm-2969-0672.pdf](#)

Assignor

Name: [COMERICA BANK](#)

Execution Date: Oct. 28, 2004

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 5 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3045/0616](#)

Pages: 9

Date Recorded: Mar. 14, 2005

Supporting Documents: [assignment-tm-3045-0616.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK](#)

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 2321 ROSECRANS AVE
SUITE 5000
EL SEGUNDO, CALIFORNIA 90245

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 6 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3081/0646](#)

Pages: 12

Date Recorded: May 11, 2005

Supporting Documents: [assignment-tm-3081-0646.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [MCG CAPITAL CORPORATION AS ADMINISTRATIVE AGENT AND AS ADMINISTRATIVE AGENT FOR ITSELF AND THE LENDERS](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1100 WILSON BOULEVARD
SUITE 3000
ARLINGTON, VIRGINIA 22209

Correspondent

Correspondent Name: PETER H. CARSON, BINGHAM MCCUTCHEN LLP

Correspondent Address: THREE EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4067

Domestic Representative - Not Found

Assignment 7 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3478/0384](#)

Pages: 8

Date Recorded: Feb. 08, 2007

Supporting Documents: [assignment-tm-3478-0384.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Jan. 10, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [NUTRAMARKS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: ALISON PITT

Correspondent Address: 1400 KEARNS BOULEVARD, 2ND FLOOR
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 8 of 9

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3917/0900](#)

Pages: 6

Date Recorded: Jan. 13, 2009

Supporting Documents: [assignment-tm-3917-0900.pdf](#)

Assignor

Name: [COMERICA BANK](#)

Execution Date: Jan. 06, 2009

Legal Entity Type: TEXAS BANKING ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: C/O COOLEY GODWARD KRONISH LLP
4401 EASTGATE MALL
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 9 of 9

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [4919/0017](#)

Pages: 6

Date Recorded: Dec. 14, 2012

Supporting Documents: [assignment-tm-4919-0017.pdf](#)

Assignor

Name: [MCG CAPITAL CORPORATION AS
ADMINISTRATIVE AGENT FOR ITSELF AND
THE LENDER](#)

Execution Date: Feb. 24, 2010

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: PAUL A. MCLEAN

Correspondent Address: 2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-14 11:37:12 EST

Mark: RIDGECREST HERBALS

US Serial Number: 75279261
US Registration Number: 2235084
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Apr. 15, 2008
Publication Date: Mar. 10, 1998
Application Filing Date: Apr. 22, 1997
Registration Date: Mar. 23, 1999
Notice of Allowance Date: Jun. 02, 1998

Mark Information

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

Goods and Services

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

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

For: pharmaceuticals, namely, vitamins, minerals, herbal supplements, allergy capsules, analgesics, topical creams which enhance the fat burning ability of the body, digestive aids, and sedatives

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1997

Use in Commerce: Jan. 1997

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Ridgecrest Herbals, Inc.
Owner Address: 1151 South Redwood Road, Suite 106
Salt Lake City, UTAH 84104
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott D. Thorpe
Attorney Primary Email doCKET@kUNZLERlaw.com
Address:

Docket Number: 2285.3.3
Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Scott D. Thorpe
Kunzler Law Group
8 East Broadway Suite 600
Salt Lake City, UTAH 84111
UNITED STATES

Phone: 801-994-4646

Fax: 801-531-1929

Correspondent e-mail: doCKET@kUNZLERlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 07, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 07, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 15, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70132
Apr. 15, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 08, 2008	ASSIGNED TO PARALEGAL	70132
Mar. 31, 2008	TEAS SECTION 8 & 9 RECEIVED	
Mar. 27, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 27, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 19, 2007	CASE FILE IN TICRS	
May 14, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 08, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 23, 1999	REGISTERED-PRINCIPAL REGISTER	
Jan. 15, 1999	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 13, 1999	ASSIGNED TO EXAMINER	72146
Jan. 06, 1999	STATEMENT OF USE PROCESSING COMPLETE	
Dec. 01, 1998	USE AMENDMENT FILED	
Jun. 02, 1998	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 10, 1998	PUBLISHED FOR OPPOSITION	
Feb. 07, 1998	NOTICE OF PUBLICATION	
Jan. 05, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 22, 1997	EXAMINER'S AMENDMENT MAILED	
Dec. 02, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 20, 1997	NON-FINAL ACTION MAILED	
Nov. 13, 1997	ASSIGNED TO EXAMINER	72146

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 23, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Apr. 15, 2008

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alison Pitt

Attorney Primary Email Address: legal@nutracorp.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Alison Pitt
NutraMarks, Inc.
1500 Kearns Boulevard, Suite B200
Park City, UTAH 84060
UNITED STATES

Phone: 435-655-6000

Fax: 435-658-5989

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 05, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 05, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 28, 2007	CASE FILE IN TICRS	
Feb. 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 13, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 12, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 12, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 28, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 27, 2003	TEAS SECTION 8 & 9 RECEIVED	
Sep. 20, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 13, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 22, 1994	REGISTERED-PRINCIPAL REGISTER	
Dec. 28, 1993	PUBLISHED FOR OPPOSITION	
Nov. 26, 1993	NOTICE OF PUBLICATION	
Oct. 20, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 07, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 02, 1993	NON-FINAL ACTION MAILED	
May 19, 1993	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
May 13, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 20, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 02, 1993	FINAL REFUSAL MAILED	
Jan. 25, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 18, 1992	ASSIGNED TO EXAMINER	61380
Aug. 12, 1992	NON-FINAL ACTION MAILED	
Jun. 02, 1992	ASSIGNED TO EXAMINER	70740

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 22, 2004

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Aug. 28, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 9

Registrant: McZand Herbal, Inc.

Assignment 1 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2119/0074](#)

Pages: 8

Date Recorded: Jul. 25, 2000

Supporting Documents: [assignment-tm-2119-0074.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Address: SUITE 200
201 SPEAR STREET
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: COOLEY GODWARD LLP

Correspondent Address: ATTN: MELANIE CASS
ONE MARITIME PLAZA, 20TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 2 of 9

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2397/0129](#)

Pages: 7

Date Recorded: Nov. 20, 2001

Supporting Documents: [assignment-tm-2397-0129.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK-CALIFORNIA](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 201 SPEAR STREET, SUITE 200
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: GRAY CARY WARE & FREIDENRICH

Correspondent Address: ERIN O'BRIEN
4365 EXECUTIVE DRIVE, SUITE 1100
SAN DIEGO, CA 92121-2133

Domestic Representative - Not Found

Assignment 3 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2453/0177](#)

Pages: 19

Date Recorded: Feb. 25, 2002

Supporting Documents: [assignment-tm-2453-0177.pdf](#)

Assignor

Name: [MCZAND HERBAL, INC.](#)

Execution Date: May 10, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: WELLS ST. JOHN P.S.

Correspondent Address: GEORGE G. GRIGEL
601 W. FIRST AVENUE, SUITE 1300
SPOKANE, WASHINGTON 99201-3828

Domestic Representative - Not Found

Assignment 4 of 9

Conveyance: REASSIGNMENT AND RELEASE OF SECURITY INTEREST

Reel/Frame: [2969/0672](#)

Pages: 6

Date Recorded: Nov. 04, 2004

Supporting Documents: [assignment-tm-2969-0672.pdf](#)

Assignor

Name: [COMERICA BANK](#)

Execution Date: Oct. 28, 2004

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDAL, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 5 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3045/0616](#)

Pages: 9

Date Recorded: Mar. 14, 2005

Supporting Documents: [assignment-tm-3045-0616.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#)

Execution Date: Mar. 09, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [COMERICA BANK](#)

Legal Entity Type: MICHIGAN BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 2321 ROSECRANS AVE
SUITE 5000
EL SEGUNDO, CALIFORNIA 90245

Correspondent

Correspondent Name: ERIN O'BRIEN

Correspondent Address: 4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 6 of 9

Conveyance: SECURITY INTEREST

Reel/Frame: [3081/0646](#)

Pages: 12

Date Recorded: May 11, 2005

Supporting Documents: [assignment-tm-3081-0646.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#) Execution Date: Mar. 09, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: WASHINGTON

Assignee

Name: [MCG CAPITAL CORPORATION AS ADMINISTRATIVE AGENT AND AS ADMINISTRATIVE AGENT FOR ITSELF AND THE LENDERS](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 1100 WILSON BOULEVARD
SUITE 3000
ARLINGTON, VIRGINIA 22209

Correspondent

Correspondent Name: PETER H. CARSON, BINGHAM MCCUTCHEN LLP
Correspondent Address: THREE EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4067

Domestic Representative - Not Found

Assignment 7 of 9

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [3478/0384](#) Pages: 8
Date Recorded: Feb. 08, 2007
Supporting Documents: [assignment-tm-3478-0384.pdf](#)

Assignor

Name: [BOTANICAL LABORATORIES, INC.](#) Execution Date: Jan. 10, 2007
Legal Entity Type: CORPORATION State or Country Where Organized: WASHINGTON

Assignee

Name: [NUTRAMARKS, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: ALISON PITT
Correspondent Address: 1400 KEARNS BOULEVARD, 2ND FLOOR
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 8 of 9

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [3917/0900](#) Pages: 6
Date Recorded: Jan. 13, 2009
Supporting Documents: [assignment-tm-3917-0900.pdf](#)

Assignor

Name: [COMERICA BANK](#) Execution Date: Jan. 06, 2009
Legal Entity Type: TEXAS BANKING ASSOCIATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: WASHINGTON
Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: ERIN O'BRIEN
Correspondent Address: C/O COOLEY GODWARD KRONISH LLP
4401 EASTGATE MALL
SAN DIEGO, CA 92121

Domestic Representative - Not Found

Assignment 9 of 9

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [4919/0017](#)

Pages: 6

Date Recorded: Dec. 14, 2012

Supporting Documents: [assignment-tm-4919-0017.pdf](#)

Assignor

Name: [MCG CAPITAL CORPORATION AS
ADMINSTRATIVE AGENT FOR ITSELF AND
THE LENDER](#)

Execution Date: Feb. 24, 2010

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Assignee

Name: [BOTANICAL LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where
Organized: WASHINGTON

Address: 1441 WEST SMITH ROAD
FERNDALE, WASHINGTON 98248

Correspondent

Correspondent Name: PAUL A. MCLEAN

Correspondent Address: 2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

Domestic Representative - Not Found

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Mark: HERBATONE

HERBATONE

US Serial Number: 77905720
Application Filing Date: Jan. 06, 2010
US Registration Number: 3956537
Registration Date: May 10, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 10, 2011
Publication Date: Feb. 22, 2011

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements; Dietary supplements; Dietary supplements for human consumption; Herbal supplements; Natural herbal supplements; Nutraceuticals for use as a dietary supplement; Nutritional supplements; Weight management supplements, all of the foregoing for promoting healthy liver function, digestive health and as an aid in appetite suppression, but not for relief of constipation or as a laxative

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 03, 2009

Use in Commerce: Dec. 28, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Herbatone LLC
Owner Address: 1530 Miramar Drive Apt 4
Newport Beach, CALIFORNIA 92661
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: Jake Yacoub
1530 Miramar Drive Apt 3
Newport Beach CA 92661
Newport Beach, CALIFORNIA 92661
UNITED STATES

Phone: 4109164069

Correspondent e-mail: jake.yacoub@gmail.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 10, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 01, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Apr. 01, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 22, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 22, 2011	PUBLISHED FOR OPPOSITION	
Jan. 20, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jan. 19, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 19, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Jan. 19, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Jan. 19, 2011	ASSIGNED TO LIE	68171
Jan. 17, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 18, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 18, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 18, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 18, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 18, 2011	EXAMINERS AMENDMENT -WRITTEN	63031
Jan. 17, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 01, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 01, 2010	NON-FINAL ACTION E-MAILED	6325
Nov. 01, 2010	NON-FINAL ACTION WRITTEN	63031
Oct. 02, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 02, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 02, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 02, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 02, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 02, 2010	NON-FINAL ACTION E-MAILED	6325
Apr. 02, 2010	NON-FINAL ACTION WRITTEN	63031
Mar. 30, 2010	ASSIGNED TO EXAMINER	63031
Jan. 12, 2010	NOTICE OF PSEUDO MARK MAILED	
Jan. 11, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 09, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 10, 2011

EXHIBIT Q

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Mark: XCRAVING FORMULA

XCRAVING FORMULA

US Serial Number: 76473261
Application Filing Date: Dec. 04, 2002
US Registration Number: 2752769
Registration Date: Aug. 19, 2003
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Dec. 14, 2012
Publication Date: May 27, 2003

Mark Information

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

Goods and Services

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

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

For: Dietary Supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 27, 2002
Use in Commerce: Nov. 27, 2002

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: ALLERGY RESEARCH GROUP LLC
Owner Address: 2300 NORTH LOOP ROAD
ALAMEDA, CALIFORNIA 94502
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: ALLERGY RESEARCH GROUP LLC
Allergy Research Group
2300 NORTH LOOP ROAD
ALAMEDA, CALIFORNIA 94502
UNITED STATES
Phone: 510-263-2017
Fax: 510-263-2117
Correspondent e-mail: jonp@allergyresearchgroup.com
Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 14, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Dec. 14, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Dec. 14, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
Dec. 12, 2012	TEAS SECTION 8 & 9 RECEIVED	
Dec. 12, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 14, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 05, 2011	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 03, 2009	UNDELIVERABLE MAIL - NO ACTION TAKEN	99888
Mar. 07, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED	67723
Mar. 04, 2009	ASSIGNED TO PARALEGAL	67723
Feb. 26, 2009	TEAS SECTION 8 RECEIVED	
Aug. 19, 2003	REGISTERED-PRINCIPAL REGISTER	
May 27, 2003	PUBLISHED FOR OPPOSITION	
May 07, 2003	NOTICE OF PUBLICATION	
Mar. 23, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 13, 2003	ASSIGNED TO EXAMINER	76612

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Aug. 19, 2013

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Dec. 14, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: NutriCology, Inc.

Assignment 1 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [4631/0465](#)

Pages: 12

Date Recorded: Sep. 27, 2011

Supporting Documents: [assignment-tm-4631-0465.pdf](#)

Assignor

Name: [NUTRICOLOGY INC.](#)

Execution Date: Oct. 31, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [ALLERGY RESEARCH GROUP LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 2300 NORTH LOOP ROAD
ALAMEDA, CALIFORNIA 94502

Correspondent

Correspondent Name: JON PECSON

Correspondent Address: 2300
ALAMEDA, CA 94502

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [4672/0890](#)

Pages: 11

Date Recorded: Dec. 06, 2011

Supporting Documents: [assignment-tm-4672-0890.pdf](#)

Assignor

Name: [ALLERGY RESEARCH GROUP LLC](#)

Execution Date: Oct. 31, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

DBA, AKA, TA, Formerly: FORMERLY ALLERGY RESEARCH GROUP INC.

Assignee

Name: [ALLERGY RESEARCH GROUP LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 2300 NORTH LOOP ROAD
ALAMEDA, CALIFORNIA 94502

DBA, AKA, TA, Formerly: AKA ALLERGY RESEARCH GROUP

Correspondent

Correspondent Name: ALLERGY RESEARCH GROUP LLC

Correspondent Address: 2300 NORTH LOOP ROAD
ALAMEDA, CA 94502

Domestic Representative - Not Found

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Mark: RESVERATROL-RX CLINICAL STRENGTH SUPER ANTI-AGING FORMULA

RESVERATROL-RX CLINICAL
STRENGTH SUPER ANTI-AGING
FORMULA

US Serial Number: 77718165
US Registration Number: 3786416
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jan. 14, 2010
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 04, 2010

Application Filing Date: Apr. 21, 2009
Registration Date: May 04, 2010

Mark Information

Mark Literal Elements: RESVERATROL-RX CLINICAL STRENGTH SUPER ANTI-AGING FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

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

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

For: nutritional supplements containing resveratrol

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 08, 2010

Use in Commerce: Jan. 08, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Western Research 3000, Inc.
Owner Address: PO Box 6879
Thousand Oaks, CALIFORNIA 91359
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Victoria Carver
Attorney Primary Email Address: VC@ETMLAW.COM
Docket Number: 08-8904-TM ()
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: VICTORIA CARVER
CARVER LAW

PO BOX 1497
SANTA BARBARA, CALIFORNIA 93102-1497
UNITED STATES

Phone: 805-964-9777

Fax: 805-456-3906

Correspondent e-mail: VC@ETMLAW.COM

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 04, 2010	REGISTERED-SUPPLEMENTAL REGISTER	
Mar. 29, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Mar. 16, 2010	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Mar. 05, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 05, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 05, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 05, 2010	EXAMINERS AMENDMENT -WRITTEN	74309
Feb. 12, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	69712
Feb. 12, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	69712
Jan. 25, 2010	ASSIGNED TO LIE	69712
Jan. 14, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 14, 2010	USE AMENDMENT ACCEPTED	74309
Jan. 12, 2010	AMENDMENT TO USE PROCESSING COMPLETE	88889
Jan. 12, 2010	USE AMENDMENT FILED	88889
Jan. 11, 2010	TEAS AMENDMENT OF USE RECEIVED	
Jul. 20, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 20, 2009	NON-FINAL ACTION E-MAILED	6325
Jul. 20, 2009	NON-FINAL ACTION WRITTEN	74309
Jul. 13, 2009	ASSIGNED TO EXAMINER	74309
Apr. 24, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 24, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 04, 2010

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Mark: FORMULA 777

Formula **777**

US Serial Number: 73208857

Application Filing Date: Mar. 26, 1979

US Registration Number: 1165162

Registration Date: Aug. 18, 1981

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 03, 2001

Publication Date: May 26, 1981

Mark Information

Mark Literal Elements: FORMULA 777

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Disclaimer: The word "Formula" is disclaimed apart from the mark as shown.

Goods and Services

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

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

For: Multi Vitamin and Mineral Food Supplement

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 03, 1978

Use in Commerce: Apr. 03, 1978

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: NUTRAMARKS, INC.

Owner Address: 1500 KEARNS BOULEVARD, SUITE B200
PARK CITY, UTAH 84060
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KURT KOENIG

Correspondent

Correspondent Name/Address: KURT KOENIG
KOENIG & ASSOCIATES

PO BOX 1140
SUMMERLAND, CALIFORNIA 93067
UNITED STATES

Phone: 805-965-4400

Fax: 805-564-8262

Correspondent e-mail: Kurt@incip.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 11, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 10, 2009	CASE FILE IN TICRS	
Apr. 19, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 03, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Nov. 03, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 17, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 19, 1987	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 13, 1987	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	
Mar. 09, 1987	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	
Oct. 06, 1986	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 18, 1981	REGISTERED-PRINCIPAL REGISTER	
May 26, 1981	PUBLISHED FOR OPPOSITION	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 18, 2001

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Mar. 10, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Ingoldsby, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0398/0338](#)

Pages: 11

Date Recorded: Aug. 28, 1981

Supporting Documents: No Supporting Documents Available

Assignor

Name: [INGOLDSBY, INC.](#)

Execution Date: Aug. 19, 1981

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

DBA, AKA, TA, Formerly: DBA NUTRITECH COMPANY

Assignee

Name: [NUTRITECH CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 719 HALEY
SANTA BARBARA, CALIFORNIA 93103

Correspondent

Correspondent Name: BEEHLER, MOCKABEE, ET AL.

Correspondent Address: 1100 EQUITABLE PLAZA
3435 WILSHIRE BLVD.
LOS ANGELES, CA 90010

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4257/0163](#)

Pages: 7

Date Recorded: Aug. 09, 2010

Supporting Documents: [assignment-tm-4257-0163.pdf](#)

Assignor

Name: [NUTRITECH CORPORATION](#)

Execution Date: Jul. 16, 2010

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** CALIFORNIA

Assignee

Name: [NUTRAMARKS, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Address: 1500 KEARNS BOULEVARD, SUITE B200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: ALISON PITT

Correspondent Address: 1500 KEARNS BOULEVARD, SUITE B200
PARK CITY, UT 84060

Domestic Representative - Not Found

Correspondent

Correspondent Name/Address: James R. Cypher
LAW OFFICES OF JAMES R. CYPHER
409 13th Street, 11th Floor
Oakland, CALIFORNIA 94612-2607
UNITED STATES

Phone: 510-832-4111

Fax: 510-832-4115

Correspondent e-mail: trademarks@cypherlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Mar. 30, 2011	CASE FILE IN TICRS	
Mar. 15, 2011	CASE FILE IN TICRS	
Apr. 01, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 17, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 17, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 09, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 05, 1990	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 18, 1989	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 27, 1984	REGISTERED-PRINCIPAL REGISTER	
Sep. 18, 1984	PUBLISHED FOR OPPOSITION	
Jul. 18, 1984	NOTICE OF PUBLICATION	
Jun. 01, 1984	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 01, 1984	ASSIGNED TO EXAMINER	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 27, 2004

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: SCANNING ON DEMAND

Date in Location: Mar. 30, 2011

Assignment Abstract Of Title Information**Summary**

Total Assignments: 3

Registrant: Neo-Life Company of America

Assignment 1 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: [1795/0429](#)

Pages: 5

Date Recorded: Sep. 18, 1998

Supporting Documents: [assignment-tm-1795-0429.pdf](#)

Assignor

Name: [NEO-LIFE COMPANY OF AMERICA](#)

Execution Date: Jun. 10, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [GOLDEN NEO-LIFE DIAMITE INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 3500 GATEWAY BLVD.
FREMONT, CALIFORNIA 94538

Correspondent

Correspondent Name: JOHN E. SEIBERT, ESQ.

Correspondent Address: 100 CENTURY CENTER CT., #600
SAN JOSE, CA 95112

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2553/0146](#)

Pages: 3

Date Recorded: Jul. 22, 2002

Supporting Documents: [assignment-tm-2553-0146.pdf](#)

Assignor

Name: [GOLDEN NEO-LIFE DIAMITE INTERNATIONAL, INC.](#)

Execution Date: Jul. 16, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [GNLD INTERNATIONAL, LLC](#)

Legal Entity Type: NEVADA LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 3500 GATEWAY BLVD.
FREMONT, CALIFORNIA 94538-6525

Correspondent

Correspondent Name: JOHN E. SEIBERT, ESQ.

Correspondent Address: P.O. BOX 5012
FREMONT, CA 94537-5012

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2751/0972](#)

Pages: 3

Date Recorded: Jun. 09, 2003

Supporting Documents: [assignment-tm-2751-0972.pdf](#)

Assignor

Name: [GOLDEN NEO-LIFE DIAMITE INTERNATIONAL, INC.](#)

Execution Date: May 27, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [GNLD INTERNATIONAL, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY - NV

State or Country Where Organized: No Place Where Organized Found

Address: 3500 GATEWAY BLVD.
FREMONT, CALIFORNIA 94538

Correspondent

Correspondent Name: JOHN E. SEIBERT

Correspondent Address: 3500 GATEWAY BLVD.
FREMONT, CA 94538

Domestic Representative - Not Found

Attorney Name: MICHAEL A. PAINTER

Correspondent

Correspondent Name/Address: MICHAEL A PAINTER
ISAACMAN, KAUFMAN & PAINTER
8484 WILSHIRE BOULEVARD, STE. 850
BEVERLY HILLS, CALIFORNIA 90211
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 30, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 03, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 10, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74886
Jul. 10, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 10, 2008	ASSIGNED TO PARALEGAL	74886
Jun. 30, 2008	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 30, 2008	PAPER RECEIVED	
Jul. 15, 2004	COUNTERCLAIM OPP. NO. 999999	160084
Jun. 02, 1994	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 31, 1994	POST REGISTRATION ACTION CORRECTION	
Feb. 09, 1994	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 25, 1988	REGISTERED-PRINCIPAL REGISTER	
Aug. 02, 1988	PUBLISHED FOR OPPOSITION	
Jul. 01, 1988	NOTICE OF PUBLICATION	
Jun. 13, 1988	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 18, 1988	EXAMINERS AMENDMENT MAILED	
Feb. 22, 1988	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 29, 1987	NON-FINAL ACTION MAILED	
Sep. 09, 1987	ASSIGNED TO EXAMINER	65999

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 25, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jul. 10, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 13

Registrant: P. LEINER NUTRITIONAL PRODUCTS, INC.

Assignment 1 of 13

Conveyance: CHANGE OF NAME 19920609

Reel/Frame: [0939/0361](#)

Pages: 10

Date Recorded: Mar. 09, 1993

Supporting Documents: No Supporting Documents Available

Assignor

Name: [P. LEINER NUTRITIONAL PRODUCTS, INC.](#)

Execution Date: Jun. 09, 1992

Legal Entity Type: CORPORATION

State or Country Where: DELAWARE

Organized:

Assignee

Name: [LEINER HEALTH PRODUCTS INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 1845 W. 205TH STREET TORRANCE, CA 90501

Correspondent

Correspondent Name: COOPER, EPSTEIN & HUREWITZ
Correspondent Address: MICHAEL A. PAINTER, ESQ.
345 NO. MAPLE DR., SUITE 200
BEVERLY HILLS, CA 90210

Domestic Representative - Not Found

Assignment 2 of 13

Conveyance: (RE-RECORRD TO CORRECT THE NUMBER OF MICROFILM PAGES.) SEE RECORDING AT REEL 1623, FRAME 0025
Reel/Frame: [1612/0668](#) **Pages:** 16
Date Recorded: Jul. 07, 1997
Supporting Documents: No Supporting Documents Available

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) **Execution Date:** Jun. 30, 1997
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BANK OF NOVA SCOTIA, THE](#)
Legal Entity Type: BANK **State or Country Where Organized:** No Place Where Organized Found
Address: ATTN:ANDREW ROTHSTEIN
ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: ALEXANDRA C. LIFTMAN
2000 PENNSYLVANIA AVENUE, N.W.
SUITE 6500
WASHINGTON, D.C. 20006

Domestic Representative - Not Found

Assignment 3 of 13

Conveyance: SECURITY INTEREST
Reel/Frame: [1623/0025](#) **Pages:** 29
Date Recorded: Jul. 07, 1997
Supporting Documents: No Supporting Documents Available

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) **Execution Date:** Jun. 30, 1997
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BANK OF NOVA SCOTIA, THE](#)
Legal Entity Type: BANK **State or Country Where Organized:** No Place Where Organized Found
Address: ATTN: ANDREW ROTHSTEIN
ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

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Correspondent Name: MAYER, BROWN & PLATT
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2000 PENNSYLVANIA AVENUE, N.W.
SUITE 6500
WASHINGTON, D.C. 20006

Domestic Representative - Not Found

Assignment 4 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [1919/0193](#) **Pages:** 23
Date Recorded: Jun. 01, 1999

Supporting Documents: [assignment-tm-1919-0193.pdf](#)

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) Execution Date: Jun. 01, 1999
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: ISAACMAN, KAUFMAN & PAINTER
Correspondent Address: MICHAEL A. PAINTER, ESQ.
8484 WILSHIRE BOULEVARD
SUITE 850
BEVERLY HILLS, CA 90211

Domestic Representative - Not Found

Assignment 5 of 13

Conveyance: SECURITY AGREEMENT
Reel/Frame: [2312/0889](#) Pages: 11
Date Recorded: Jun. 14, 2001
Supporting Documents: [assignment-tm-2312-0889.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#) Execution Date: Feb. 28, 2001
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF NOVIA SCOTIA, THE, AS ADMINISTRATIVE AGENT](#)
Legal Entity Type: BANK, FINANCIAL INSTITUTION State or Country Where Organized: No Place Where Organized Found
Address: ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER BROWN & PLATT
Correspondent Address: ROBERT E. RUDE II
1909 K ST, NW
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 6 of 13

Conveyance: RELEASE OF SECURITY INTEREST
Reel/Frame: [2946/0691](#) Pages: 16
Date Recorded: Sep. 28, 2004
Supporting Documents: [assignment-tm-2946-0691.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA](#) Execution Date: May 27, 2004
Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: RENEE PRESCAN
Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 7 of 13

Conveyance: RELEASE OF 6/30/97 SECURITY INTEREST

Reel/Frame: [2947/0082](#)

Pages: 13

Date Recorded: Sep. 28, 2004

Supporting Documents: [assignment-tm-2947-0082.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA](#)

Execution Date: May 27, 2004

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: RENEE PRESCAN

Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 8 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2978/0928](#)

Pages: 8

Date Recorded: Jun. 03, 2004

Supporting Documents: [assignment-tm-2978-0928.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA, AS COLLATERAL AGENT](#)

Execution Date: May 27, 2004

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LENIER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 9 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2987/0632](#)

Pages: 8

Date Recorded: Jun. 03, 2004

Supporting Documents: [assignment-tm-2987-0632.pdf](#)

Assignor

Name: [BANK OF NOVA SCOTIA, AS COLLATERAL AGENT, THE](#)

Execution Date: May 27, 2004

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233 RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: LUIS RODRIGUEZ
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 10 of 13

Conveyance: SECURITY INTEREST

Reel/Frame: [2990/0017](#)

Pages: 15

Date Recorded: Jun. 10, 2004

Supporting Documents: [assignment-tm-2990-0017.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: May 27, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [UBS AG, STAMFORD BRANCH](#)

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Address: 677 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 11 of 13

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3820/0864](#)

Pages: 24

Date Recorded: Jul. 23, 2008

Supporting Documents: [assignment-tm-3820-0864.pdf](#)

Assignor

Name: [UBS AG, STAMFORD BRANCH](#)

Execution Date: Jul. 14, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: SUSAN ZABLOCKI, KIRKLAND & ELLIS LLP

Correspondent Address: 153 EAST 53RD STREET
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 12 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3892/0538](#)

Pages: 12

Date Recorded: Nov. 25, 2008

Supporting Documents: [assignment-tm-3892-0538.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: Jul. 14, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [NBTY ACQUISITION LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE

LEGAL DEPT.
RONKONKAMA, NEW YORK 11779

Correspondent

Correspondent Name: LEE GROSSKREUZ HECHTEL
Correspondent Address: NBTY, INC.
LEGAL DEPT.
2100 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Domestic Representative - Not Found

Assignment 13 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [4233/0787](#) **Pages:** 9
Date Recorded: Jun. 29, 2010
Supporting Documents: [assignment-tm-4233-0787.pdf](#)

Assignor

Name: [NBTY ACQUISITION LLC](#) **Execution Date:** Jun. 28, 2010
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Assignee

Name: [UNITED STATES NUTRITION, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: NBTY, INC.
Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NY 11779

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91160084](#) **Filing Date:** Apr 05, 2004
Status: Terminated **Status Date:** Apr 12, 2004
Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: C-Squared TV, LLC
Correspondent Address: Sarah A. Brown
CISLO & THOMAS, LLP
233 WILSHIRE BOULEVARD, SUITE 900
SANTA MONICA CA , 90401-1211
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST'S DAILY	Cancelled - Section 8	76499801	3075076

Plaintiff(s)

Name: Leiner Health Services Corp
Correspondent Address: Michael A Painter
Isaacman Kaufman & Painter
8484 Wilshire Blvd Ste 850
Beverly Hills CA , 90211
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST FORMULA	Renewed	73667782	1509847
PHARMACIST FORMULA	Renewed	73683583	1537889

PHARMACIST FORMULA	Renewed	73811804	1591651
PHARMACIST FORMULA	Renewed	73811802	1592720
PHARMACIST FORMULA	Renewed	74143118	1678249
PHARMACIST FORMULA	Renewed	74220954	1763596
PHARMACIST FORMULA	Renewed	74220956	1763597
PHARMACIST FORMULA	Renewed	74220955	1765207

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 05, 2004	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 12, 2004	May 22, 2004
3	PENDING, INSTITUTED	Apr 12, 2004	
4	ANSWER AND COUNTERCLAIM (FEE)	May 24, 2004	
5	COUNTERCLAIM TRIAL DATES& ANS DUE 30 DAY	Jun 25, 2004	
6	ANSWER TO COUNTERCLAIM	Jun 07, 2004	
7	P'S MOTION FOR SUMMARY JUDGMENT	Jul 26, 2004	
8	PROCEED SUSPEND PEND SUMMARY JUDGMENT	Aug 09, 2004	
9	DEF MOT FOR 56F	Aug 23, 2004	
10	PLN NOTICE OF NON-OPP TO DEF MOT TO EXTEND TIME	Sep 07, 2004	
11	DEF MOTION TO EXTEND, W/ CONSENT	Oct 22, 2004	
12	DEF MOTION GRANTED; RESPONSE DUE 01/27/05	Dec 08, 2004	
13	STIPULATED MOT TO SUSPEND PROCEED	Dec 28, 2004	
14	PROCEED SUSPENDED 6MOS	Jan 18, 2005	
15	D'S Amendment of Application AND WITHDRAWAL OF OPPOSITION	May 20, 2005	
16	AMDT APPROVED AND ENTERED; OPP DISMISSED W/PREJ.	Jun 27, 2005	
17	WITHDRAWAL OF COUNTERCLAIM FOR CANCELLATION	Aug 01, 2005	
18	DEF RESPONSE	Jul 27, 2005	
19	BD'S DECISION: DISMISSED W/O PREJUDICE	Oct 03, 2005	
20	TERMINATED	Nov 02, 2005	

Type of Proceeding: Opposition

Proceeding Number: [91110261](#)

Filing Date: Apr 20, 1998

Status: Terminated

Status Date: Sep 18, 1998

Interlocutory Attorney: GERARD F ROGERS

Defendant

Name: PATRICK REYNOLDS

Correspondent Address: JERRY J. DUNLAP II
P.O. BOX 75404
OKLAHOMA CITY OK , 73147-0404
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST'S BRAND	Abandoned - No Statement Of Use Filed	75260102	

Plaintiff(s)

Name: LEINER HEALTH PRODUCTS INC.

Correspondent Address: MICHAEL A. PAINTER
ISAACMAN, KAUFMAN & PAINTER
8484 WILSHIRE BOULEVARD, SUITE 850
BEVERLY HILLS CA , 90211
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST FORMULA	Renewed	73667782	1509847

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 20, 1998	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	May 01, 1998	Jun 10, 1998
3	PENDING, INSTITUTED	May 01, 1998	
4	ANSWER	Jun 06, 1998	
5	TRIAL DATES SET	Jun 19, 1998	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 04, 1998	
7	PL'S W/D OF OPP W/O PREJ	Aug 24, 1998	
8	BD'S DECISION: DISMISSED W/O PREJUDICE	Sep 18, 1998	
9	TERMINATED	Sep 18, 1998	

Generated on: This page was generated by TSDR on 2014-02-14 18:44:40 EST

Mark: PHARMACIST FORMULA



US Serial Number: 73683583

Application Filing Date: Sep. 11, 1987

US Registration Number: 1537889

Registration Date: May 09, 1989

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 01, 2009

Publication Date: Nov. 01, 1988

Mark Information

Mark Literal Elements: PHARMACIST FORMULA

Standard Character Claim: No

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

Design Search Code(s): 19.13.01 - Mortars and pestles
26.01.08 - Circles having punctuation as a border; Circles having letters or numerals as a border; Letters, numerals or punctuation forming or bordering the perimeter of a circle
26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles
26.01.20 - Circles within a circle

Goods and Services

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

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

For: VITAMINS AND DIETARY FOOD SUPPLEMENTS

International Class(es): 005 - Primary Class

U.S Class(es): 018, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1987

Use in Commerce: Jun. 01, 1987

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: UNITED STATES NUTRITION, INC.

Owner Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Lee Grosskreuz Hechtel**Attorney Primary Email Address:** lhechtel@nbtty.com**Attorney Email Authorized:** Yes**Correspondent****Correspondent Name/Address:** Lee Grosskreuz Hechtel
NBTY, INC.
2100 Smithtown Ave.
Legal Dept
Ronkonkoma, NEW YORK 11779
UNITED STATES**Phone:** 631.218.7335**Fax:** 631.218.7341**Correspondent e-mail:** lhechtel@nbtty.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Jun. 30, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 01, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Aug. 01, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 16, 2009	ASSIGNED TO PARALEGAL	75461
Jul. 07, 2009	TEAS SECTION 8 & 9 RECEIVED	
Dec. 03, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 15, 2004	COUNTERCLAIM OPP. NO. 999999	160084
Sep. 29, 1995	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 13, 1995	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 09, 1989	REGISTERED-PRINCIPAL REGISTER	
Nov. 01, 1988	PUBLISHED FOR OPPOSITION	
Oct. 02, 1988	NOTICE OF PUBLICATION	
Oct. 01, 1988	NOTICE OF PUBLICATION	
Jul. 28, 1988	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 04, 1988	NON-FINAL ACTION MAILED	
Dec. 02, 1987	ASSIGNED TO EXAMINER	65999
Nov. 30, 1987	ASSIGNED TO EXAMINER	61700

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted**Renewal Date:** May 09, 2009**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** POST REGISTRATION**Date in Location:** Aug. 01, 2009**Assignment Abstract Of Title Information****Summary****Total Assignments:** 13**Registrant:** P. LEINER NUTRITIONAL PRODUCTS, INC.**Assignment 1 of 13****Conveyance:** CHANGE OF NAME 19920609**Reel/Frame:** [0939/0361](#)**Pages:** 10**Date Recorded:** Mar. 09, 1993

Supporting Documents: No Supporting Documents Available

Assignor

Name: [P. LEINER NUTRITIONAL PRODUCTS, INC.](#) Execution Date: Jun. 09, 1992
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [LEINER HEALTH PRODUCTS INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 1845 W. 205TH STREET TORRANCE, CA 90501

Correspondent

Correspondent Name: COOPER, EPSTEIN & HUREWITZ
Correspondent Address: MICHAEL A. PAINTER, ESQ.
345 NO. MAPLE DR., SUITE 200
BEVERLY HILLS, CA 90210

Domestic Representative - Not Found

Assignment 2 of 13

Conveyance: (RE-RECORRD TO CORRECT THE NUMBER OF MICROFILM PAGES.) SEE RECORDING AT REEL 1623, FRAME 0025
Reel/Frame: [1612/0668](#) Pages: 16
Date Recorded: Jul. 07, 1997
Supporting Documents: No Supporting Documents Available

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) Execution Date: Jun. 30, 1997
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [BANK OF NOVA SCOTIA, THE](#)
Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found
Address: ATTN:ANDREW ROTHSTEIN
ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: ALEXANDRA C. LIFTMAN
2000 PENNSYLVANIA AVENUE, N.W.
SUITE 6500
WASHINGTON, D.C. 20006

Domestic Representative - Not Found

Assignment 3 of 13

Conveyance: SECURITY INTEREST
Reel/Frame: [1623/0025](#) Pages: 29
Date Recorded: Jul. 07, 1997
Supporting Documents: No Supporting Documents Available

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) Execution Date: Jun. 30, 1997
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [BANK OF NOVA SCOTIA, THE](#)
Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found
Address: ATTN: ANDREW ROTHSTEIN
ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: ALEXANDRA C. LIFTMAN
2000 PENNSYLVANIA AVENUE, N.W.
SUITE 6500
WASHINGTON, D.C. 20006

Domestic Representative - Not Found

Assignment 4 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1919/0193](#)

Pages: 23

Date Recorded: Jun. 01, 1999

Supporting Documents: [assignment-tm-1919-0193.pdf](#)

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#)

Execution Date: Jun. 01, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: ISAACMAN, KAUFMAN & PAINTER

Correspondent Address: MICHAEL A. PAINTER, ESQ.
8484 WILSHIRE BOULEVARD
SUITE 850
BEVERLY HILLS, CA 90211

Domestic Representative - Not Found

Assignment 5 of 13

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2312/0889](#)

Pages: 11

Date Recorded: Jun. 14, 2001

Supporting Documents: [assignment-tm-2312-0889.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: Feb. 28, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF NOVIA SCOTIA, THE, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: BANK, FINANCIAL INSTITUTION

State or Country Where Organized: No Place Where Organized Found

Address: ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER BROWN & PLATT

Correspondent Address: ROBERT E. RUDE II
1909 K ST, NW
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 6 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2946/0691](#)

Pages: 16

Date Recorded: Sep. 28, 2004

Supporting Documents: [assignment-tm-2946-0691.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA](#)

Execution Date: May 27, 2004

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: RENEE PRESCAN

Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 7 of 13

Conveyance: RELEASE OF 6/30/97 SECURITY INTEREST

Reel/Frame: [2947/0082](#)

Pages: 13

Date Recorded: Sep. 28, 2004

Supporting Documents: [assignment-tm-2947-0082.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA](#)

Execution Date: May 27, 2004

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: RENEE PRESCAN

Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 8 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2978/0928](#)

Pages: 8

Date Recorded: Jun. 03, 2004

Supporting Documents: [assignment-tm-2978-0928.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA, AS COLLATERAL AGENT](#)

Execution Date: May 27, 2004

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LENIER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 9 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2987/0632](#)

Pages: 8

Date Recorded: Jun. 03, 2004

Supporting Documents: [assignment-tm-2987-0632.pdf](#)

Assignor

Name: [BANK OF NOVA SCOTIA, AS COLLATERAL AGENT, THE](#)

Execution Date: May 27, 2004

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233 RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY
Correspondent Address: LUIS RODRIGUEZ
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 10 of 13

Conveyance: SECURITY INTEREST
Reel/Frame: [2990/0017](#) **Pages:** 15
Date Recorded: Jun. 10, 2004
Supporting Documents: [assignment-tm-2990-0017.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#) **Execution Date:** May 27, 2004
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [UBS AG, STAMFORD BRANCH](#)
Legal Entity Type: COLLATERAL AGENT **State or Country Where Organized:** No Place Where Organized Found
Address: 677 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY
Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 11 of 13

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [3820/0864](#) **Pages:** 24
Date Recorded: Jul. 23, 2008
Supporting Documents: [assignment-tm-3820-0864.pdf](#)

Assignor

Name: [UBS AG, STAMFORD BRANCH](#) **Execution Date:** Jul. 14, 2008
Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: SUSAN ZABLOCKI, KIRKLAND & ELLIS LLP
Correspondent Address: 153 EAST 53RD STREET
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 12 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [3892/0538](#) **Pages:** 12
Date Recorded: Nov. 25, 2008
Supporting Documents: [assignment-tm-3892-0538.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#) **Execution Date:** Jul. 14, 2008
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

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

State or Country Where Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKAMA, NEW YORK 11779

Correspondent

Correspondent Name: LEE GROSSKREUZ HECHTEL
Correspondent Address: NBTY, INC.
LEGAL DEPT.
2100 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Domestic Representative - Not Found

Assignment 13 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [4233/0787](#) Pages: 9
Date Recorded: Jun. 29, 2010
Supporting Documents: [assignment-tm-4233-0787.pdf](#)

Assignor

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

Execution Date: Jun. 28, 2010
State or Country Where Organized: DELAWARE

Assignee

Name: [UNITED STATES NUTRITION, INC.](#)
Legal Entity Type: CORPORATION
Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779

State or Country Where Organized: DELAWARE

Correspondent

Correspondent Name: NBTY, INC.
Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NY 11779

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91160084](#) Filing Date: Apr 05, 2004
Status: Terminated Status Date: Apr 12, 2004
Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: C-Squared TV, LLC
Correspondent Address: Sarah A. Brown
CISLO & THOMAS, LLP
233 WILSHIRE BOULEVARD, SUITE 900
SANTA MONICA CA , 90401-1211
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST'S DAILY	Cancelled - Section 8	76499801	3075076

Plaintiff(s)

Name: Leiner Health Services Corp
Correspondent Address: Michael A Painter
Isaacman Kaufman & Painter
8484 Wilshire Blvd Ste 850
Beverly Hills CA , 90211
UNITED STATES

Associated marks

Registration

Mark	Application Status	Serial Number	Number
PHARMACIST FORMULA	Renewed	73667782	1509847
PHARMACIST FORMULA	Renewed	73683583	1537889
PHARMACIST FORMULA	Renewed	73811804	1591651
PHARMACIST FORMULA	Renewed	73811802	1592720
PHARMACIST FORMULA	Renewed	74143118	1678249
PHARMACIST FORMULA	Renewed	74220954	1763596
PHARMACIST FORMULA	Renewed	74220956	1763597
PHARMACIST FORMULA	Renewed	74220955	1765207

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 05, 2004	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 12, 2004	May 22, 2004
3	PENDING, INSTITUTED	Apr 12, 2004	
4	ANSWER AND COUNTERCLAIM (FEE)	May 24, 2004	
5	COUNTERCLAIM TRIAL DATES& ANS DUE 30 DAY	Jun 25, 2004	
6	ANSWER TO COUNTERCLAIM	Jun 07, 2004	
7	P'S MOTION FOR SUMMARY JUDGMENT	Jul 26, 2004	
8	PROCEED SUSPEND PEND SUMMARY JUDGMENT	Aug 09, 2004	
9	DEF MOT FOR 56F	Aug 23, 2004	
10	PLN NOTICE OF NON-OPP TO DEF MOT TO EXTEND TIME	Sep 07, 2004	
11	DEF MOTION TO EXTEND, W/ CONSENT	Oct 22, 2004	
12	DEF MOTION GRANTED; RESPONSE DUE 01/27/05	Dec 08, 2004	
13	STIPULATED MOT TO SUSPEND PROCEED	Dec 28, 2004	
14	PROCEED SUSPENDED 6MOS	Jan 18, 2005	
15	D'S Amendment of Application AND WITHDRAWAL OF OPPOSITION	May 20, 2005	
16	AMDT APPROVED AND ENTERED; OPP DISMISSED W/PREJ.	Jun 27, 2005	
17	WITHDRAWAL OF COUNTERCLAIM FOR CANCELLATION	Aug 01, 2005	
18	DEF RESPONSE	Jul 27, 2005	
19	BD'S DECISION: DISMISSED W/O PREJUDICE	Oct 03, 2005	
20	TERMINATED	Nov 02, 2005	

Type of Proceeding: Extension of Time

Proceeding Number: [76092794](#)

Filing Date: Feb 25, 2002

Status: Terminated

Status Date: Feb 25, 2002

Interlocutory Attorney:

Defendant

Name: Aaron Industries, Inc.

Correspondent Address: ELIZABETH PASQUINE
KILPATRICK STOCKTON LLP
ONE 1 ST UNION 301 S COLLEGE ST
CHARLOTTE NC , 28202-6000
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST'S PREFERENCE	Partial Section 8 and 15 Accepted and Acknowledged	76092794	2815314

Potential Opposer(s)

Name: Leiner Health Services Corp.,

Correspondent Address: Michael A. Painter
Isaacman Kaufman & Painter
8484 Wilshire Boulevard Suite 850
Beverly Hills CA , 90211

UNITED STATES

Name: LEINER HEALTH PRODUCTS, INC.

Correspondent Address: MICHAEL A. PAINTER
ISAACMAN, KAUFMAN & PAINTER
8484 WILSHIRE BOULEVARD SUITE 850
BEVERLY HILLS CA , 90211
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST FORMULA	Renewed	73683583	1537889

Prosecution History			
Entry Number	History Text	Date	Due Date
1	EXTENSION OF TIME TO OPPOSE FILED	Jan 11, 2002	
2	EXTENSION OF TIME GRANTED	Feb 25, 2002	
3	DELETE ENTRY	Aug 15, 2002	

Type of Proceeding: Opposition

Proceeding Number: [91150990](#)

Filing Date: Feb 22, 2002

Status: Terminated

Status Date: May 28, 2003

Interlocutory Attorney: KAREN S KUHLKE

Defendant

Name: AARON INDUSTRIES, INC.

Correspondent Address: ELIZABETH PASQUINE
KILPATRICK STOCKTON LLP
607 FOURTEENTH ST. NW SUITE 900 WASHINGTON, DC 20005-2018

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST'S PREFERENCE	Partial Section 8 and 15 Accepted and Acknowledged	76092794	2815314

Plaintiff(s)

Name: LEINER HEALTH PRODUCTS, INC.

Correspondent Address: MICHAEL A. PAINTER
ISAACMAN, KAUFMAN & PAINTER
8484 WILSHIRE BLVD SUITE 850
BEVERLY HILLS CA , 90211
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST FORMULA	Renewed	73683583	1537889

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 22, 2002	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 06, 2002	Apr 15, 2002
3	PENDING, INSTITUTED	Mar 06, 2002	
4	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 15, 2002	
5	EXT APPROVED	May 04, 2002	
6	ANSWER W/ COUNTERCLAIM AND FEE	Jun 13, 2002	
7	PL ALLOWED 30 DAYS TO ANSWER CC; DATES R ESET	Jul 26, 2002	
8	ANSWER TO COUNTERCLAIM	Jun 28, 2002	
9	WITHDRAWAL OF OPPOSITION	Sep 16, 2002	
10	DEF ALLOWED 30 DAYS TO RESPOND RE CC	Nov 21, 2002	
11	WITHDRWL OF COUNTERCLAIM	Apr 25, 2003	
12	OPP N COUNTERCLAIM DSMD WO PREJ	May 28, 2003	
13	TERMINATED	May 28, 2003	

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Mark: ISB-FORMULA

US Serial Number: 73717458
US Registration Number: 1546024
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Apr. 29, 2009
Publication Date: Apr. 11, 1989

Application Filing Date: Mar. 18, 1988
Registration Date: Jul. 04, 1989

Mark Information

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

Goods and Services

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

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

For: VITAMIN AND NUTRITIONAL DIETARY SUPPLEMENTS

International Class(es): 005 - Primary Class
U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 06, 1987
Use in Commerce: Jan. 10, 1987

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: NUTRITION CENTER, INC.
Owner Address: P.O. BOX 1298
DOUGLAS, WYOMING 82633
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: WYOMING

Attorney/Correspondence Information

Attorney Name: JACQUELINE L. PATT
Docket Number: 35509-184601

Attorney of Record
Correspondent

Correspondent Name/Address: JACQUELINE L. PATT
VENABLE LLP
PO BOX 34385
WASHINGTON, DISTRICT OF COLUMBIA 20043-9998
UNITED STATES

Domestic Representative

Domestic Representative Name: JACQUELINE L. PATT

Prosecution History

Date	Description	Proceeding Number
Apr. 29, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	60234
Apr. 29, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2009	ASSIGNED TO PARALEGAL	60234
Mar. 05, 2009	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 05, 2009	PAPER RECEIVED	
Sep. 03, 2008	CASE FILE IN TICRS	
Oct. 03, 1995	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 15, 1995	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 04, 1989	REGISTERED-PRINCIPAL REGISTER	
Apr. 11, 1989	PUBLISHED FOR OPPOSITION	
Mar. 11, 1989	NOTICE OF PUBLICATION	
Jan. 11, 1989	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 02, 1988	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 14, 1988	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 15, 1988	NON-FINAL ACTION MAILED	
May 09, 1988	ASSIGNED TO EXAMINER	65999

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 04, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Apr. 29, 2009

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Mark: SHAKLEE FORMULA I

US Serial Number: 73819570
Application Filing Date: Aug. 16, 1989
US Registration Number: 1607993
Registration Date: Jul. 31, 1990
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 05, 2001
Publication Date: May 08, 1990

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 1010096, 1251398, 1527668 and others

Goods and Services

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

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

For: VITAMIN AND MINERAL DIETARY FOOD SUPPLEMENT

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 12, 1989

Use in Commerce: Jul. 12, 1989

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: SHAKLEE CORPORATION
Owner Address: 4747 WILLOW ROAD
PLEASANTON, CALIFORNIA 94588-274
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MARTIN F. MAJESTIC

Docket Number: 7003.086USO

Correspondent

Correspondent Name/Address: MARTIN F MAJESTIC
FOUR EMBARCADERO CTR STE 1100
SAN FRANCISCO, CALIFORNIA 94111-4106
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 23, 2008	CASE FILE IN TICRS	
Feb. 05, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 05, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 28, 2000	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 21, 1996	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 17, 1995	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 31, 1990	REGISTERED-PRINCIPAL REGISTER	
May 08, 1990	PUBLISHED FOR OPPOSITION	
Apr. 07, 1990	NOTICE OF PUBLICATION	
Jan. 12, 1990	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 04, 1989	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 16, 1989	NON-FINAL ACTION MAILED	
Oct. 17, 1989	ASSIGNED TO EXAMINER	67443

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 31, 2000

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Dec. 23, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: SHAKLEE CORPORATION

Assignment 1 of 5

Conveyance: MERGER

Reel/Frame: [1348/0501](#)

Pages: 11

Date Recorded: Apr. 17, 1995

Supporting Documents: No Supporting Documents Available

Assignor

Name: [SHAKLEE CORPORATION](#)

Execution Date: Nov. 28, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [SHAKLEE CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 444 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94111

Correspondent

Correspondent Name: MARTIN F. MAJESTIC

Correspondent Address: MAJESTIC, PARSONS, SIEBERT & HSUE
4 EMBARCADERO CENTER, SUITE 1450
SAN FRANCISCO, CA 94111-4121

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: CHANGE OF NAME

Reel/Frame: [2315/0431](#)

Pages: 19

Date Recorded: Jun. 11, 2001

Supporting Documents: [assignment-tm-2315-0431.pdf](#)

Assignor

Name: [SHAKLEE CORPORATION](#)

Execution Date: Oct. 31, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [YAMANOUCHI CONSUMER INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 4747 WILLOW ROAD
PLEASANTON, CALIFORNIA 94588

Correspondent

Correspondent Name: MARTIN F. MAJESTIC, ESQ.

Correspondent Address: FOUR EMBARCADERO CENTER
SUITE 3300
SAN FRANCISCO, CA 94611

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2315/0863](#)

Pages: 9

Date Recorded: Jun. 11, 2001

Supporting Documents: [assignment-tm-2315-0863.pdf](#)

Assignor

Name: [YAMANOUCHI CONSUMER, INC.](#)

Execution Date: Apr. 01, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [SHAKLEE CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 4747 WILLOW ROAD
PLEASANTON, CALIFORNIA 94588

Correspondent

Correspondent Name: MARTIN F. MAJESTIC, ESQ.

Correspondent Address: FOUR EMBARCADERO CENTER
SUITE 3300
SAN FRANCISCO, CA 94611

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [2866/0629](#)

Pages: 20

Date Recorded: Jun. 04, 2004

Supporting Documents: [assignment-tm-2866-0629.pdf](#)

Assignor

Name: [SHAKLEE CORPORATION](#)

Execution Date: May 27, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [MIZUHO CORPORATE BANK, LTD. \(AS THE SECURITY AGENT\)](#)

Legal Entity Type: BANKING CORPORATION

State or Country Where Organized: JAPAN

Address: 1-1-3 MARUNOUCHI, CHIYODA-KU
TOKYO, JAPAN 100-8210

Correspondent

Correspondent Name: MIHO M. KUBOTA/ DOUGLAS L. HENDRICKS

Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.
SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3404/0592](#)

Pages: 17

Date Recorded: Oct. 09, 2006

Supporting Documents: [assignment-tm-3404-0592.pdf](#)

Assignor

Name: [MIZUHO CORPORATE BANK, LTD.](#)

Execution Date: Sep. 29, 2006

Legal Entity Type: BANKING CORPORATION

State or Country Where Organized: JAPAN

Assignee

Name: [SHAKLEE CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 4747 WILLOW ROAD
PEASANTON, CALIFORNIA 94588

Correspondent

Correspondent Name: ANDREW N. SPIVAK

Correspondent Address: 2000 PENNSYLVANIA AVENUE, N.W.
SUITE 5500
WASHINGTON, DC 20006

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91125169](#)

Filing Date: Jan 28, 2002

Status: Terminated

Status Date: Mar 31, 2003

Interlocutory Attorney: JYLL S TAYLOR

Defendant

Name: MUSCLEMAG INTERNATIONAL CORPORATION (U.S)

Correspondent Address: TAPAS K. PAIN
RIDOUT & MAYBEE, LLP
2 ROBERT SPECK PARKWAY, SUITE 901
MISSISSAUGA ONTARIO

Associated marks

Mark	Application Status	Serial Number	Registration Number
ROBERT KENNEDY'S FORMULA ONE EXTREME NUTRITION	Cancelled - Section 8	75686112	2749107

Plaintiff(s)

Name: SHAKLEE CORPORATION

Correspondent Address: J. CHRISTOPHER CARRAWAY
KLARQUIST SPARKMAN, LLP
ONE WORLD TRADE CENTER, SUITE 1600 121 S.W. SALMON STREET
PORTLAND OR , 97204
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
SHAKLEE FORMULA I	Renewed	73819570	1607993

Prosecution History

Entry	History Text	Date	Due Date
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Number			
1	FILED AND FEE	Jan 28, 2002	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 04, 2002	Apr 13, 2002
3	PENDING, INSTITUTED	Mar 04, 2002	
4	ANSWER	Apr 15, 2002	
5	D'S APPOINTMENT OF DOM REP	Apr 15, 2002	
6	DEF. REV & P/A	Mar 22, 2002	
7	STIPULATION FOR AN EXTENSION OF TIME	Sep 13, 2002	
8	STIPULATION GRANTED	Nov 25, 2002	
9	STIPULATED WITHDRAWAL OF OPP W/O PREJ	Feb 19, 2003	
10	BD'S DECISION: DISMISSED W/O PREJUDICE	Mar 31, 2003	
11	TERMINATED	Mar 31, 2003	

Type of Proceeding: Opposition

Proceeding Number: [91085981](#)

Filing Date: Sep 09, 1991

Status: Terminated

Status Date: Sep 21, 1992

Interlocutory Attorney:

Defendant

Name: LOWELL SWITZER D.B.A.

Correspondent Address: RICHARD C. LITMAN
LITMAN LAW OFFICES, LTD.
P.O. BOX 15035 CRYSTAL CITY STATION
ARLINGTON VA , 22215-0035
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
FORMULA 1 NUTRITION	Abandoned - After Inter-Partes Decision	74054666	

Plaintiff(s)

Name: SHAKLEE CORPORATION

Correspondent Address: J. SUZANNE SIEBERT
MAJESTIC, PARSONS, SIEBERT & HSUE
FOUR EMBARCADERO CENTER - SUITE 1450
SAN FRANCISCO CA , 94111-4121
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
SHAKLEE FORMULA I	Renewed	73819570	1607993

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 09, 1991	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Nov 15, 1991	Dec 16, 1991
3	PENDING, INSTITUTED	Nov 05, 1991	
4	TRIAL DATES SET	Dec 27, 1991	
5	PL'S MOT TO STRIKE	Dec 20, 1991	
6	PENDING, INSTITUTED	Nov 15, 1991	
7	P'S MOTION TO STRIKE	Jan 06, 1992	
8	P'S MOTION TO COMPEL DISCOVERY	Jan 24, 1992	
9	MOT TO COMPEL GRTD; PARTY ALLOWED 30 DAYS TO RESPOND; TRIAL DATES RESET	Mar 27, 1992	
10	PL MOT FOR SUMMARY JDGMT & DECLARATION	May 27, 1992	
11	SUSPENDED PENDING DISP OF CIVIL ACTION	Jul 08, 1992	
12	BOARD'S DECISION: SUSTAINED	Sep 15, 1992	
13	TERMINATED	Sep 21, 1992	

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Mark: SKINNY FORMULA

SKINNY FORMULA

US Serial Number: 74011619 Application Filing Date: Dec. 18, 1989
US Registration Number: 1635933 Registration Date: Feb. 26, 1991
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 12, 2011
Publication Date: Dec. 04, 1990

Mark Information

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

Goods and Services

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

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

For: DIETARY FIBER SUPPLEMENT
International Class(es): 005 - Primary Class U.S Class(es): 018
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 20, 1989 Use in Commerce: Jul. 20, 1989

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: ISI BRANDS INC.
Owner Address: 3133 ORCHARD VISTA DRIVE, SE
GRAND RAPIDS, MICHIGAN 49546
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: MICHIGAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas L. Lockhart Docket Number: Idea T294US
Attorney Primary Email Address: trademarks@varnumlaw.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Thomas L. Lockhart
VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
333 BRIDGE STREET, P.O. BOX 352

GRAND RAPIDS, MICHIGAN 49501
UNITED STATES

Phone: (616) 336-6000

Fax: (616) 336-7000

Correspondent e-mail: trademarks@varnumlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 12, 2011	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	59136
Mar. 12, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 07, 2011	TEAS SECTION 8 & 9 RECEIVED	
Oct. 25, 2007	CASE FILE IN TICRS	
Aug. 04, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 04, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 31, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
May 31, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 15, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 28, 1997	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 14, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 26, 1991	REGISTERED-PRINCIPAL REGISTER	
Dec. 04, 1990	PUBLISHED FOR OPPOSITION	
Nov. 03, 1990	NOTICE OF PUBLICATION	
Sep. 20, 1990	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 04, 1990	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 13, 1990	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	
Apr. 13, 1990	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 26, 1990	NON-FINAL ACTION MAILED	
Mar. 09, 1990	ASSIGNED TO EXAMINER	65812

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 26, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Mar. 12, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 7

Registrant: NATUR-PHARMA, INC.

Assignment 1 of 7

Conveyance: MERGER

Reel/Frame: [1517/0225](#)

Pages: 33

Date Recorded: Aug. 07, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [TWIN LABORATORIES INC.](#)

Execution Date: May 06, 1996

Legal Entity Type: CORPORATION

State or Country Where: NEW YORK

Organized:

Name: [TWINLAB EXPORT CORP.](#) Execution Date: May 06, 1996
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: [TWINLAB SPECIALTY CORP.](#) Execution Date: May 06, 1996
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: [ALVITA PRODUCTS, INC.](#) Execution Date: May 06, 1996
Legal Entity Type: CORPORATION State or Country Where Organized: NEW YORK

Name: [B. BROS. REALTY CORP.](#) Execution Date: May 06, 1996
Legal Entity Type: CORPORATION State or Country Where Organized: UTAH

Assignee

Name: [NATUR-PHARMA INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: UTAH
Address: 2120 SMITHTOWN AVENUE
NEW YORK, NEW YORK 11779

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTIEN
Correspondent Address: ANTHONY F. LO CICERO, ESQ.
90 PARK AVENUE
NEW YORK, NY 10016

Domestic Representative - Not Found

Assignment 2 of 7

Conveyance: SECURITY INTEREST
Reel/Frame: [1513/0306](#) Pages: 95
Date Recorded: Aug. 07, 1996
Supporting Documents: No Supporting Documents Available

Assignor

Name: [TLG LABORATORIES HOLDING CORPORATION](#) Execution Date: May 07, 1996
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: [TWIN LABORATORIES INCORPORATED](#) Execution Date: May 07, 1996
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [ADVANCED RESEARCH PRESS, INCORPORATED](#) Execution Date: May 07, 1996
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [CHEMICAL BANK \(AS AGENT\)](#)
Legal Entity Type: BANKING CORPORATION State or Country Where Organized: NEW YORK
Address: 270 PARK AVENUE
NEW YORK, NEW YORK 10017

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN
Correspondent Address: ANTHONY F. LO CICERO
90 PARK AVENUE, 21ST FLOOR
NEW YORK, NY 10016

Domestic Representative - Not Found

Assignment 3 of 7

Conveyance: CHANGE OF NAME
Reel/Frame: [1517/0258](#) Pages: 33
Date Recorded: Aug. 07, 1996
Supporting Documents: No Supporting Documents Available

Assignor

Name: [NATUR-PHARMA INC.](#)
Legal Entity Type: CORPORATION

Execution Date: May 07, 1996
State or Country Where Organized: UTAH

Assignee

Name: [TWIN LABORATORIES INC.](#)
Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: ATTN: PHILLIP M. KAZIN, ESQ.
2120 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN

Correspondent Address: ANTHONY F. LO CICERO, ESQ.
90 PARK AVENUE
NEW YORK, NY 10016

Domestic Representative - Not Found

Assignment 4 of 7

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2305/0001](#)

Pages: 157

Date Recorded: May 25, 2001

Supporting Documents: [assignment-tm-2305-0001.pdf](#)

Assignor

Name: [TWIN LABORATORIES INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Apr. 19, 2001
State or Country Where Organized: UTAH

Assignee

Name: [BLECHMAN, ROSS](#)
Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 150 MOTOR PARKWAY
C/O TWIN LABORATORIES INC.
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, LINDA](#)
Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, DEAN](#)
Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, SHARON](#)
Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, BRIAN](#)
Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, ROBIN](#)
Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, STEVE](#)
Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, ELYSE](#)
Legal Entity Type: INDIVIDUAL **Citizenship:** UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, NEIL](#)
Legal Entity Type: INDIVIDUAL **Citizenship:** UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Name: [BLECHMAN, HELENA](#)
Legal Entity Type: INDIVIDUAL **Citizenship:** UNITED STATES
Address: C/O TWIN LABORATORIES INC.
150 MOTOR PARKWAY
HAUPPAUGE, NEW YORK 11788

Correspondent

Correspondent Name: SHLESINGER, ARKWRIGHT & GARVEY LLP
Correspondent Address: JAMES E. SHLESINGER, ESQ.
3000 SOUTH EADS STREET
ARLINGTON, VIRGINIA 22202

Domestic Representative - Not Found

Assignment 5 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2882/0768](#) **Pages:** 35
Date Recorded: Dec. 24, 2003
Supporting Documents: [assignment-tm-2882-0768.pdf](#)

Assignor

Name: [TWINLAB CORPORATION](#) **Execution Date:** Dec. 18, 2003
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [TWIN LABORATORIES INC.](#) **Execution Date:** Dec. 18, 2003
Legal Entity Type: CORPORATION **State or Country Where Organized:** UTAH

Name: [TWIN LABORATRIES \(UK\) LTD.](#) **Execution Date:** Dec. 18, 2003
Legal Entity Type: CORPORATION **State or Country Where Organized:** UNITED KINGDOM

Assignee

Name: [ISI BRANDS INC.](#) **State or Country Where Organized:** MICHIGAN
Legal Entity Type: CORPORATION
Address: 3133 ORCHARD VISTA DRIVE, SE
GRAND RAPIDS, MICHIGAN 49546

Correspondent

Correspondent Name: PAUL, HASTINGS, JANOFSKY & WALKER LLP
Correspondent Address: JENNIFER ST. JOHN YOUNT, ESQ.
515 SO. FLOWER STREET, 25F
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 6 of 7

Conveyance: SECURITY INTEREST
Reel/Frame: [2884/0728](#) **Pages:** 46
Date Recorded: Dec. 24, 2003
Supporting Documents: [assignment-tm-2884-0728.pdf](#)

Assignor

Name: [ISI BRANDS INC.](#) **Execution Date:** Dec. 18, 2003
Legal Entity Type: CORPORATION **State or Country Where Organized:** MICHIGAN

Assignee

Name: [HIGHBRIDGE/ZWIRN SPECIAL OPPORTUNITIES FUND, L.P.](#)

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: DELAWARE

Address: 9 WEST 57TH STREET, 27TH FLOOR
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: PAUL, HASTINGS, JANOFSKY & WALKER LLP

Correspondent Address: JENNIFER ST. JOHN YOUNT, ESQ.
515 SO. FLOWER STREET, 25F
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 7 of 7

Conveyance: SECURITY INTEREST

Reel/Frame: [3775/0032](#)

Pages: 59

Date Recorded: May 09, 2008

Supporting Documents: [assignment-tm-3775-0032.pdf](#)

Assignor

Name: [ISI BRANDS INC.](#)

Execution Date: Jan. 07, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: MICHIGAN

Assignee

Name: [FIFTH THIRD BANK](#)

Legal Entity Type: BANKING CORPORATION

State or Country Where Organized: MICHIGAN

Address: 38 FOUNTAIN SQUARE PLAZA,
MD 10AT63
CINCINNATI, OHIO 49503

Correspondent

Correspondent Name: RICHARD S. DONNELL

Correspondent Address: 1828 L STREET, NW
11TH FLOOR
WASHINGTON, DC 20036

Domestic Representative - Not Found

Attorney Primary Email schnedler@ashevillepatent.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: Steven C. Schnedler
CARTER & SCHNEDLER, P.A.
PO BOX 2985
ASHEVILLE, NORTH CAROLINA 28802
UNITED STATES

Phone: 828.252.6225

Fax: 828.252.6316

Correspondent e-mail: schnedler@ashevillepatent.com

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Mar. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69471
Mar. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Nov. 29, 2011	TEAS SECTION 8 & 9 RECEIVED	
Dec. 04, 2007	CASE FILE IN TICRS	
Feb. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 30, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 25, 1997	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 30, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 03, 1991	REGISTERED-PRINCIPAL REGISTER	
Sep. 10, 1991	PUBLISHED FOR OPPOSITION	
Aug. 14, 1991	NOTICE OF PUBLICATION	
Aug. 13, 1991	NOTICE OF PUBLICATION	
Aug. 10, 1991	NOTICE OF PUBLICATION	
May 02, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 26, 1991	EXAMINER'S AMENDMENT MAILED	
Jan. 18, 1990	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 03, 1990	NON-FINAL ACTION MAILED	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 03, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Mar. 26, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: King Bio Pharmaceuticals, Inc.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [2930/0844](#)

Pages: 5

Date Recorded: Aug. 26, 2004

Supporting Documents: [assignment-tm-2930-0844.pdf](#)

Assignor

Name: [KING BIO PHARMACEUTICALS INC.](#) **Execution Date:** Aug. 03, 2004
Legal Entity Type: CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Assignee

Name: [KING BIO, INC.](#) **State or Country Where Organized:** NORTH CAROLINA
Legal Entity Type: CORPORATION
Address: 3 WESTSIDE DRIVE
ASHEVILLE, NORTH CAROLINA 28806

Correspondent

Correspondent Name: STEVEN C. SCHNEDLER
Correspondent Address: 56 CENTRAL AVENUE
SUITE 101
P.O. BOX 2985
ASHEVILLE, NC 28802

Domestic Representative - Not Found

Attorney Name: Michael A. Painter

Docket Number: 18200.129

Correspondent

Correspondent Name/Address: MICHAEL A PAINTER
ISSAACMAN KAUFMAN & PAINTER PC
8484 WILSHIRE BLVD STE 850
BEVERLY HILLS, CALIFORNIA 90211
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 30, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 08, 2009	CASE FILE IN TICRS	
Dec. 03, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 21, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Mar. 21, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 02, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 02, 2003	PAPER RECEIVED	
Feb. 11, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 08, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 25, 1993	REGISTERED-PRINCIPAL REGISTER	
Mar. 30, 1993	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 18, 1993	STATEMENT OF USE PROCESSING COMPLETE	
Feb. 08, 1993	USE AMENDMENT FILED	
Aug. 11, 1992	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 19, 1992	PUBLISHED FOR OPPOSITION	
Apr. 17, 1992	NOTICE OF PUBLICATION	
Jan. 21, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 18, 1991	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 19, 1991	NON-FINAL ACTION MAILED	
May 29, 1991	ALLOWANCE/COUNT WITHDRAWN	
Mar. 12, 1991	ASSIGNED TO EXAMINER	68118

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 25, 2003

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jan. 08, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 13

Registrant: P. LEINER NUTRITIONAL PRODUCTS, INC.

Assignment 1 of 13

Conveyance: CHANGE OF NAME 19920609

Reel/Frame: [0939/0361](#)

Pages: 10

Date Recorded: Mar. 09, 1993

Supporting Documents: No Supporting Documents Available

Assignor

Name: [P. LEINER NUTRITIONAL PRODUCTS, INC.](#) **Execution Date:** Jun. 09, 1992
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [LEINER HEALTH PRODUCTS INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 1845 W. 205TH STREET TORRANCE, CA 90501

Correspondent

Correspondent Name: COOPER, EPSTEIN & HUREWITZ
Correspondent Address: MICHAEL A. PAINTER, ESQ.
 345 NO. MAPLE DR., SUITE 200
 BEVERLY HILLS, CA 90210

Domestic Representative - Not Found**Assignment 2 of 13**

Conveyance: (RE-RECORRD TO CORRECT THE NUMBER OF MICROFILM PAGES.) SEE RECORDING AT REEL 1623, FRAME 0025
Reel/Frame: [1612/0668](#) **Pages:** 16
Date Recorded: Jul. 07, 1997
Supporting Documents: No Supporting Documents Available

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) **Execution Date:** Jun. 30, 1997
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BANK OF NOVA SCOTIA, THE](#)
Legal Entity Type: BANK **State or Country Where Organized:** No Place Where Organized Found
Address: ATTN:ANDREW ROTHSTEIN
 ONE LIBERTY PLAZA
 NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: ALEXANDRA C. LIFTMAN
 2000 PENNSYLVANIA AVENUE, N.W.
 SUITE 6500
 WASHINGTON, D.C. 20006

Domestic Representative - Not Found**Assignment 3 of 13**

Conveyance: SECURITY INTEREST
Reel/Frame: [1623/0025](#) **Pages:** 29
Date Recorded: Jul. 07, 1997
Supporting Documents: No Supporting Documents Available

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) **Execution Date:** Jun. 30, 1997
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BANK OF NOVA SCOTIA, THE](#)
Legal Entity Type: BANK **State or Country Where Organized:** No Place Where Organized Found
Address: ATTN: ANDREW ROTHSTEIN
 ONE LIBERTY PLAZA
 NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: ALEXANDRA C. LIFTMAN
 2000 PENNSYLVANIA AVENUE, N.W.
 SUITE 6500
 WASHINGTON, D.C. 20006

Domestic Representative - Not Found**Assignment 4 of 13**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1919/0193](#)

Pages: 23

Date Recorded: Jun. 01, 1999

Supporting Documents: [assignment-tm-1919-0193.pdf](#)

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#)

Execution Date: Jun. 01, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: ISAACMAN, KAUFMAN & PAINTER

Correspondent Address: MICHAEL A. PAINTER, ESQ.
8484 WILSHIRE BOULEVARD
SUITE 850
BEVERLY HILLS, CA 90211

Domestic Representative - Not Found

Assignment 5 of 13

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2312/0889](#)

Pages: 11

Date Recorded: Jun. 14, 2001

Supporting Documents: [assignment-tm-2312-0889.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: Feb. 28, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF NOVIA SCOTIA, THE, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: BANK, FINANCIAL INSTITUTION

State or Country Where Organized: No Place Where Organized Found

Address: ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER BROWN & PLATT

Correspondent Address: ROBERT E. RUDE II
1909 K ST, NW
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 6 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2946/0691](#)

Pages: 16

Date Recorded: Sep. 28, 2004

Supporting Documents: [assignment-tm-2946-0691.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA](#)

Execution Date: May 27, 2004

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: RENEE PRESCAN

Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP

Domestic Representative - Not Found**Assignment 7 of 13**

Conveyance: RELEASE OF 6/30/97 SECURITY INTEREST

Reel/Frame: [2947/0082](#)

Pages: 13

Date Recorded: Sep. 28, 2004

Supporting Documents: [assignment-tm-2947-0082.pdf](#)**Assignor**Name: [THE BANK OF NOVA SCOTIA](#)

Execution Date: May 27, 2004

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

AssigneeName: [LEINER HEALTH PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745**Correspondent**

Correspondent Name: RENE PRESCAN

Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60601**Domestic Representative - Not Found****Assignment 8 of 13**

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2978/0928](#)

Pages: 8

Date Recorded: Jun. 03, 2004

Supporting Documents: [assignment-tm-2978-0928.pdf](#)**Assignor**Name: [THE BANK OF NOVA SCOTIA, AS
COLLATERAL AGENT](#)

Execution Date: May 27, 2004

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

AssigneeName: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745**Correspondent**

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036**Domestic Representative - Not Found****Assignment 9 of 13**

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2987/0632](#)

Pages: 8

Date Recorded: Jun. 03, 2004

Supporting Documents: [assignment-tm-2987-0632.pdf](#)**Assignor**Name: [BANK OF NOVA SCOTIA, AS COLLATERAL
AGENT, THE](#)

Execution Date: May 27, 2004

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

AssigneeName: [LEINER HEALTH PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233 RD STREET

CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY
Correspondent Address: LUIS RODRIGUEZ
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 10 of 13

Conveyance: SECURITY INTEREST
Reel/Frame: [2990/0017](#) **Pages:** 15
Date Recorded: Jun. 10, 2004
Supporting Documents: [assignment-tm-2990-0017.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#) **Execution Date:** May 27, 2004
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [UBS AG, STAMFORD BRANCH](#)
Legal Entity Type: COLLATERAL AGENT **State or Country Where Organized:** No Place Where Organized Found
Address: 677 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY
Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 11 of 13

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [3820/0864](#) **Pages:** 24
Date Recorded: Jul. 23, 2008
Supporting Documents: [assignment-tm-3820-0864.pdf](#)

Assignor

Name: [UBS AG, STAMFORD BRANCH](#) **Execution Date:** Jul. 14, 2008
Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: SUSAN ZABLOCKI, KIRKLAND & ELLIS LLP
Correspondent Address: 153 EAST 53RD STREET
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 12 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [3892/0538](#) **Pages:** 12
Date Recorded: Nov. 25, 2008
Supporting Documents: [assignment-tm-3892-0538.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#) **Execution Date:** Jul. 14, 2008
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [NBTY ACQUISITION LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKAMA, NEW YORK 11779

Correspondent

Correspondent Name: LEE GROSSKREUZ HECHTEL

Correspondent Address: NBTY, INC.
LEGAL DEPT.
2100 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Domestic Representative - Not Found

Assignment 13 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4233/0787](#)

Pages: 9

Date Recorded: Jun. 29, 2010

Supporting Documents: [assignment-tm-4233-0787.pdf](#)

Assignor

Name: [NBTY ACQUISITION LLC](#)

Execution Date: Jun. 28, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWARE

Assignee

Name: [UNITED STATES NUTRITION, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: NBTY, INC.

Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NY 11779

Domestic Representative - Not Found

Attorney Name: Michael A. Painter

Docket Number: 18200.129

Correspondent

Correspondent Name/Address: MICHAEL A PAINTER
ISSAACMAN KAUFMAN & PAINTER PC
8484 WILSHIRE BLVD STE 850
BEVERLY HILLS, CALIFORNIA 90211
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 30, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 08, 2009	CASE FILE IN TICRS	
Dec. 03, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 21, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Mar. 21, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 02, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 02, 2003	PAPER RECEIVED	
Feb. 11, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 08, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 25, 1993	REGISTERED-PRINCIPAL REGISTER	
Mar. 30, 1993	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 18, 1993	STATEMENT OF USE PROCESSING COMPLETE	
Feb. 08, 1993	USE AMENDMENT FILED	
Aug. 11, 1992	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 19, 1992	PUBLISHED FOR OPPOSITION	
Apr. 17, 1992	NOTICE OF PUBLICATION	
Jan. 21, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 18, 1991	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 19, 1991	NON-FINAL ACTION MAILED	
May 29, 1991	ALLOWANCE/COUNT WITHDRAWN	
Mar. 12, 1991	ASSIGNED TO EXAMINER	68118

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 25, 2003

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jan. 08, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 13

Registrant: P. LEINER NUTRITIONAL PRODUCTS, INC.

Assignment 1 of 13

Conveyance: CHANGE OF NAME 19920609

Reel/Frame: [0939/0361](#)

Pages: 10

Date Recorded: Mar. 09, 1993

Supporting Documents: No Supporting Documents Available

Assignor

Name: [P. LEINER NUTRITIONAL PRODUCTS, INC.](#) **Execution Date:** Jun. 09, 1992
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [LEINER HEALTH PRODUCTS INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 1845 W. 205TH STREET TORRANCE, CA 90501

Correspondent

Correspondent Name: COOPER, EPSTEIN & HUREWITZ
Correspondent Address: MICHAEL A. PAINTER, ESQ.
345 NO. MAPLE DR., SUITE 200
BEVERLY HILLS, CA 90210

Domestic Representative - Not Found**Assignment 2 of 13**

Conveyance: (RE-RECORRD TO CORRECT THE NUMBER OF MICROFILM PAGES.) SEE RECORDING AT REEL 1623, FRAME 0025
Reel/Frame: [1612/0668](#) **Pages:** 16
Date Recorded: Jul. 07, 1997
Supporting Documents: No Supporting Documents Available

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) **Execution Date:** Jun. 30, 1997
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BANK OF NOVA SCOTIA, THE](#)
Legal Entity Type: BANK **State or Country Where Organized:** No Place Where Organized Found
Address: ATTN:ANDREW ROTHSTEIN
ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: ALEXANDRA C. LIFTMAN
2000 PENNSYLVANIA AVENUE, N.W.
SUITE 6500
WASHINGTON, D.C. 20006

Domestic Representative - Not Found**Assignment 3 of 13**

Conveyance: SECURITY INTEREST
Reel/Frame: [1623/0025](#) **Pages:** 29
Date Recorded: Jul. 07, 1997
Supporting Documents: No Supporting Documents Available

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#) **Execution Date:** Jun. 30, 1997
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BANK OF NOVA SCOTIA, THE](#)
Legal Entity Type: BANK **State or Country Where Organized:** No Place Where Organized Found
Address: ATTN: ANDREW ROTHSTEIN
ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: ALEXANDRA C. LIFTMAN
2000 PENNSYLVANIA AVENUE, N.W.
SUITE 6500
WASHINGTON, D.C. 20006

Domestic Representative - Not Found**Assignment 4 of 13**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1919/0193](#)

Pages: 23

Date Recorded: Jun. 01, 1999

Supporting Documents: [assignment-tm-1919-0193.pdf](#)

Assignor

Name: [LEINER HEALTH PRODUCTS INC.](#)

Execution Date: Jun. 01, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: ISAACMAN, KAUFMAN & PAINTER

Correspondent Address: MICHAEL A. PAINTER, ESQ.
8484 WILSHIRE BOULEVARD
SUITE 850
BEVERLY HILLS, CA 90211

Domestic Representative - Not Found

Assignment 5 of 13

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2312/0889](#)

Pages: 11

Date Recorded: Jun. 14, 2001

Supporting Documents: [assignment-tm-2312-0889.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: Feb. 28, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF NOVIA SCOTIA, THE, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: BANK, FINANCIAL INSTITUTION

State or Country Where Organized: No Place Where Organized Found

Address: ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER BROWN & PLATT

Correspondent Address: ROBERT E. RUDE II
1909 K ST, NW
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 6 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2946/0691](#)

Pages: 16

Date Recorded: Sep. 28, 2004

Supporting Documents: [assignment-tm-2946-0691.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA](#)

Execution Date: May 27, 2004

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: RENEE PRESCAN

Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP

Domestic Representative - Not Found**Assignment 7 of 13****Conveyance:** RELEASE OF 6/30/97 SECURITY INTEREST**Reel/Frame:** [2947/0082](#)**Pages:** 13**Date Recorded:** Sep. 28, 2004**Supporting Documents:** [assignment-tm-2947-0082.pdf](#)**Assignor****Name:** [THE BANK OF NOVA SCOTIA](#)**Execution Date:** May 27, 2004**Legal Entity Type:** BANK**State or Country Where Organized:** No Place Where Organized Found**Assignee****Name:** [LEINER HEALTH PRODUCTS, INC.](#)**Legal Entity Type:** CORPORATION**State or Country Where Organized:** DELAWARE**Address:** 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745**Correspondent****Correspondent Name:** RENEE PRESCAN**Correspondent Address:** 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60601**Domestic Representative - Not Found****Assignment 8 of 13****Conveyance:** RELEASE OF SECURITY INTEREST**Reel/Frame:** [2978/0928](#)**Pages:** 8**Date Recorded:** Jun. 03, 2004**Supporting Documents:** [assignment-tm-2978-0928.pdf](#)**Assignor****Name:** [THE BANK OF NOVA SCOTIA, AS COLLATERAL AGENT](#)**Execution Date:** May 27, 2004**Legal Entity Type:** COLLATERAL AGENT**State or Country Where Organized:** No Place Where Organized Found**Assignee****Name:** [LENIER HEALTH SERVICES CORP.](#)**Legal Entity Type:** CORPORATION**State or Country Where Organized:** DELAWARE**Address:** 901 E. 233RD STREET
CARSON, CALIFORNIA 90745**Correspondent****Correspondent Name:** CORPORATION SERVICE COMPANY**Correspondent Address:** JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036**Domestic Representative - Not Found****Assignment 9 of 13****Conveyance:** RELEASE OF SECURITY INTEREST**Reel/Frame:** [2987/0632](#)**Pages:** 8**Date Recorded:** Jun. 03, 2004**Supporting Documents:** [assignment-tm-2987-0632.pdf](#)**Assignor****Name:** [BANK OF NOVA SCOTIA, AS COLLATERAL AGENT, THE](#)**Execution Date:** May 27, 2004**Legal Entity Type:** COLLATERAL AGENT**State or Country Where Organized:** No Place Where Organized Found**Assignee****Name:** [LEINER HEALTH PRODUCTS, INC.](#)**Legal Entity Type:** CORPORATION**State or Country Where Organized:** DELAWARE**Address:** 901 E. 233 RD STREET

CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY
Correspondent Address: LUIS RODRIGUEZ
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 10 of 13

Conveyance: SECURITY INTEREST
Reel/Frame: [2990/0017](#) **Pages:** 15
Date Recorded: Jun. 10, 2004
Supporting Documents: [assignment-tm-2990-0017.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#) **Execution Date:** May 27, 2004
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [UBS AG, STAMFORD BRANCH](#)
Legal Entity Type: COLLATERAL AGENT **State or Country Where Organized:** No Place Where Organized Found
Address: 677 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY
Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 11 of 13

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [3820/0864](#) **Pages:** 24
Date Recorded: Jul. 23, 2008
Supporting Documents: [assignment-tm-3820-0864.pdf](#)

Assignor

Name: [UBS AG, STAMFORD BRANCH](#) **Execution Date:** Jul. 14, 2008
Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: SUSAN ZABLOCKI, KIRKLAND & ELLIS LLP
Correspondent Address: 153 EAST 53RD STREET
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 12 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [3892/0538](#) **Pages:** 12
Date Recorded: Nov. 25, 2008
Supporting Documents: [assignment-tm-3892-0538.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#) **Execution Date:** Jul. 14, 2008
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [NBTY ACQUISITION LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKAMA, NEW YORK 11779

Correspondent

Correspondent Name: LEE GROSSKREUZ HECHTEL

Correspondent Address: NBTY, INC.
LEGAL DEPT.
2100 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Domestic Representative - Not Found

Assignment 13 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4233/0787](#)

Pages: 9

Date Recorded: Jun. 29, 2010

Supporting Documents: [assignment-tm-4233-0787.pdf](#)

Assignor

Name: [NBTY ACQUISITION LLC](#)

Execution Date: Jun. 28, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWARE

Assignee

Name: [UNITED STATES NUTRITION, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: NBTY, INC.

Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NY 11779

Domestic Representative - Not Found

Address: MAIL@NIXONVAN.COM

Authorized:

Correspondent

Correspondent Name/Address: DUANE M. BYERS
NIXON & VANDERHYE, P.C.
901 NORTH GLEBE ROAD
11TH FLOOR
ARLINGTON, VIRGINIA 22203-1808
UNITED STATES

Phone: 7037867421

Correspondent e-mail: NIXONPTOMAIL@NIXONVAN.COM NIXONPTO@NIXONVAN.COM

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 21, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 21, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69471
Nov. 21, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Nov. 06, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	69471
Nov. 21, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Nov. 06, 2013	TEAS SECTION 8 & 9 RECEIVED	
Oct. 23, 2013	REVIEW OF CORRESPONDENCE COMPLETE - POWER OF ATTORNEY ENTERED	70619
Jul. 25, 2013	PAPER RECEIVED	
Apr. 04, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 22, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 22, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 12, 2007	CASE FILE IN TICRS	
Aug. 12, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 12, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 29, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 28, 2003	TEAS SECTION 8 & 9 RECEIVED	
Apr. 21, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 24, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 03, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 21, 1993	REGISTERED-PRINCIPAL REGISTER	
Oct. 14, 1993	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 17, 1993	EXAMINERS AMENDMENT -WRITTEN	
Aug. 10, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 13, 1993	NON-FINAL ACTION MAILED	
Mar. 25, 1993	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 25, 1993	EXTENSION 2 GRANTED	
Feb. 25, 1993	USE AMENDMENT FILED	
Feb. 25, 1993	EXTENSION 2 FILED	
Sep. 09, 1992	EXTENSION 1 GRANTED	
Aug. 24, 1992	EXTENSION 1 FILED	
Feb. 25, 1992	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 03, 1991	PUBLISHED FOR OPPOSITION	
Nov. 01, 1991	NOTICE OF PUBLICATION	
Jun. 05, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 04, 1991	ASSIGNED TO EXAMINER	69721

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 21, 2013

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: Not Found

Date in Location: Nov. 21, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: MARTEK BIOSCIENCES CORPORATION

Assignment 1 of 2

Conveyance: CHANGE OF NAME 19920430

Reel/Frame: [0894/0984](#)

Pages: 4

Date Recorded: Sep. 15, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MARTEK CORPORATION](#)

Execution Date: Apr. 10, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [MARTEK BIOSCIENCES CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 6480 DOBBIN ROAD COLUMBIA, MD 21045

Correspondent

Correspondent Name: ROTHWELL, FIGG, ERNST & KURZ, P.C.

Correspondent Address: RAYMOND A. KURZ, ESQ.
555 13TH ST., NW
SUITE 701 EAST TOWER
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4744/0616](#)

Pages: 45

Date Recorded: Mar. 28, 2012

Supporting Documents: [assignment-tm-4744-0616.pdf](#)

Assignor

Name: [MARTEK BIOSCIENCES CORPORATION](#)

Execution Date: Feb. 24, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [DSM IP ASSETS B.V.](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: NETHERLANDS

Address: HET OVERLOON 1
HEERLEN, NETHERLANDS 6411TE

Correspondent

Correspondent Name: MONICA R. TALLEY/SKGF PLLC

Correspondent Address: 1100 NEW YORK AVENUE, NW
WASHINGTON, DC 20005

Domestic Representative

Domestic Representative Name: MONICA RIVA TALLEY OF SKGF PLLC

Domestic Representative Address: 1100 NEW YORK AVENUE, NW
WASHINGTON, DC 20005

Generated on: This page was generated by TSDR on 2014-02-14 18:45:06 EST

Mark: PHARMACIST FORMULA

PHARMACIST
FORMULA

US Serial Number: 74143118
US Registration Number: 1678249
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jan. 03, 2002
Publication Date: Dec. 17, 1991

Application Filing Date: Feb. 28, 1991
Registration Date: Mar. 10, 1992

Mark Information

Mark Literal Elements: PHARMACIST FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Disclaimer: "FORMULA" and the representation of a mortar and pestle
Design Search Code(s): 19.13.01 - Mortars and pestles

Related Properties Information

Claimed Ownership of US Registrations: 1509847, 1537889, 1591651, 1592720 and others

Goods and Services

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

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

For: vitamins and dietary food supplements, and pharmaceutical preparations; namely, laxatives, antacids, analgesics and preparations for the treatment of colds and cold symptoms

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 1987

Use in Commerce: May 01, 1987

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: UNITED STATES NUTRITION, INC.
Owner Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michael A. Painter

Docket Number: 18200.133

Correspondent

Correspondent Name/Address: MICHAEL A PAINTER
ISAACMAN KAUFMAN & PAINTER PC
8484 WILSHIRE BLVD STE 850
BEVERLY HILLS, CALIFORNIA 90211
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 30, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 03, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 15, 2004	COUNTERCLAIM OPP. NO. 999999	160084
Jan. 03, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 03, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 15, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Oct. 06, 1997	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Sep. 12, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 10, 1992	REGISTERED-PRINCIPAL REGISTER	
Dec. 17, 1991	PUBLISHED FOR OPPOSITION	
Nov. 15, 1991	NOTICE OF PUBLICATION	
Jun. 27, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 14, 1991	EXAMINER'S AMENDMENT MAILED	
Jun. 05, 1991	ASSIGNED TO EXAMINER	68792

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 10, 2002

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TTAB

Date in Location: Nov. 21, 2004

Assignment Abstract Of Title Information

Summary

Total Assignments: 13

Registrant: P. LEINER NUTRITIONAL PRODUCTS, INC.

Assignment 1 of 13

Conveyance: CHANGE OF NAME 19920609

Reel/Frame: [0939/0361](#)

Pages: 10

Date Recorded: Mar. 09, 1993

Supporting Documents: No Supporting Documents Available

Assignor

Name: [P. LEINER NUTRITIONAL PRODUCTS, INC.](#)

Execution Date: Jun. 09, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [LEINER HEALTH PRODUCTS INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1845 W. 205TH STREET TORRANCE, CA 90501

Correspondent**Correspondent Name:** COOPER, EPSTEIN & HUREWITZ**Correspondent Address:** MICHAEL A. PAINTER, ESQ.
345 NO. MAPLE DR., SUITE 200
BEVERLY HILLS, CA 90210**Domestic Representative - Not Found****Assignment 2 of 13****Conveyance:** (RE-RECORRD TO CORRECT THE NUMBER OF MICROFILM PAGES.) SEE RECORDING AT REEL 1623, FRAME 0025**Reel/Frame:** [1612/0668](#)**Pages:** 16**Date Recorded:** Jul. 07, 1997**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [LEINER HEALTH PRODUCTS INC.](#)**Execution Date:** Jun. 30, 1997**Legal Entity Type:** CORPORATION**State or Country Where Organized:** DELAWARE**Assignee****Name:** [BANK OF NOVA SCOTIA, THE](#)**Legal Entity Type:** BANK**State or Country Where Organized:** No Place Where Organized Found**Address:** ATTN:ANDREW ROTHSTEIN
ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006**Correspondent****Correspondent Name:** MAYER, BROWN & PLATT**Correspondent Address:** ALEXANDRA C. LIFTMAN
2000 PENNSYLVANIA AVENUE, N.W.
SUITE 6500
WASHINGTON, D.C. 20006**Domestic Representative - Not Found****Assignment 3 of 13****Conveyance:** SECURITY INTEREST**Reel/Frame:** [1623/0025](#)**Pages:** 29**Date Recorded:** Jul. 07, 1997**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [LEINER HEALTH PRODUCTS INC.](#)**Execution Date:** Jun. 30, 1997**Legal Entity Type:** CORPORATION**State or Country Where Organized:** DELAWARE**Assignee****Name:** [BANK OF NOVA SCOTIA, THE](#)**Legal Entity Type:** BANK**State or Country Where Organized:** No Place Where Organized Found**Address:** ATTN: ANDREW ROTHSTEIN
ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006**Correspondent****Correspondent Name:** MAYER, BROWN & PLATT**Correspondent Address:** ALEXANDRA C. LIFTMAN
2000 PENNSYLVANIA AVENUE, N.W.
SUITE 6500
WASHINGTON, D.C. 20006**Domestic Representative - Not Found****Assignment 4 of 13****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [1919/0193](#)**Pages:** 23**Date Recorded:** Jun. 01, 1999**Supporting Documents:** [assignment-tm-1919-0193.pdf](#)**Assignor****Name:** [LEINER HEALTH PRODUCTS INC.](#)**Execution Date:** Jun. 01, 1999**Legal Entity Type:** CORPORATION**State or Country Where Organized:** DELAWARE**Assignee**

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: ISAACMAN, KAUFMAN & PAINTER

Correspondent Address: MICHAEL A. PAINTER, ESQ.
8484 WILSHIRE BOULEVARD
SUITE 850
BEVERLY HILLS, CA 90211

Domestic Representative - Not Found

Assignment 5 of 13

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2312/0889](#)

Pages: 11

Date Recorded: Jun. 14, 2001

Supporting Documents: [assignment-tm-2312-0889.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: Feb. 28, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF NOVIA SCOTIA, THE, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: BANK, FINANCIAL INSTITUTION

State or Country Where Organized: No Place Where Organized Found

Address: ONE LIBERTY PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: MAYER BROWN & PLATT

Correspondent Address: ROBERT E. RUDE II
1909 K ST, NW
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 6 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2946/0691](#)

Pages: 16

Date Recorded: Sep. 28, 2004

Supporting Documents: [assignment-tm-2946-0691.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA](#)

Execution Date: May 27, 2004

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: RENEE PRESCAN

Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 7 of 13

Conveyance: RELEASE OF 6/30/97 SECURITY INTEREST

Reel/Frame: [2947/0082](#)

Pages: 13

Date Recorded: Sep. 28, 2004

Supporting Documents: [assignment-tm-2947-0082.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA](#)

Execution Date: May 27, 2004

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 EAST 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: RENEE PRESCAN

Correspondent Address: 200 E. RANDOLPH DRIVE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 8 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2978/0928](#)

Pages: 8

Date Recorded: Jun. 03, 2004

Supporting Documents: [assignment-tm-2978-0928.pdf](#)

Assignor

Name: [THE BANK OF NOVA SCOTIA, AS COLLATERAL AGENT](#)

Execution Date: May 27, 2004

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LENIER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 9 of 13

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2987/0632](#)

Pages: 8

Date Recorded: Jun. 03, 2004

Supporting Documents: [assignment-tm-2987-0632.pdf](#)

Assignor

Name: [BANK OF NOVA SCOTIA, AS COLLATERAL AGENT, THE](#)

Execution Date: May 27, 2004

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LEINER HEALTH PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233 RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: LUIS RODRIGUEZ
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 10 of 13

Conveyance: SECURITY INTEREST

Reel/Frame: [2990/0017](#)

Pages: 15

Date Recorded: Jun. 10, 2004

Supporting Documents: [assignment-tm-2990-0017.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)
Legal Entity Type: CORPORATION

Execution Date: May 27, 2004
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [UBS AG, STAMFORD BRANCH](#)
Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Address: 677 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY
Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 11 of 13

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3820/0864](#)

Pages: 24

Date Recorded: Jul. 23, 2008

Supporting Documents: [assignment-tm-3820-0864.pdf](#)

Assignor

Name: [UBS AG, STAMFORD BRANCH](#)
Legal Entity Type: CORPORATION

Execution Date: Jul. 14, 2008
State or Country Where Organized: SWITZERLAND

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: SUSAN ZABLOCKI, KIRKLAND & ELLIS LLP
Correspondent Address: 153 EAST 53RD STREET
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 12 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3892/0538](#)

Pages: 12

Date Recorded: Nov. 25, 2008

Supporting Documents: [assignment-tm-3892-0538.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)
Legal Entity Type: CORPORATION

Execution Date: Jul. 14, 2008
State or Country Where Organized: DELAWARE

Assignee

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

State or Country Where Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKAMA, NEW YORK 11779

Correspondent

Correspondent Name: LEE GROSSKREUZ HECHTEL
Correspondent Address: NBTY, INC.
LEGAL DEPT.
2100 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Domestic Representative - Not Found

Assignment 13 of 13

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4233/0787](#)

Pages: 9

Date Recorded: Jun. 29, 2010

Supporting Documents: [assignment-tm-4233-0787.pdf](#)

Assignor

Name: [NBTY ACQUISITION LLC](#)

Execution Date: Jun. 28, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [UNITED STATES NUTRITION, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: NBTY, INC.

Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NY 11779

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91160084](#)

Filing Date: Apr 05, 2004

Status: Terminated

Status Date: Apr 12, 2004

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: C-Squared TV, LLC

Correspondent Address: Sarah A. Brown
CISLO & THOMAS, LLP
233 WILSHIRE BOULEVARD, SUITE 900
SANTA MONICA CA , 90401-1211
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST'S DAILY	Cancelled - Section 8	76499801	3075076

Plaintiff(s)

Name: Leiner Health Services Corp

Correspondent Address: Michael A Painter
Isaacman Kaufman & Painter
8484 Wilshire Blvd Ste 850
Beverly Hills CA , 90211
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHARMACIST FORMULA	Renewed	73667782	1509847
PHARMACIST FORMULA	Renewed	73683583	1537889
PHARMACIST FORMULA	Renewed	73811804	1591651
PHARMACIST FORMULA	Renewed	73811802	1592720
PHARMACIST FORMULA	Renewed	74143118	1678249
PHARMACIST FORMULA	Renewed	74220954	1763596
PHARMACIST FORMULA	Renewed	74220956	1763597

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 05, 2004	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 12, 2004	May 22, 2004
3	PENDING, INSTITUTED	Apr 12, 2004	
4	ANSWER AND COUNTERCLAIM (FEE)	May 24, 2004	
5	COUNTERCLAIM TRIAL DATES& ANS DUE 30 DAY	Jun 25, 2004	
6	ANSWER TO COUNTERCLAIM	Jun 07, 2004	
7	P'S MOTION FOR SUMMARY JUDGMENT	Jul 26, 2004	
8	PROCEED SUSPEND PEND SUMMARY JUDGMENT	Aug 09, 2004	
9	DEF MOT FOR 56F	Aug 23, 2004	
10	PLN NOTICE OF NON-OPP TO DEF MOT TO EXTEND TIME	Sep 07, 2004	
11	DEF MOTION TO EXTEND, W/ CONSENT	Oct 22, 2004	
12	DEF MOTION GRANTED; RESPONSE DUE 01/27/05	Dec 08, 2004	
13	STIPULATED MOT TO SUSPEND PROCEED	Dec 28, 2004	
14	PROCEED SUSPENDED 6MOS	Jan 18, 2005	
15	D'S Amendment of Application AND WITHDRAWAL OF OPPOSITION	May 20, 2005	
16	AMDT APPROVED AND ENTERED; OPP DISMISSED W/PREJ.	Jun 27, 2005	
17	WITHDRAWAL OF COUNTERCLAIM FOR CANCELLATION	Aug 01, 2005	
18	DEF RESPONSE	Jul 27, 2005	
19	BD'S DECISION: DISMISSED W/O PREJUDICE	Oct 03, 2005	
20	TERMINATED	Nov 02, 2005	

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Mark: MASTER GLAND FORMULA

US Serial Number: 74145032
US Registration Number: 1762348
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Apr. 30, 2013
Publication Date: Jan. 12, 1993
Application Filing Date: Mar. 05, 1991
Registration Date: Apr. 06, 1993

Mark Information

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

Goods and Services

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

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

For: dietary food supplements; namely, herbs, vitamins and minerals

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1988

Use in Commerce: Aug. 1988

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Nature's Sunshine Products, Inc.
Owner Address: 2500 WEST EXECUTIVE PARKWAY
SUITE 100
LEHI, UTAH 84043
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michael E. Mangelson, Esq.

Attorney Primary Email Address: memangelson@stoel.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Michael E. Mangelson, Esq.
STOEL RIVES LLP
201 So. Main Street, Suite 1100
One Utah Center
Salt Lake City, UTAH 84111
UNITED STATES

Phone: (801) 328-3131

Correspondent e-mail: memangelson@stoel.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 30, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 30, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	75461
Apr. 30, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Apr. 08, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	75461
Apr. 25, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Apr. 08, 2013	PAPER RECEIVED	
Jul. 21, 2008	CASE FILE IN TICRS	
Dec. 12, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 12, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 07, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jun. 07, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 01, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 01, 2003	PAPER RECEIVED	
Sep. 03, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 05, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 06, 1993	REGISTERED-PRINCIPAL REGISTER	
Jan. 12, 1993	PUBLISHED FOR OPPOSITION	
Dec. 11, 1992	NOTICE OF PUBLICATION	
Oct. 01, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 11, 1992	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 06, 1992	CONTINUATION OF FINAL REFUSAL MAILED	
May 26, 1992	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 23, 1991	FINAL REFUSAL MAILED	
Sep. 27, 1991	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 17, 1991	NON-FINAL ACTION MAILED	
Jun. 10, 1991	ASSIGNED TO EXAMINER	66508

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 06, 2013

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Apr. 30, 2013

Attorney Primary Email TM-SLC@stoel.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Michael E. Mangelson, Esq.
STOEL RIVES LLP
201 So. Main Street, Suite 1100
One Utah Center
Salt Lake City, UTAH 84111
UNITED STATES

Phone: (801) 578-6903

Fax: (801) 578-6999

Correspondent e-mail: TM-SLC@stoel.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 30, 2008	CASE FILE IN TICRS	
Dec. 12, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 12, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 16, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 16, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 13, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 13, 2002	PAPER RECEIVED	
May 09, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Mar. 25, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 1992	PUBLISHED FOR OPPOSITION	
Mar. 27, 1992	NOTICE OF PUBLICATION	
Oct. 30, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 12, 1991	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 06, 1991	NON-FINAL ACTION MAILED	
Jun. 13, 1991	ASSIGNED TO EXAMINER	65999

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 21, 2002

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jan. 30, 2008

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Mark: RESHAPE FORMULA

US Serial Number: 74282232
US Registration Number: 1749801
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Apr. 11, 2003
Publication Date: Nov. 10, 1992

Application Filing Date: Jun. 08, 1992
Registration Date: Feb. 02, 1993

Mark Information

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

Goods and Services

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

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

For: food supplements, nutritional constituent-containing capsules for appetite suppression

International Class(es): 005 - Primary Class U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 22, 1991 Use in Commerce: Nov. 22, 1991

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Body Wise International, Inc.
Owner Address: 2832 DOW AVENUE
TUSTIN, CALIFORNIA 92780
UNITED STATES

Legal Entity Type: CORPORATION State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: RAPHAEL A GUTIERREZ
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 MAIN ST
FOURTEENTH FL
IRVINE, CALIFORNIA 92614
UNITED STATES

Phone: (949) 760-0404

Fax: (949) 760-9502

Correspondent e-mail: efiling@kmob.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 16, 2008	CASE FILE IN TICRS	
Nov. 20, 2003	AMENDMENT UNDER SECTION 7 - ISSUED	
Aug. 11, 2003	SEC 7 REQUEST FILED	
Aug. 11, 2003	PAPER RECEIVED	
Apr. 11, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Apr. 11, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 06, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 06, 2003	PAPER RECEIVED	
Apr. 11, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 20, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 03, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 02, 1993	REGISTERED-PRINCIPAL REGISTER	
Nov. 10, 1992	PUBLISHED FOR OPPOSITION	
Oct. 09, 1992	NOTICE OF PUBLICATION	
Sep. 02, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 21, 1992	EXAMINER'S AMENDMENT MAILED	
Aug. 18, 1992	ASSIGNED TO EXAMINER	69222

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 02, 2003

Change in Registration: Yes

Amendment to a Registration/Renewal Certificate: The drawing is amended to appear as follows: RESHAPE FORMULA

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 16, 2008

Correspondent

Correspondent Name/Address: ROBERT E BROWNE
NEAL, GERBER & EISENBERG LLP
TWO N LA SALLE ST STE 2200
CHICAGO, ILLINOIS 60602
UNITED STATES

Phone: 312-269-8000

Fax: 312-269-1747

Correspondent e-mail: rbrowne@ngelaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 27, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 27, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 21, 2005	ASSIGNED TO PARALEGAL	70132
May 24, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 24, 2005	PAPER RECEIVED	
Jun. 09, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 02, 2001	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 20, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 23, 1995	REGISTERED-PRINCIPAL REGISTER	
Feb. 28, 1995	PUBLISHED FOR OPPOSITION	
Jan. 27, 1995	NOTICE OF PUBLICATION	
Aug. 22, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 16, 1994	EXAMINER'S AMENDMENT MAILED	
Feb. 14, 1994	NON-FINAL ACTION MAILED	
Nov. 29, 1993	ASSIGNED TO EXAMINER	66508

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 23, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jul. 27, 2005

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: PET-AG, INC.

Assignment 1 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [1188/0464](#)

Pages: 6

Date Recorded: Aug. 01, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [PF, INC.](#)

Execution Date: Jul. 13, 1994

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [CONGRESS FINANCIAL CORPORATION \(NORTHWEST\)](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 101 SW MAIN STREET, SUITE 725
PORTLAND, OR 97204

Correspondent

Correspondent Name: MS. VICKI A. BALLOU

Correspondent Address: TONKON, TORP, GALEN, ET AL.
1600 PIONEER TOWER
888 SW FIFTH AVENUE
PORTLAND, OR 97204-2099

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: SECURITY AGREEMENT

Reel/Frame: [1707/0223](#)

Pages: 14

Date Recorded: Apr. 07, 1998

Supporting Documents: No Supporting Documents Available

Assignor

Name: [PET-AG, INC.](#)

Execution Date: Mar. 26, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [CIT GROUP/ CREDIT FINANCE, INC., THE](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 10 SOUTH LASALLE STREET
CHICAGO, ILLINOIS 60603

Correspondent

Correspondent Name: VEDDER, PRICE, KAUFMAN & KAMMHOLZ

Correspondent Address: TAMMY S. SETTLE
222 NORTH LASALLE STREET, SUITE 2600
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: DISCLAIMER STATEMENT

Reel/Frame: [1880/0957](#)

Pages: 3

Date Recorded: Mar. 25, 1999

Supporting Documents: [assignment-tm-1880-0957.pdf](#)

Assignor

Name: [PF, INC.](#)

Execution Date: Feb. 23, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [CONGRESS FINANCIAL CORPORATION \(NORTHWEST\)](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: 101 SOUTHWEST MAIN STREET
SUITE 725
PORTLAND, OREGON 97204

Correspondent

Correspondent Name: GILL LAW FIRM, A PROFESSIONAL ASSOC.

Correspondent Address: JOE D. CALHOUN
3801 TCBY TOWER
LITTLE ROCK, AR 72201

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [2536/0086](#)

Pages: 17

Date Recorded: Jun. 25, 2002

Supporting Documents: [assignment-tm-2536-0086.pdf](#)

Assignor

Name: [PET-AG INC.](#)

Execution Date: May 14, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [WELLS FARGO BUSINESS CREDIT, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MINNESOTA

Address: ATTN: KEITH GOSTOMSKI
100 EAST WISCONSIN AVENUE SUITE 1400
MILWAUKEE, WISCONSIN 53202

Correspondent

Correspondent Name: HOWARD, SOLOCHEK & WEBER, S.C.

Correspondent Address: ALBERT SOLOCHEK
324 E. WISCONSIN AVENUE, SUITE 1100
MILWAUKEE, WI 53202

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY AGREEMENT

Reel/Frame: [3109/0688](#)

Pages: 13

Date Recorded: Jun. 23, 2005

Supporting Documents: [assignment-tm-3109-0688.pdf](#)

Assignor

Name: [PET-AG, INC.](#)

Execution Date: May 27, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [FIFTH THIRD BANK \(CHICAGO\)](#)

Legal Entity Type: BANKING ASSOCIATION

State or Country Where Organized: MICHIGAN

Address: 1500 N. MAIN STREET
WHEATON, ILLINOIS 60187

Correspondent

Correspondent Name: CBC COMPANIES DBA FEDERAL RESEARCH

Correspondent Address: 1030 FIFTEENTH STREET, NW, SUITE 920
ATTN: PENELOPE J.A. AGODOA
WASHINGTON, DC 20005

Domestic Representative - Not Found

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Mark: REBUILD OSTEOPOROSIS FORMULA

US Serial Number: 74447402
US Registration Number: 1853467
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Sep. 30, 2013
Publication Date: Jun. 21, 1994

Application Filing Date: Oct. 15, 1993
Registration Date: Sep. 13, 1994

Mark Information

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

Goods and Services

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

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

For: nutritional supplement for prevention of osteoporosis

International Class(es): 005 - Primary Class
U.S Class(es): 018

Class Status: ACTIVE
Basis: 1(a)

First Use: Sep. 05, 1993
Use in Commerce: Sep. 05, 1993

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: METABOLIC MAINTENANCE PRODUCTS, INC.
Owner Address: P.O. BOX 940
SISTERS, OREGON 97759
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: DOUGLAS D. HANCOCK

Docket Number: 1141-010

Attorney Primary Email doug@hancockhughey.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: DOUGLAS D. HANCOCK
Hancock Hughey LLP
P.O. Box 1208
Sisters, OREGON 97759
UNITED STATES

Phone: 541-549-4942

Fax: 541-549-0916

Correspondent e-mail: doug@hancockhughey.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 30, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 30, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70131
Sep. 30, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Sep. 27, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	70131
Sep. 30, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Sep. 27, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jul. 27, 2007	CASE FILE IN TICRS	
Jan. 24, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 24, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 28, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Oct. 28, 2003	TEAS SECTION 8 & 9 RECEIVED	
Oct. 28, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 28, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 05, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 13, 1994	REGISTERED-PRINCIPAL REGISTER	
Jun. 21, 1994	PUBLISHED FOR OPPOSITION	
May 20, 1994	NOTICE OF PUBLICATION	
Mar. 14, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 04, 1994	EXAMINER'S AMENDMENT MAILED	
Feb. 23, 1994	ASSIGNED TO EXAMINER	70731

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 13, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Sep. 30, 2013

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Mark: SUPER VITA-COQ10 FORMULA

SUPER VITA-COQ10 FORMULA

US Serial Number: 74477460
Application Filing Date: Jan. 07, 1994
US Registration Number: 1881820
Registration Date: Mar. 07, 1995
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 01, 2004
Publication Date: Dec. 13, 1994

Mark Information

Mark Literal Elements: SUPER VITA-COQ10 FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "FORMULA"

Goods and Services

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

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

For: dietary supplements
International Class(es): 005 - Primary Class
U.S Class(es): 018
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 01, 1993
Use in Commerce: Jul. 01, 1993

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: BLUEBONNET NUTRITION CORP.
Owner Address: 12915 Dairy Ashford
SUGARLAND, TEXAS 77478
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JOHN S. EGBERT

Correspondent

Correspondent Name/Address: JOHN S EGBERT
HARRISON & EGBERT
412 MAIN ST 7TH FL
HOUSTON, TEXAS 77002
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 29, 2007	CASE FILE IN TICRS	
Nov. 01, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Nov. 01, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 24, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Sep. 24, 2004	TEAS SECTION 8 & 9 RECEIVED	
Jun. 08, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Mar. 27, 2000	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 07, 1995	REGISTERED-PRINCIPAL REGISTER	
Dec. 13, 1994	PUBLISHED FOR OPPOSITION	
Nov. 11, 1994	NOTICE OF PUBLICATION	
Jul. 06, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 01, 1994	EXAMINER'S AMENDMENT MAILED	
Jun. 24, 1994	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jun. 21, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 13, 1994	EXAMINER'S AMENDMENT MAILED	
Jun. 01, 1994	NON-FINAL ACTION MAILED	
May 24, 1994	ASSIGNED TO EXAMINER	69198

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 07, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 29, 2007

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: RICHARD J POLLEY
KLARQUIST SPARKMAN LLP
ONE WORLD TRADE CTR
121 SW SALMON ST STE 1600
PORTLAND, OREGON 97204
UNITED STATES

Phone: 503 595 5300

Fax: 503 595 5301

Correspondent e-mail: ptotmdocket@klarquist.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 15, 2007	CASE FILE IN TICRS	
Apr. 01, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59136
Apr. 01, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 22, 2006	ASSIGNED TO PARALEGAL	59136
Dec. 16, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 27, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 16, 2005	TEAS SECTION 8 & 9 RECEIVED	
Feb. 22, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 17, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 26, 1995	REGISTERED-PRINCIPAL REGISTER	
Apr. 04, 1995	PUBLISHED FOR OPPOSITION	
Mar. 03, 1995	NOTICE OF PUBLICATION	
Sep. 15, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 13, 1994	ASSIGNED TO EXAMINER	69198

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 26, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 15, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 4

Registrant: Shaklee Corporation

Assignment 1 of 4

Conveyance: CHANGE OF NAME

Reel/Frame: [2315/0431](#)

Pages: 19

Date Recorded: Jun. 11, 2001

Supporting Documents: [assignment-tm-2315-0431.pdf](#)

Assignor

Name: [SHAKLEE CORPORATION](#)

Execution Date: Oct. 31, 2000

Legal Entity Type: CORPORATION

State or Country Where: DELAWARE

Organized:

Assignee

Name: [YAMANOUCHI CONSUMER INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 4747 WILLOW ROAD
PLEASANTON, CALIFORNIA 94588

Correspondent

Correspondent Name: MARTIN F. MAJESTIC, ESQ.
Correspondent Address: FOUR EMBARCADERO CENTER
SUITE 3300
SAN FRANCISCO, CA 94611

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2315/0863](#) **Pages:** 9
Date Recorded: Jun. 11, 2001
Supporting Documents: [assignment-tm-2315-0863.pdf](#)

Assignor

Name: [YAMANOUCHI CONSUMER, INC.](#) **Execution Date:** Apr. 01, 2001
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [SHAKLEE CORPORATION](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 4747 WILLOW ROAD
PLEASANTON, CALIFORNIA 94588

Correspondent

Correspondent Name: MARTIN F. MAJESTIC, ESQ.
Correspondent Address: FOUR EMBARCADERO CENTER
SUITE 3300
SAN FRANCISCO, CA 94611

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: SECURITY INTEREST
Reel/Frame: [2866/0629](#) **Pages:** 20
Date Recorded: Jun. 04, 2004
Supporting Documents: [assignment-tm-2866-0629.pdf](#)

Assignor

Name: [SHAKLEE CORPORATION](#) **Execution Date:** May 27, 2004
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [MIZUHO CORPORATE BANK, LTD. \(AS THE SECURITY AGENT\)](#)
Legal Entity Type: BANKING CORPORATION **State or Country Where Organized:** JAPAN
Address: 1-1-3 MARUNOUCHI, CHIYODA-KU
TOKYO, JAPAN 100-8210

Correspondent

Correspondent Name: MIHO M. KUBOTA/ DOUGLAS L. HENDRICKS
Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.
SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [3404/0592](#) **Pages:** 17
Date Recorded: Oct. 09, 2006
Supporting Documents: [assignment-tm-3404-0592.pdf](#)

Assignor

Name: [MIZUHO CORPORATE BANK, LTD.](#)
Legal Entity Type: BANKING CORPORATION

Execution Date: Sep. 29, 2006
State or Country Where Organized: JAPAN

Assignee

Name: [SHAKLEE CORPORATION](#)
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 4747 WILLOW ROAD
PEASANTON, CALIFORNIA 94588

Correspondent

Correspondent Name: ANDREW N. SPIVAK

Correspondent Address: 2000 PENNSYLVANIA AVENUE, N.W.
SUITE 5500
WASHINGTON, DC 20006

Domestic Representative - Not Found

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Mark: WELLNESS FORMULA

US Serial Number: 74524068
US Registration Number: 1965003
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 30, 2006
Publication Date: Jan. 09, 1996

Application Filing Date: May 12, 1994
Registration Date: Apr. 02, 1996

Mark Information

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

Goods and Services

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

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

For: vitamins, dietary herbal supplements and nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1984

Use in Commerce: Jul. 01, 1984

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: THRESHOLD ENTERPRISES LTD
Owner Address: 23 JANIS WAY
SCOTTS VALLEY, CALIFORNIA 95066
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Anna W. Manville, Esq.

Docket Number: 22445.009

Attorney Primary Email trademarkdocketing@aporter.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Anna W. Manville, Esq.
Arnold & Porter LLP
555 Twelfth Street, NW
IP DOCKETING
Washington, DISTRICT OF COLUMBIA 20004
UNITED STATES

Phone: 202.942.5000

Fax: 202.942.5999

Correspondent e-mail: trademarkdocketing@aporter.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 17, 2013	COUNTERCLAIM OPP. NO. 999999	212054
Mar. 07, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 07, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 03, 2013	COUNTERCLAIM OPP. NO. 999999	208231
Jun. 04, 2012	COUNTERCLAIM OPP. NO. 999999	189080
Oct. 21, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 21, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 13, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 17, 2006	CASE FILE IN TICRS	
Mar. 30, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Mar. 30, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 22, 2006	ASSIGNED TO PARALEGAL	70131
Feb. 02, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 02, 2006	TEAS SECTION 8 & 9 RECEIVED	
Jun. 26, 2001	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 18, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 07, 1997	CANCELLATION INSTITUTED NO. 999999	26515
Apr. 02, 1996	REGISTERED-PRINCIPAL REGISTER	
Jan. 09, 1996	PUBLISHED FOR OPPOSITION	
Dec. 08, 1995	NOTICE OF PUBLICATION	
Sep. 27, 1995	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 21, 1994	LETTER OF SUSPENSION MAILED	
Nov. 10, 1994	EXAMINER'S AMENDMENT MAILED	
Nov. 03, 1994	NON-FINAL ACTION MAILED	
Oct. 17, 1994	ASSIGNED TO EXAMINER	69198
Sep. 29, 1994	ASSIGNED TO EXAMINER	61380
Sep. 22, 1994	ASSIGNED TO EXAMINER	66508

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 02, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Aug. 17, 2006

Assignment Abstract Of Title Information**Summary**

Total Assignments: 2

Registrant: Source Natural, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1540/0495](#)

Pages: 4

Date Recorded: Dec. 12, 1996

Supporting Documents: No Supporting Documents Available

AssignorName: [SOURCE NATURAL, INC.](#)

Execution Date: Nov. 05, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

AssigneeName: [THRESHOLD ENTERPRISES, LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 23 JANIS WAY
SCOTTS VALLEY, CALIFORNIA 95066**Correspondent**

Correspondent Name: BROBECK, PHLEGER & HARRISON LLP

Correspondent Address: SHARON E. MEIERAN, ESQ.
2200 GENG RD.
TWO EMBARCADERO PLACE
PALO ALTO, CA 94303**Domestic Representative - Not Found****Assignment 2 of 2**

Conveyance: SECURITY INTEREST

Reel/Frame: [5011/0638](#)

Pages: 10

Date Recorded: Apr. 22, 2013

Supporting Documents: [assignment-tm-5011-0638.pdf](#)**Assignor**Name: [THRESHOLD ENTERPRISES LTD.](#)

Execution Date: Apr. 03, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

AssigneeName: [JPMORGAN CHASE BANK, N.A.](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 3 PARK PLAZA, SUITE 900
IRVINE, CALIFORNIA 92614**Correspondent**

Correspondent Name: MCGLINCHAY STAFFORD, PLLC

Correspondent Address: 301 MAIN STREET, 14TH FLOOR
BATON ROUGE, LA 70801**Domestic Representative - Not Found****Proceedings****Summary**

Number of Proceedings: 25

Type of Proceeding: OppositionProceeding Number: [91214662](#)

Filing Date: Jan 27, 2014

Status: Pending

Status Date: Jan 27, 2014

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Medipro Direct Slim LLC

Correspondent Address: MARK S. HUBERT

MARK S. HUBERT, PC
2300 SW FIRST AVE STE 101
PORTLAND OR , 97201-5047

Correspondent e-mail: markhubert@pacifier.com; nicoleh@pacifie.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
THE WELLNESS GENE DNA OPTIMIZED HEALTH	Opposition Pending	85807641	

Name: Threshold Enterprises Ltd.

Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER, 10TH FLOOR
San Francisco CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , bryan.gresham@aporter.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
WELLNESS SHOTS	Section 8 - Accepted	78601833	3073471
WELLNESS FORMULA	Renewed	74524068	1965003
WELLNESS FIZZ	Registered	77685678	3933241
WELLNESS SHOT	Registered	85628552	4405519
WELLNESS ON THE GO	Registered	85628585	4386422

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 27, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 27, 2014	Mar 08, 2014
3	PENDING, INSTITUTED	Jan 27, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91214676](#)

Filing Date: Jan 22, 2014

Status: Pending

Status Date: Jan 22, 2014

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: Healthy Directions, LLC

Correspondent Address: MARK HARRISON
VENABLE LLP
PO BOX 34385
WASHINGTON DC , 20043-9998
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number
AMERICA'S WELLNESS DOCTOR	Opposition Pending	85816607	

Plaintiff(s)

Name: Threshold Enterprises Ltd.

Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER, 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , trademarkdocketing@aporter.com , bryan.gresham@aporter.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003
WELLNESS FIZZ	Registered	77685678	3933241
WELLNESS SHOTS	Section 8 - Accepted	78601833	3073471
WELLNESS SHOT	Registered	85628552	4405519

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 22, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 28, 2014	Mar 09, 2014
3	PENDING, INSTITUTED	Jan 28, 2014	

Type of Proceeding: OppositionProceeding Number: [91213964](#)

Filing Date: Dec 11, 2013

Status: Pending

Status Date: Dec 11, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Sai Keong International USA LLC

Correspondent Address: MATTHEW H SWYERS
THE TRADEMARK COMPANY
344 MAPLE AVE W STE 151
VIENNA VA , 22180-5612
UNITED STATES

Correspondent e-mail: mswyers@thetrademarkcompany.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SGBT ULTIMATE WELLNESS SOLUTION	Opposition Pending	85886256	

Plaintiff(s)

Name: Threshold Enterprises Ltd.

Correspondent Address: JEREMY MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER 10TH FLOOR
SAN FRANCISCO CA , 94111-4024
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , elisabeth.richards@aporter.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003
WELLNESS SHOTS	Section 8 - Accepted	78601833	3073471
WELLNESS FIZZ	Registered	77685678	3933241
WELLNESS ON THE GO	Registered	85628585	4386422
WELLNESS SHOT	Registered	85628552	4405519

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 11, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 11, 2013	Jan 20, 2014
3	PENDING, INSTITUTED	Dec 11, 2013	
4	NOTICE OF DEFAULT	Feb 04, 2014	

Type of Proceeding: OppositionProceeding Number: [91213671](#)

Filing Date: Nov 25, 2013

Status: Pending

Status Date: Nov 25, 2013

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Focus Wellness, LLC

Correspondent Address: KEVIN A THOMPSON
DAVIS MCGRATH LLC
125 SOUTH WACKER DRIVE, SUITEW 1700
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: ktompson@davismcgrath.com

Associated marks			

Mark	Application Status	Serial Number	Registration Number
WELLNESS ORIGIN	Opposition Pending	85785614	

Plaintiff(s)

Name: Threshold Enterprises, Inc.

Correspondent Address: Jeremy M. McLaughlin
ARNOLD & PORTER LLP
3 Embarcadero Center, 10th Fl.
San Francisco CA , 94111-4024
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , elisabeth.richards@aporter.com , monty.agarwal@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003
WELLNESS SHOTS	Section 8 - Accepted	78601833	3073471
WELLNESS FIZZ	Registered	77685678	3933241
WELLNESS ON THE GO	Registered	85628585	4386422
WELLNESS SHOT	Registered	85628552	4405519

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 25, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 25, 2013	Jan 04, 2014
3	PENDING, INSTITUTED	Nov 25, 2013	
4	D APPEARANCE / POWER OF ATTORNEY	Dec 13, 2013	
5	STIP FOR EXT	Dec 17, 2013	
6	EXTENSION OF TIME GRANTED	Dec 17, 2013	
7	STIP FOR EXT	Jan 23, 2014	
8	EXTENSION OF TIME GRANTED	Jan 23, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91213058](#)

Filing Date: Oct 18, 2013

Status: Pending

Status Date: Oct 18, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Tianjun Wang

Correspondent Address: JUNGJIN LEE
LEE LEE & ASSOCIATES PC
2531 JACKSON AVE STE 234
ANN ARBOR MI , 48103-3818
UNITED STATES

Correspondent e-mail: jj@llapc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS KING	Opposition Pending	85877421	

Plaintiff(s)

Name: Threshold Enterprises Ltd.

Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , elisabeth.richards@aporter.com , monty.agarwal@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 18, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 18, 2013	Nov 27, 2013
3	PENDING, INSTITUTED	Oct 18, 2013	
4	ANSWER	Nov 16, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91212054](#)

Filing Date: Aug 16, 2013

Status: Pending

Status Date: Aug 16, 2013

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Eureka Cat LLC dba Vista Natural Wellness Center

Correspondent Address: PETER NUSSBAUM
WOLFF & SAMSON PC
1 BOLAND DR , STE 200
WEST ORANGE NJ , 07052-3687
UNITED STATES

Correspondent e-mail: jlee@wolffsamson.com , pnussbaum@wolffsamson.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VISTA NATURAL WELLNESS CENTER	Opposition Pending	85665992	

Plaintiff(s)

Name: Threshold Enterprises, Inc.

Correspondent Address: JEREMY MCLAUGHLIN
ARNOLD & PORTER LLP
3 EMBARCADERO CENTER, 10TH FLOOR
SAN FRANCISCO CA , 94111-4024
UNITED STATES

Correspondent e-mail: jeremy.mclaughlin@aporter.com , trademarkdocketing@aporter.com , monty.agarwal@aporter.com , craig.horak@aporter.com , elisabeth.richards@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SOURCE NATURALS	Renewed	74524063	1909705
SOURCE NATURALS	Registered	77682619	3930397
WELLNESS FORMULA	Renewed	74524068	1965003
WELLNESS FORMULA	Renewed	74524068	1965003
WELLNESS FORMULA	Renewed	74524068	1965003
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 16, 2013	Sep 25, 2013
3	PENDING, INSTITUTED	Aug 16, 2013	
4	D MOT FOR EXT W/ CONSENT	Sep 24, 2013	
5	EXTENSION OF TIME GRANTED	Sep 24, 2013	
6	ANSWER AND COUNTERCLAIM (FEE)	Oct 11, 2013	
7	TRIAL DATES RESET	Oct 17, 2013	
8	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Nov 15, 2013	
9	SUSP PEND DISP OF OUTSTNDNG MOT	Nov 22, 2013	
10	D OPP/RESP TO MOTION	Dec 03, 2013	
11	PAPER RECEIVED AT TTAB	Dec 20, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91211544](#)

Filing Date: Jul 12, 2013

Status: Pending

Status Date: Jul 12, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Kalmbach Feeds, Inc.

Correspondent Address: JEFFREY S STANDLEY
STANDLEY LAW GROUP LLP
6300 RIVERSIDE DR
DUBLIN OH , 43017-5043
UNITED STATES

Correspondent e-mail: bmarsh@standleyllp.com , trademarks@standleyllp.com , istandley@standleyllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WARMBLOOD WELLNESS	Opposition Pending	85700344	

Plaintiff(s)

Name: Threshold Enterprises, Inc.

Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER , 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: jeremy.mclaughlin@aporter.com , craig.horak@aporter.com , trademarkdocketing@aporter.com , monty.agarwal@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 12, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 12, 2013	Aug 21, 2013
3	PENDING, INSTITUTED	Jul 12, 2013	
4	D MOT FOR EXT W/ CONSENT	Aug 12, 2013	
5	EXTENSION OF TIME GRANTED	Aug 12, 2013	
6	D MOT FOR EXT W/ CONSENT	Sep 13, 2013	
7	EXTENSION OF TIME GRANTED	Sep 13, 2013	
8	EXTENSION OF TIME GRANTED	Sep 23, 2013	
9	ANSWER	Oct 21, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91211444](#)

Filing Date: Jul 08, 2013

Status: Pending

Status Date: Jul 08, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: ZT Wealth

Correspondent Address: ALY Z DOSSA
OSHA LIANG LLP
909 FANNIN ST , STE 3500
HOUSTON TX , 77010-1034
UNITED STATES

Correspondent e-mail: dossa@oshaliang.com , docketing@oshaliang.com , paralegal@oshaliang.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ALTUS WELLNESS	Opposition Pending	85520953	

Plaintiff(s)

Name: Threshold Enterprises, Inc.

Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
3 EMBARCADERO CENTER, 10TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: jeremy.mclaughlin@aporter.com , trademarkdocketing@aporter.com , monty.agarwal@aporter.com , craig.horak@aporter.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

WELLNESS FORMULA Renewed [74524068](#) [1965003](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 08, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 08, 2013	Aug 17, 2013
3	PENDING, INSTITUTED	Jul 08, 2013	
4	D MOT FOR EXT W/ CONSENT	Aug 15, 2013	
5	EXTENSION OF TIME GRANTED	Sep 01, 2013	
6	STIP FOR EXT	Oct 09, 2013	
7	EXTENSION OF TIME GRANTED	Oct 09, 2013	
8	STIP FOR EXT	Dec 13, 2013	
9	EXTENSION OF TIME GRANTED	Dec 13, 2013	
10	STIP FOR EXT	Feb 12, 2014	
11	EXTENSION OF TIME GRANTED	Feb 12, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91211097](#) Filing Date: May 28, 2013
 Status: Pending Status Date: May 28, 2013
 Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Kincaid Medical Associates, P.C.
 Correspondent Address: PAUL M DENK
 763 S NEW BALLAS ROAD, SUITE 305
 SAINT LOUIS , 63141-8723
 MACAU

Associated marks			
Mark	Application Status	Serial Number	Registration Number

KINCARE WELLNESS PRODUCTS Opposition Pending [76712498](#)

Plaintiff(s)

Name: Threshold Enterprises, Inc.
 Correspondent Address: JEREMY M MCLAUGHLIN
 ARNOLD & PORTER LLP
 3 EMBARCADERO CENTER, 10TH FLOOR
 SAN FRANCISCO CA , 94111-4024
 UNITED STATES
 Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , craig.horak@aporter.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

WELLNESS FORMULA Renewed [74524068](#) [1965003](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 28, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 14, 2013	Jul 24, 2013
3	PENDING, INSTITUTED	Jun 14, 2013	
4	ANSWER	Jul 15, 2013	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Sep 19, 2013	
6	SUSPENDED	Oct 19, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91210694](#) Filing Date: May 20, 2013
 Status: Terminated Status Date: Oct 20, 2013
 Interlocutory Attorney: JENNIFER KRISP

Defendant**Name:** Sylvan Bio Inc.**Correspondent Address:** FREDERICK H COLEN
REED SMITH LLP
PO BOX 488
PITTSBURGH PA , 15230-0488
UNITED STATES**Correspondent e-mail:** fcolen@reedsmith.com , ptopinbox@reedsmith.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SYNERGIA WELLNESS	Notice of Allowance - Issued	85491885	

Plaintiff(s)**Name:** Threshold Enterprises, Inc.**Correspondent Address:** JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER, 10TH FLOOR
SAN FRANCISCO CA , 94111-4024
UNITED STATES**Correspondent e-mail:** Jeremy.McLaughlin@aporter.com , trademarkdocketing@aporter.com , elisabeth.richards@aporter.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 20, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2013	Jun 29, 2013
3	PENDING, INSTITUTED	May 20, 2013	
4	STIP FOR EXT	Jun 25, 2013	
5	EXTENSION OF TIME GRANTED	Jun 25, 2013	
6	STIP FOR EXT	Jul 25, 2013	
7	EXTENSION OF TIME GRANTED	Jul 25, 2013	
8	STIP FOR EXT	Aug 26, 2013	
9	EXTENSION OF TIME GRANTED	Aug 26, 2013	
10	W/DRAW OF OPPOSITION	Sep 24, 2013	
11	BD DECISION: DISMISSED W/ PREJ	Oct 20, 2013	
12	TERMINATED	Oct 20, 2013	

Type of Proceeding: Opposition**Proceeding Number:** [91210614](#)**Filing Date:** May 08, 2013**Status:** Pending**Status Date:** May 08, 2013**Interlocutory Attorney:** BENJAMIN U OKEKE**Defendant****Name:** Rodriguez, Kerri T**Correspondent Address:** RODRIGUEZ, KERRI T
2896 ARMADILLO DR
PALM HARBOR FL , 34683-6401
UNITED STATES**Correspondent e-mail:** sleuthauser@trenam.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ON-THE-GO SEXUAL WELLNESS	Opposition Pending	85606303	

Plaintiff(s)**Name:** Threshold Enterprises, Ltd.**Correspondent Address:** Jeremy M. McLaughlin
Arnold & Porter LLP
Three Embarcadero Center 10th Floor
San Francisco CA , 94111

UNITED STATES

Correspondent e-mail: Jeremy.McLaughlin@APORTER.COM

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 08, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 15, 2013	Jun 24, 2013
3	PENDING, INSTITUTED	May 15, 2013	
4	STIP FOR EXT	Jun 20, 2013	
5	EXTENSION OF TIME GRANTED	Jun 20, 2013	
6	STIP FOR EXT	Sep 18, 2013	
7	EXTENSION OF TIME GRANTED	Sep 18, 2013	
8	STIP FOR EXT	Nov 21, 2013	
9	EXTENSION OF TIME GRANTED	Nov 21, 2013	
10	STIP FOR EXT	Dec 20, 2013	
11	EXTENSION OF TIME GRANTED	Dec 20, 2013	
12	STIP FOR EXT	Jan 20, 2014	
13	EXTENSION OF TIME GRANTED	Jan 20, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91210182](#)

Filing Date: Apr 10, 2013

Status: Terminated

Status Date: Nov 27, 2013

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: Stephanie Mellor

Correspondent Address: BRUCE A WILLEY
WILLEY & OBRIEN LC
3519 CENTER POINT ROAD NE
CEDAR RAPIDS IA , 52402-5530
UNITED STATES

Correspondent e-mail: bwilley@willeylaw.com , ndighton@willeylaw.com

Mark	Application Status	Serial Number	Registration Number
WELLNESS IS WAITING	Notice of Allowance - Issued	85737916	

Plaintiff(s)

Name: Threshold Enterprises, Inc.

Correspondent Address: JEREMY M MCLAUGHLIN
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SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com , craig.horak@aporter.com

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 10, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 10, 2013	May 20, 2013
3	PENDING, INSTITUTED	Apr 10, 2013	
4	ANSWER	May 20, 2013	

5	P MOT FOR EXT W/ CONSENT	Jul 17, 2013
6	EXTENSION OF TIME GRANTED	Aug 10, 2013
7	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Sep 17, 2013
8	EXTENSION OF TIME GRANTED	Sep 25, 2013
9	W/DRAW OF OPPOSITION	Nov 20, 2013
10	BD DECISION: DISMISSED W/ PREJ	Nov 27, 2013
11	TERMINATED	Nov 27, 2013

Type of Proceeding: Opposition

Proceeding Number: [91209073](#) Filing Date: Jan 25, 2013
 Status: Terminated Status Date: Apr 25, 2013
 Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Rockin' Wellness Inc.
 Correspondent Address: ANDREW A GONZALEZ
 GONZALEZ & OBERLANDER LLP
 841 BROADWAY , STE 500
 NEW YORK NY , 10003-4704
 UNITED STATES
 Correspondent e-mail: gonzalez@golawny.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ROCKIN' WELLNESS	Registered	85463432	4345086

Plaintiff(s)

Name: Threshold Enterprises, Inc.
 Correspondent Address: JEREMY MCLAUGHLIN
 ARNOLD & PORTER LLP
 THREE EMBARCADERO CTR, FLOOR 10
 SAN FRANCISCO CA , 94111-4024
 UNITED STATES
 Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , jessica.lewis@aporter.com , monty.agarwal@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 25, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 29, 2013	Mar 10, 2013
3	PENDING, INSTITUTED	Jan 29, 2013	
4	ANSWER	Mar 05, 2013	
5	W/DRAW OF OPPOSITION	Apr 24, 2013	
6	BD DECISION: DISMISSED W/ PREJ	Apr 25, 2013	
7	TERMINATED	Apr 25, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91208915](#) Filing Date: Jan 17, 2013
 Status: Pending Status Date: Jan 17, 2013
 Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Lang Naturals, Inc.
 Correspondent Address: RYAN M AMIN
 AMIN TALATI LLC
 55 W MONROE ST, SUITE 3400
 CHICGO IL , 60603
 UNITED STATES
 Correspondent e-mail: ryan@amintalati.com , rakesh@amintalati.com

Associated marks

Serial	Registration
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Mark	Application Status	Number	Number
HONEST TO WELLNESS	Opposition Pending	85624116	

Plaintiff(s)

Name: Threshold Enterprises, Inc.

Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER, 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: Jeremy.McLaughlin@APORTER.COM , ryan@amintalati.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 17, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 17, 2013	Feb 26, 2013
3	PENDING, INSTITUTED	Jan 17, 2013	
4	STIPULATION FOR AN EXTENSION OF TIME	Feb 25, 2013	
5	EXTENSION OF TIME GRANTED	Feb 25, 2013	
6	NOTICE OF DEFAULT	Jul 26, 2013	
7	STIP TO REOPEN DISCOVERY	Aug 13, 2013	
8	TRIAL DATES RESET	Sep 10, 2013	
9	ANSWER	Dec 09, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91208253](#)

Filing Date: Nov 29, 2012

Status: Terminated

Status Date: Jan 13, 2014

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Professional Compounding Centers of America

Correspondent Address: ERIN J WERNER
BUSHMAN & ASSOCIATES PC
1001 WEST LOOP SOUTH, SUITE 810
HOUSTON TX , 77027-9082
UNITED STATES

Correspondent e-mail: jbushman@bushmanlawfirm.com , ewerner@bushmanlawfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS WORKS	Published For Opposition	85631375	

Plaintiff(s)

Name: Threshold Enterprises, Inc.

Correspondent Address: JEREMY M MCLAUGHLIN
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SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com , craig.horak@aporter.com,elisabeth

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 29, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 30, 2012	Jan 09, 2013

3	PENDING, INSTITUTED	Nov 30, 2012
4	ANSWER	Jan 09, 2013
5	P MOT FOR EXT W/ CONSENT	Feb 13, 2013
6	EXTENSION OF TIME GRANTED	Feb 19, 2013
7	D MOT FOR EXT W/ CONSENT	May 09, 2013
8	D CERT OF SERVICE	May 09, 2013
9	EXTENSION OF TIME GRANTED	May 20, 2013
10	P MOT FOR EXT W/ CONSENT	Jul 08, 2013
11	EXTENSION OF TIME GRANTED	Jul 21, 2013
12	P MOT FOR EXT W/ CONSENT	Sep 06, 2013
13	EXTENSION OF TIME GRANTED	Sep 10, 2013
14	D MOT FOR EXT W/ CONSENT	Nov 05, 2013
15	EXTENSION OF TIME GRANTED	Nov 12, 2013
16	EXTENSION OF TIME GRANTED	Nov 12, 2013
17	W/DRAW OF OPPOSITION	Jan 06, 2014
18	BD DECISION: DISMISSED W/ PREJ	Jan 13, 2014
19	TERMINATED	Jan 13, 2014

Type of Proceeding: Opposition

Proceeding Number: [91208231](#)

Filing Date: Nov 28, 2012

Status: Pending

Status Date: Nov 28, 2012

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Michael F. Roizen

Correspondent Address: SHAUNA M WERTHEIM
THE MARBURY LAW GROUP PLLC
11800 SUNRISE VALLEY DR FL 15
RESTON VA , 20191-5300
UNITED STATES

Correspondent e-mail: swertheim@marburylaw.com , ptonotices@marburylaw.com , mkane@marburylaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FOREPLAY	Opposition Pending	85566051	

Plaintiff(s)

Name: Threshold Enterprises, Inc.

Correspondent Address: JEREMY MCLAUGHLIN
ARNOLD & PORTER LLP
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SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 28, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 28, 2012	Jan 07, 2013
3	PENDING, INSTITUTED	Nov 28, 2012	
4	ANSWER AND COUNTERCLAIM (FEE)	Dec 14, 2012	
5	BOARD'S ORDER MAILED TRIAL DATES RESET	Dec 19, 2012	
6	P'S MOTION TO DISMISS - RULE 12(B)	Jan 18, 2013	
7	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 22, 2013	

8	D OPP/RESP TO MOTION	Feb 05, 2013
9	D'S AMENDED COUNTERCLAIM	Feb 05, 2013
10	ANSWER TO COUNTERCLAIM	Feb 25, 2013
11	P REPLY IN SUPPORT OF MOTION	Feb 25, 2013
12	P'S MOT. TO DISMISS DENIED; TRIAL DATES RESET	Jun 18, 2013
13	D MOT FOR DEFAULT JGT ON COUNTERCLAIM	Jul 17, 2013
14	P OPP/RESP TO MOTION	Jul 24, 2013
15	ANSWER TO COUNTERCLAIM	Jul 24, 2013
16	P'S EXECUTED DECLARATION IN SUPPORT OF RESPONSE TO D'S MOT. FOR DEFAULT	Jul 24, 2013
17	D'S MOT. FOR DEFAULT JUDGMENT DENIED; TRIAL DATES RESET	Jul 25, 2013
18	DUPLICATE OF ENTRY NO. 17	Jul 25, 2013
19	P MOT FOR EXT W/ CONSENT	Aug 15, 2013
20	EXTENSION OF TIME GRANTED	Sep 01, 2013
21	STIP FOR EXT	Dec 12, 2013
22	EXTENSION OF TIME GRANTED	Jan 07, 2014

Type of Proceeding: Opposition

Proceeding Number: [91204709](#) **Filing Date:** Apr 12, 2012
Status: Terminated **Status Date:** Jan 10, 2013
Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: Great Healthworks, Inc.
Correspondent Address: LISA N KAUFMAN
LAW OFFICE OF LISA N KAUFMAN PA
2807 POINCIANA CIR
COOPER CITY FL , 33026 3707
UNITED STATES
Correspondent e-mail: LNKaufman@tmcopyleftlaw.com , LNKTM@hotmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE BRAND OF WELLNESS	Abandoned - After Inter-Partes Decision	85307458	

Plaintiff(s)

Name: Threshold Enterprises, Ltd.
Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD PORTER LLP
THREE EMBARCADERO CENTER, 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES
Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 12, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 12, 2012	May 22, 2012
3	PENDING, INSTITUTED	Apr 12, 2012	
4	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 21, 2012	
5	EXTENSION OF TIME GRANTED	May 25, 2012	
6	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jun 18, 2012	
7	SUSPENDED	Jul 19, 2012	
8	NOTICE OF DEFAULT	Nov 21, 2012	
9	BOARD'S DECISION: SUSTAINED	Jan 10, 2013	

Type of Proceeding: OppositionProceeding Number: [91204713](#)

Filing Date: Apr 12, 2012

Status: Terminated

Status Date: Apr 23, 2012

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Brie Anne Day

Correspondent Address: BRIE ANNE DAY
505 SILVER CROWN AVE
NORTHPORT WA , 99157-9733
UNITED STATESCorrespondent e-mail: madamebad@hotmail.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRINITYNATURALWELLNESS.COM	Abandoned - After Inter-Partes Decision	85439419	

Plaintiff(s)

Name: Threshold Enterprises Ltd.

Correspondent Address: JEREMY M. MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER Center, 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATESCorrespondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003
SOURCE NATURALS	Renewed	74524063	1909705

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 12, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 13, 2012	May 23, 2012
3	PENDING, INSTITUTED	Apr 13, 2012	
4	WITHDRAWAL OF APPLICATION	Apr 15, 2012	
5	BOARD'S DECISION: SUSTAINED	Apr 23, 2012	
6	TERMINATED	Apr 23, 2012	

Type of Proceeding: OppositionProceeding Number: [91204155](#)

Filing Date: Mar 05, 2012

Status: Terminated

Status Date: Jun 20, 2012

Interlocutory Attorney: MICHAEL B ADLIN

Defendant

Name: Natural Wellness Labs, LLC

Correspondent Address: NATURAL WELLNESS LABS LLC
2950 W 84TH ST UNIT 11
HIALEAH FL , 33018 4915
UNITED STATESCorrespondent e-mail: fsolarte@naturalwellnesslabs.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
W PRIME WELLNESS	Abandoned - After Inter-Partes Decision	85378656	

Plaintiff(s)

Name: Threshold Enterprises, Ltd.

Correspondent Address: JEREMY MCLAUGHLIN
ARNOLD PORTER LLP
THREE EMBARCADERO CENTER 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Mark	Application Status	Serial Number	Registration Number
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WELLNESS FORMULA Renewed [74524068](#) [1965003](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2012	Apr 14, 2012
3	PENDING, INSTITUTED	Mar 05, 2012	
4	NOTICE OF DEFAULT	May 01, 2012	
5	BOARD'S DECISION: SUSTAINED	Jun 20, 2012	
6	TERMINATED	Jun 20, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91203527](#) Filing Date: Jan 25, 2012
Status: Terminated Status Date: May 07, 2012
Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Journey Ventures, LLC
Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
USPTO@TM4SMALLBIZ.COM
ARLINGTON VA , 22210
UNITED STATES
Correspondent e-mail: uspto@tm4smallbiz.com

Mark	Application Status	Serial Number	Registration Number
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PHOUNDATION WELLNESS Abandoned - After Inter-Partes Decision [85267715](#)

Plaintiff(s)	
Name:	Threshold Enterprises, Ltd.
Correspondent Address:	JEREMY M MCLAUGHLIN ARNOLD & PORTER LLP THREE EMBARCADERO CENTER, 7TH FLOOR SAN FRANCISCO CA , 94111 UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Mark	Application Status	Serial Number	Registration Number
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WELLNESS FORMULA Renewed [74524068](#) [1965003](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 25, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 25, 2012	Mar 05, 2012
3	PENDING, INSTITUTED	Jan 25, 2012	
4	CHANGE OF CORRESPONDENCE ADDRESS	Mar 01, 2012	
5	NOTICE OF DEFAULT	Mar 21, 2012	
6	BOARD'S DECISION: SUSTAINED	May 07, 2012	
7	TERMINATED	May 07, 2012	
8	D'S UNDELIVERABLE MAIL	May 14, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91203486](#) Filing Date: Jan 23, 2012
Status: Pending Status Date: Jan 23, 2012
Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Family Dollar Stores of Michigan, Inc.

Correspondent Address: DAVID J BYER
K& L GATES LLP
STATE STREET FINANCIAL CENTER, ONE LINCOLN STREET
BOSTON MA , 02111-2950
UNITED STATES

Correspondent e-mail: chdoCKET@klGates.com , david.byer@klGates.com , docketing@klGates.com , citradeMarks@klGates.com , ttablItigationdocket@klGates.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
FAMILY WELLNESS	Opposition Pending	85180014	
Plaintiff(s)			

Name: Threshold Enterprises, Ltd.

Correspondent Address: JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER, 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 23, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 23, 2012	Mar 03, 2012
3	PENDING, INSTITUTED	Jan 23, 2012	
4	P CHANGE OF CORRESP ADDRESS	Feb 29, 2012	
5	D MOT FOR EXT W/ CONSENT	Mar 01, 2012	
6	D CORRECTED MOT FOR EXT W/ CONSENT	Mar 02, 2012	
7	EXTENSION OF TIME GRANTED	Mar 05, 2012	
8	D MOT FOR EXT W/ CONSENT	Mar 27, 2012	
9	EXTENSION OF TIME GRANTED	Mar 29, 2012	
10	D MOT FOR EXT W/ CONSENT	Apr 30, 2012	
11	EXTENSION OF TIME GRANTED	May 02, 2012	
12	D MOT FOR EXT W/ CONSENT	Jun 01, 2012	
13	EXTENSION OF TIME GRANTED	Jun 07, 2012	
14	D MOT FOR EXT W/ CONSENT	Jun 26, 2012	
15	EXTENSION OF TIME GRANTED	Jun 28, 2012	
16	D MOT FOR EXT W/ CONSENT	Jul 26, 2012	
17	EXTENSION OF TIME GRANTED	Aug 07, 2012	
18	D MOT FOR EXT W/ CONSENT	Aug 21, 2012	
19	EXTENSION OF TIME GRANTED	Aug 24, 2012	
20	D MOT FOR EXT W/ CONSENT	Sep 25, 2012	
21	EXTENSION OF TIME GRANTED	Sep 25, 2012	
22	D MOT FOR EXT W/ CONSENT	Oct 26, 2012	
23	EXTENSION OF TIME GRANTED	Nov 05, 2012	
24	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 27, 2013	
25	SUSPENDED	Mar 05, 2013	
26	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 29, 2013	
27	SUSPENDED	May 02, 2013	
28	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 29, 2013	
	SUSPENDED		

29	SUSPENDED	Aug 02, 2013
30	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 24, 2013
31	SUSPENDED	Nov 06, 2013
32	STIP FOR EXT	Jan 23, 2014
33	SUSPENDED	Jan 24, 2014

Type of Proceeding: Opposition

Proceeding Number: [91203301](#)

Filing Date: Jan 09, 2012

Status: Terminated

Status Date: Mar 08, 2013

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Advanced Protein Systems dba APS Biogroup

Correspondent Address: ROBERT M DOWNEY
ROBERT M DOWNEY PA
6751 N FEDERAL HWY 300
BOCA RATON FL , 33487
UNITED STATES

Correspondent e-mail: rdowney@downeyip.com , AMalloy@DowneyIP.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
NUTRAWELLNESS	Registered	85352107	4369099

Plaintiff(s)

Name: Threshold Enterprises, Ltd.

Correspondent Address: JEREMY MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER , 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 09, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 09, 2012	Feb 18, 2012
3	PENDING, INSTITUTED	Jan 09, 2012	
4	ANSWER	Feb 16, 2012	
5	CHANGE OF CORRESPONDENCE ADDRESS	Feb 29, 2012	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Mar 19, 2012	
7	DATES REMAIN AS PREVIOUSLY SET	Mar 28, 2012	
8	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 12, 2012	
9	EXTENSION OF TIME GRANTED	Apr 19, 2012	
10	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jun 13, 2012	
11	EXTENSION OF TIME GRANTED	Jun 22, 2012	
12	APPL'S INITIAL DISCLOSURES	Jul 23, 2012	
13	BOARD'S COMMUNICATION	Aug 28, 2012	
14	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 19, 2012	
15	SUSPENDED	Nov 19, 2012	
16	D MOTION TO COMPEL; EXTEND DISCOVERY	Jan 17, 2013	
17	STIPULATION FOR AN EXTENSION OF TIME	Feb 01, 2013	
18	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 01, 2013	
19	STIPULATION FOR AN EXTENSION OF TIME	Feb 19, 2013	
20	WITHDRAWAL OF OPPOSITION	Feb 21, 2013	

21 BD DECISION: DISMISSED W/ PREJ Mar 08, 2013
 22 TERMINATED Mar 08, 2013

Type of Proceeding: Cancellation

Proceeding Number: [92054421](#) **Filing Date:** Aug 25, 2011
Status: Terminated **Status Date:** Dec 20, 2011
Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Dr. Catherine Wilbert
Correspondent Address: DR CATHERINE WILBERT
 1220 LAFITTE ST
 MANDEVILLE LA , 70448
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS INNOVATIONS	Cancelled - Section 18	85020113	3996069

Plaintiff(s)

Name: Threshold Enterprises, Ltd.
Correspondent Address: JEREMY M MCLAUGHLIN
 ARNOLD & PORTER LLP
 ONE EMBARCADERO CENTER, 22ND FLOOR
 SAN FRANCISCO CA , 94111
 UNITED STATES
Correspondent e-mail: trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003
WELLNESS FIZZ	Registered	77685678	3933241
WELLNESS SHOTS	Section 8 - Accepted	78601833	3073471

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 25, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 29, 2011	Oct 08, 2011
3	PENDING, INSTITUTED	Aug 29, 2011	
4	CHANGE OF CORRESPONDENCE ADDRESS	Oct 12, 2011	
5	CHANGE OF CORRESPONDENCE ADDRESS	Oct 12, 2011	
6	NOTICE OF DEFAULT	Oct 24, 2011	
7	BOARD'S DECISION: GRANTED	Dec 12, 2011	
8	COMM'R'S ORDER CANCELLING REGISTRATION	Dec 20, 2011	
9	TERMINATED	Dec 20, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91199527](#) **Filing Date:** Apr 21, 2011
Status: Terminated **Status Date:** Jul 01, 2011
Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Atlantic Coast Media Group, LLC
Correspondent Address: CHRISTOPHER J DAY
 LAW OFFICE OF CHRISTOPHER DAY
 9977 N 90TH ST STE 155
 SCOTTSDALE AZ , 85258-4423
 UNITED STATES
Correspondent e-mail: chris@daylawfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VITAL WELLNESS	Abandoned - After Inter-Partes Decision	85158489	

Plaintiff(s)**Name:** Threshold Enterprises Ltd.**Correspondent Address:** RACHEL L CHANIN
ARNOLD & PORTER LLP
ONE EMBARCADERO CENTER 22ND FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES**Correspondent e-mail:** rachel.chanin@aporter.com , trademarkdocketing@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 21, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 21, 2011	May 31, 2011
3	PENDING, INSTITUTED	Apr 21, 2011	
4	P'S AMENDED PROOF OF SERVICE	Apr 25, 2011	
5	NOTICE OF DEFAULT	Jun 15, 2011	
6	WITHDRAWAL OF APPLICATION	Jun 22, 2011	
7	BOARD'S DECISION: SUSTAINED	Jul 01, 2011	
8	TERMINATED	Jul 01, 2011	

Type of Proceeding: Opposition**Proceeding Number:** [91199125](#)**Filing Date:** Mar 23, 2011**Status:** Terminated**Status Date:** Apr 12, 2012**Interlocutory Attorney:** ROBERT COGGINS**Defendant****Name:** SomaLogic, Incorporated**Correspondent Address:** THOMAS D BRATSCHUN
SWANSON BRATSCHUN LLC
8210 SOUTHPARK TERRACE
LITTLETON CO , 80120 5614
UNITED STATES**Correspondent e-mail:** efs@sbiplaw.com , firm@sbiplaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
WELLNESS CHIP	Second Extension - Granted	77845134	

Plaintiff(s)**Name:** Threshold Enterprises Ltd.**Correspondent Address:** JEREMY M MCLAUGHLIN
ARNOLD & PORTER LLP
THREE EMBARCADERO CENTER, 7TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES**Correspondent e-mail:** trademarkdocketing@aporter.com , jeremy.mclaughlin@aporter.com , monty.agarwal@aporter.com , jessica.lewis@aporter.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
WELLNESS FORMULA	Renewed	74524068	1965003

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 23, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 23, 2011	May 02, 2011
3	PENDING, INSTITUTED	Mar 23, 2011	
4	ANSWER	May 04, 2011	
5	CHANGE OF CORRESPONDENCE ADDRESS	May 26, 2011	

6	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 26, 2011
7	SUSPENSION DENIED; DATES RESET	Jun 14, 2011
8	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jun 30, 2011
9	SUSPENDED	Jul 12, 2011
10	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 12, 2011
11	SUSPENDED	Sep 26, 2011
12	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Oct 12, 2011
13	CHANGE OF CORRESPONDENCE ADDRESS	Oct 12, 2011
14	CHANGE OF CORRESPONDENCE ADDRESS	Oct 12, 2011
15	SUSPENDED	Oct 26, 2011
16	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Dec 09, 2011
17	EXTENSION OF TIME GRANTED	Dec 19, 2011
18	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 11, 2012
19	EXTENSION GRANTED; REPORT REQUIRED	Jan 20, 2012
20	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Feb 10, 2012
21	SUSPENDED	Feb 21, 2012
22	CHANGE OF CORRESPONDENCE ADDRESS	Mar 01, 2012
23	WITHDRAWAL OF OPPOSITION	Apr 09, 2012
24	BD'S DECISION: DISMISSED W/ PREJUDICE	Apr 12, 2012
25	TERMINATED	Apr 12, 2012

Generated on: This page was generated by TSDR on 2014-02-14 18:45:42 EST

Mark: FARMERS BEST PROFESSIONAL FORMULA



US Serial Number: 74533147
US Registration Number: 1980434
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 27, 2006
Publication Date: Apr. 25, 1995

Application Filing Date: Jun. 03, 1994
Registration Date: Jun. 18, 1996

Mark Information

Mark Literal Elements: FARMERS BEST PROFESSIONAL FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark comprises "FARMERS BEST PROFESSIONAL FORMULA" and a highly stylized ribbon design.
Lining and Stippling Statement: The lining features within the mark are inherent elements and are not intended to indicate color.
Disclaimer: "FARMERS BEST PROFESSIONAL FORMULA"
Design Search Code(s): 01.01.03 - Star - a single star with five points
24.07.07 - Prize ribbons; Ribbons, prize

Goods and Services

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

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

For: feed supplement for livestock
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 13, 1993

U.S Class(es): 018, 046
Use in Commerce: Dec. 13, 1993

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: A.L. GILBERT & COMPANY
DBA, AKA, Formerly: DBA FARMERS WAREHOUSE COMPANY
Owner Address: c/o HOLLY F. EVANS DAMRELL, NELSON, SCHRIMP, ET AL.
1601 I STREET, FIFTH FLOOR
MODESTO, CALIFORNIA 95354

UNITED STATES
Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: HOLLY F. EVANS

Correspondent

Correspondent Name/Address: HOLLY F. EVANS
DAMRELL NELSON SCHRIMP ET AL
1601 I ST FL 5
MODESTO, CALIFORNIA 95354-1110
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 14, 2007	CASE FILE IN TICRS	
Feb. 27, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Feb. 27, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 17, 2006	ASSIGNED TO PARALEGAL	64591
Jan. 19, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 19, 2006	TEAS SECTION 8 & 9 RECEIVED	
Aug. 04, 2001	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 19, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 16, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 18, 1996	REGISTERED-PRINCIPAL REGISTER	
May 06, 1996	OPPOSITION TERMINATED NO. 999999	97889
Apr. 23, 1996	OPPOSITION DISMISSED NO. 999999	97889
Jul. 25, 1995	OPPOSITION INSTITUTED NO. 999999	97889
May 30, 1995	EXTENSION OF TIME TO OPPOSE RECEIVED	
Apr. 25, 1995	PUBLISHED FOR OPPOSITION	
Mar. 24, 1995	NOTICE OF PUBLICATION	
Jan. 05, 1995	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 04, 1995	EXAMINER'S AMENDMENT MAILED	
Dec. 27, 1994	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Dec. 12, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 07, 1994	EXAMINER'S AMENDMENT MAILED	
Nov. 17, 1994	NON-FINAL ACTION MAILED	
Nov. 02, 1994	ASSIGNED TO EXAMINER	60004

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 18, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 14, 2007

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: OppositionProceeding Number: [91097889](#)

Filing Date: Jun 26, 1995

Status: Terminated

Status Date: May 06, 1996

Interlocutory Attorney:

Defendant

Name: A.L. GILBERT & COMPANY DBA FARMERS

Correspondent Address: GREGORY J. OLIVER
 DAMRELL, NELSON, SCHRIMP, PALLIOS
 FIFTH FLOOR 1601 I STREET
 MODESTO CA , 95354
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
FARMERS BEST PROFESSIONAL FORMULA	Renewed	74533147	1980434

Plaintiff(s)

Name: SCHELL & KAMPETER, INC. DBA DIAMOND PET

Correspondent Address: M. LEE GERDELMAN
 POLSTER, LIEDER, WOODRUFF & LUCCECHESI
 SUITE 230 763 NEW BALLAS ROAD
 ST. LOUIS MO , 63141
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PROFESSIONAL	Renewed	73693017	1629346

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 26, 1995	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	Jul 25, 1995	Sep 03, 1995
3	PENDING, INSTITUTED	Jul 25, 1995	
4	ANSWER	Sep 01, 1995	
5	TRIAL DATES SET	Oct 02, 1995	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 02, 1996	
7	STIP TO DISMISS OPP W/PREJUDICE	Mar 18, 1996	
8	BD'S DECISION: DISMISSED W/ PREJUDICE	Apr 23, 1996	
9	TERMINATED	May 06, 1996	

Legal Entity Type: COMPANY

State or Country Where Organized: BERMUDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David B. Kirschstein

Correspondent

Correspondent Name/Address: DAVID B KIRSCHSTEIN
KIRSCHSTEIN, OTTINGER, ISRAEL, ET AL
489 5TH AVE FL 17
NEW YORK, NEW YORK 10017-6128
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 28, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 28, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Apr. 28, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 28, 2005	ASSIGNED TO PARALEGAL	69934
Mar. 08, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Mar. 08, 2005	TEAS SECTION 8 & 9 RECEIVED	
Nov. 20, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Sep. 05, 2000	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 29, 1995	REGISTERED-PRINCIPAL REGISTER	
Jun. 06, 1995	PUBLISHED FOR OPPOSITION	
May 05, 1995	NOTICE OF PUBLICATION	
Dec. 29, 1994	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 27, 1994	ASSIGNED TO EXAMINER	68792

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 29, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Apr. 28, 2005

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: GOLDEN PRIDE/RAWLEIGH, INC.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1565/0217](#)

Pages: 3

Date Recorded: Mar. 10, 1997

Supporting Documents: No Supporting Documents Available

Assignor

Name: [GOLDEN PRIDE/RAWLEIGH, INC.](#)

Execution Date: Jul. 03, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Assignee

Name: [GOLDEN PRIDE INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 1501 NORTHPOINT PARKWAY
W. PALM BEACH, FLORIDA 33407

Correspondent

Correspondent Name: KIRSCHSTEIN, OTTINGER, ISRAEL ET AL

Correspondent Address: DAVID B. KIRSCHSTEIN
551 FIFTH AVENUE, 28TH FLOOR
NEW YORK, NY 10176 0024

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5094/0826](#)

Pages: 5

Date Recorded: Aug. 21, 2013

Supporting Documents: [assignment-tm-5094-0826.pdf](#)

Assignor

Name: [GOLDEN PRIDE, INC.](#)

Execution Date: Aug. 16, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Assignee

Name: [VITAMINS DIRECT \(BERMUDA\) LIMITED](#)

Legal Entity Type: COMPANY

State or Country Where Organized: BERMUDA

Address: P.O. BOX HM 1179
CANON'S COURT, 22 VICTORIA STREET
HAMILTON, BERMUDA HM EX

Correspondent

Correspondent Name: MARTIN W. SCHIFFMILLER

Correspondent Address: 425 FIFTH AVENUE, 5TH FLOOR
NEW YORK, NY 10016-2223

Domestic Representative

Domestic Representative Name: MARTIN W. SCHIFFMILLER

Domestic Representative Address: 425 FIFTH AVENUE, 5TH FLOOR
NEW YORK, NY 10016-2223

Address: _____

Authorized:

Correspondent

Correspondent Name/Address: M. DANIEL SPILLMAN
BRINKS HOFER GILSON & LIONE PC
201 NORTH ILLINOIS
SUITE 1100
INDIANAPOLIS, INDIANA 46204
UNITED STATES

Phone: 3176360886

Fax: 3176346701

Correspondent e-mail: officeactions@brinkshofer.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 16, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Jun. 16, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 03, 2009	ASSIGNED TO PARALEGAL	68335
Jun. 01, 2009	TEAS SECTION 8 & 9 RECEIVED	
May 26, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 24, 2005	ASSIGNED TO PARALEGAL	67657
May 09, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 09, 2005	PAPER RECEIVED	
Jul. 27, 1999	REGISTERED-PRINCIPAL REGISTER	
May 04, 1999	PUBLISHED FOR OPPOSITION	
Apr. 02, 1999	NOTICE OF PUBLICATION	
Feb. 12, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 11, 1998	LETTER OF SUSPENSION MAILED	
May 06, 1996	LETTER OF SUSPENSION MAILED	
Nov. 28, 1995	LETTER OF SUSPENSION MAILED	
Sep. 25, 1995	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 23, 1995	NON-FINAL ACTION MAILED	
Mar. 14, 1995	ASSIGNED TO EXAMINER	65999

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 27, 2009

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 16, 2009

Generated on: This page was generated by TSDR on 2014-02-14 18:46:21 EST

Mark: NATURAL YOUTH FORMULA I



US Serial Number: 74611538
US Registration Number: 2068276
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Oct. 12, 2007
Publication Date: Mar. 18, 1997

Application Filing Date: Dec. 15, 1994
Registration Date: Jun. 10, 1997

Mark Information

Mark Literal Elements: NATURAL YOUTH FORMULA I

Standard Character Claim: No

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

Description of Mark: The trademark consists of a line representation of a man within a circle and a square, all within a gold circle, the words "NATURAL" and "YOUTH FORMULA", a Roman Numeral "1", and a horizontal bar and a gold line at both top and bottom.

Lining and Stippling Statement: The drawing is lined for the color gold.

Disclaimer: "NATURAL" or "FORMULA"

Design Search Code(s): 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men
02.01.39 - Bathing suits, men wearing; Underwear, men wearing; Nude men, men wearing underclothes, bathing suits or brief attire
26.01.02 - Plain single line circles; Circles, plain single line
26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles
26.09.02 - Plain single line squares; Squares, plain single line
26.11.13 - Two rectangles; Rectangles (exactly two rectangles)
26.11.21 - Rectangles that are completely or partially shaded
26.17.01 - Bars, straight; Bands, 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

Goods and Services

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

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

For: vitamins, vitamin supplements, mineral supplements, herbal supplements, amino acid supplements, and protein supplements, all sold separately and in combination

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 15, 1992

Use in Commerce: Apr. 15, 1992

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: BIO CORP
Owner Address: 63 BOVET ROAD #111
San Mateo, CALIFORNIA 94402
UNITED STATES
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas Walter Cook
Attorney Primary Email Address: thomascooklaw@pacbell.net
Docket Number: BIOC-1/NATUR
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Thomas Walter Cook
INTELLECTUAL PROPERTY ATTORNEYS
PO BOX 1989
3030 BRIDGEWAY, SUITE 425
SAUSALITO, CALIFORNIA 94965
UNITED STATES
Phone: 415-339-8550
Correspondent e-mail: thomascooklaw@pacbell.net
Fax: 415-339-8555
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 01, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 12, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Oct. 12, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 12, 2007	ASSIGNED TO PARALEGAL	76533
Jul. 13, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 14, 2006	CASE FILE IN TICRS	
May 13, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Feb. 19, 2003	REGISTERED - SEC. 8 (6-YR) FILED	
Mar. 03, 2003	REGISTERED - SEC. 15 AFFIDAVIT FILED	
Mar. 03, 2003	PAPER RECEIVED	
Feb. 19, 2003	PAPER RECEIVED	
Jun. 10, 1997	REGISTERED-PRINCIPAL REGISTER	
Mar. 18, 1997	PUBLISHED FOR OPPOSITION	
Feb. 14, 1997	NOTICE OF PUBLICATION	
Dec. 20, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 12, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 21, 1995	NON-FINAL ACTION MAILED	
Sep. 18, 1995	ASSIGNED TO EXAMINER	72519
Apr. 26, 1995	ASSIGNED TO EXAMINER	72519

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Jun. 10, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Oct. 12, 2007

Attorney of Record

Attorney Name: LAWRENCE E ABELMAN

Docket Number: 975014

Correspondent

Correspondent Name/Address: LAWRENCE E ABELMAN
 ABELMAN FRAYNE & SCHWAB
 666 THIRD AVENUE
 NEW YORK, NEW YORK 10017-5621
 UNITED STATES

Phone: 212-9499022

Fax: 212-9499190

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Mar. 13, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 07, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jun. 07, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 25, 2007	ASSIGNED TO PARALEGAL	67723
Apr. 30, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 30, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 13, 2006	CASE FILE IN TICRS	
Sep. 09, 2006	REVIEW OF CORRESPONDENCE COMPLETE	74215
Aug. 21, 2006	PAPER RECEIVED	
Aug. 09, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 28, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 27, 2003	TEAS SECTION 8 & 15 RECEIVED	
May 27, 1997	REGISTERED-PRINCIPAL REGISTER	
Mar. 04, 1997	PUBLISHED FOR OPPOSITION	
Jan. 31, 1997	NOTICE OF PUBLICATION	
Dec. 20, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 16, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 31, 1996	NON-FINAL ACTION MAILED	
Jun. 27, 1996	ASSIGNED TO EXAMINER	73702

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 27, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 07, 2007

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Registrant: NATROL, INC.

Assignment 1 of 1

Conveyance: GRANT OF A SECURITY INTEREST - TRADEMARKS

Reel/Frame: [4974/0704](#)

Pages: 13

Date Recorded: Mar. 07, 2013

Supporting Documents: [assignment-tm-4974-0704.pdf](#)

Assignor

Name: [NATROL, INC.](#) **Execution Date:** Mar. 05, 2013
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [MEDICAL RESEARCH INSTITUTE](#) **Execution Date:** Mar. 05, 2013
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Name: [PROLAB NUTRITION, INC.](#) **Execution Date:** Mar. 05, 2013
Legal Entity Type: CORPORATION **State or Country Where Organized:** CONNECTICUT

Assignee

Name: [CERBERUS BUSINESS FINANCE, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Address: 875 THIRD AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: S. KAREFF C/O SCHULTE ROTH & ZABEL LLP
Correspondent Address: 919 THIRD AVENUE
22ND FLOOR
NEW YORK, NY 10022

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-14 18:47:29 EST

Mark: FORMULA 50

US Serial Number: 75070758
US Registration Number: 2150075
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 31, 2008
Publication Date: Oct. 28, 1997

Application Filing Date: Mar. 11, 1996
Registration Date: Apr. 14, 1998

Mark Information

Mark Literal Elements: FORMULA 50
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "FORMULA"

Goods and Services

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

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

For: vitamins and nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 29, 1988

Use in Commerce: Jun. 29, 1988

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Marlyn Nutraceuticals, Inc.
Owner Address: 4404 EAST ELWOOD ST.
PHOENIX, ARIZONA 85040
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kam W. Li

Docket Number: 108488-00004

Attorney Primary Email docketing@procopio.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Kam W. Li, Esq.
Procopio, Cory, Hargreaves & Savitch LLP
525 B Street, Suite 2200
San Diego, CALIFORNIA 92101
UNITED STATES

Correspondent e-mail: docketing@procopio.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 23, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 31, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Mar. 31, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 31, 2008	ASSIGNED TO PARALEGAL	73376
Mar. 18, 2008	TEAS SECTION 8 & 9 RECEIVED	
May 21, 2007	CASE FILE IN TICRS	
May 17, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 14, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 14, 1998	REGISTERED-PRINCIPAL REGISTER	
Dec. 01, 1997	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 28, 1997	PUBLISHED FOR OPPOSITION	
Sep. 26, 1997	NOTICE OF PUBLICATION	
Aug. 27, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 22, 1997	PETITION TO REVIVE-GRANTED	
Apr. 28, 1997	PETITION TO REVIVE-RECEIVED	
Mar. 24, 1997	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Aug. 22, 1996	NON-FINAL ACTION MAILED	
Aug. 15, 1996	ASSIGNED TO EXAMINER	65999

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 14, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Mar. 31, 2008

Generated on: This page was generated by TSDR on 2014-02-14 18:47:37 EST

Mark: NITE-CAL FORMULA



US Serial Number: 75107571
Application Filing Date: May 21, 1996
US Registration Number: 2090871
Registration Date: Aug. 26, 1997
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 19, 2008
Publication Date: Jun. 03, 1997

Mark Information

Mark Literal Elements: NITE-CAL FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Disclaimer: "FORMULA"
Design Search Code(s): 26.13.02 - Plain single or multiple line quadrilaterals; Quadrilaterals (single line or multiple line)
26.13.14 - Quadrilateral (three or more quadrilaterals); Three or more quadrilaterals
26.13.21 - Quadrilaterals that are completely or partially shaded
29.01.07 - Inconspicuous designs functioning as punctuation or parts of letters; Small, inconspicuous design elements functioning as punctuation or parts of letters

Goods and Services

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

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

For: nutritional supplements and vitamins
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 12, 1996
Use in Commerce: Jan. 12, 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: MDR Fitness Corp.
Owner Address: c/o Jason K. Psaltides, Esq.
14101 NW 4th Street
Sunrise, FLORIDA 33325
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jason K. Psaltides

Correspondent

Correspondent Name/Address: JASON K PSALTIDES
 JASON PSALTIDES & ASSOCIATES
 SAWGRASS INTERNATIONAL CORPORATE PARK
 14101 NW 4TH ST
 SUNRISE, FLORIDA 33325
 UNITED STATES

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Nov. 19, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70619
Nov. 19, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 25, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Jan. 28, 2008	POST REGISTRATION ACTION CORRECTION	68973
Jan. 28, 2008	ASSIGNED TO PARALEGAL	68973
Nov. 26, 2007	RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 9	
Nov. 26, 2007	PAPER RECEIVED	
Sep. 17, 2007	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	70619
Jun. 27, 2007	ASSIGNED TO PARALEGAL	70619
Jun. 11, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 11, 2007	PAPER RECEIVED	
Mar. 05, 2007	CASE FILE IN TICRS	
Feb. 20, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 08, 2003	RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 15	
Nov. 18, 2003	POST REGISTRATION ACTION MAILED - SEC. 15	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) FILED	
Jul. 10, 2003	REGISTERED - SEC. 15 AFFIDAVIT FILED	
Jul. 10, 2003	PAPER RECEIVED	
Aug. 26, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 03, 1997	PUBLISHED FOR OPPOSITION	
May 02, 1997	NOTICE OF PUBLICATION	
Mar. 27, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 02, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 23, 1996	NON-FINAL ACTION MAILED	
Oct. 17, 1996	ASSIGNED TO EXAMINER	69198

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 26, 2007

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: POST REGISTRATION

Date in Location: Nov. 19, 2008

Generated on: This page was generated by TSDR on 2014-02-14 18:47:44 EST

Mark: CHONDRO-PRO ARTHRITIS FORMULA

US Serial Number: 75107614
US Registration Number: 2087316
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jan. 18, 2008
Publication Date: May 20, 1997

Application Filing Date: May 21, 1996
Registration Date: Aug. 12, 1997

Mark Information

Mark Literal Elements: CHONDRO-PRO ARTHRITIS FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "ARTHRITIS FORMULA"

Goods and Services

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

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

For: nutritional supplements and vitamins

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 12, 1996
Use in Commerce: Jan. 12, 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: MDR Fitness Corp.
Owner Address: C/O JASON K. PSALTIDES, ESQ.
14101 NW 4TH STREET
Sunrise, FLORIDA 333256209
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jason K. Psaltides

Correspondent

Correspondent Name/Address: JASON K PSALTIDES
JASON PSALTIDES & ASSOCIATES
SAWGRASS INTERNATIONAL CORPORATE PARK
14101 NW 4TH ST
SUNRISE, FLORIDA 33325
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 18, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70619
Jan. 18, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 18, 2007	ASSIGNED TO PARALEGAL	70619
Nov. 26, 2007	RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 9	
Nov. 26, 2007	PAPER RECEIVED	
Sep. 17, 2007	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	70619
Jun. 27, 2007	ASSIGNED TO PARALEGAL	70619
Jun. 13, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 11, 2007	PAPER RECEIVED	
Mar. 06, 2007	CASE FILE IN TICRS	
Sep. 15, 2003	REGISTERED - SEC. 15 ACKNOWLEDGED	
Jul. 10, 2003	REGISTERED - SEC. 15 AFFIDAVIT FILED	
Sep. 15, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) FILED	
Jul. 10, 2003	PAPER RECEIVED	
Aug. 12, 1997	REGISTERED-PRINCIPAL REGISTER	
May 20, 1997	PUBLISHED FOR OPPOSITION	
Apr. 18, 1997	NOTICE OF PUBLICATION	
Mar. 21, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 24, 1997	NON-FINAL ACTION MAILED	
Dec. 18, 1996	NON-FINAL ACTION MAILED	
Oct. 17, 1996	ASSIGNED TO EXAMINER	69198

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 12, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jan. 18, 2008

Generated on: This page was generated by TSDR on 2014-02-14 18:49:49 EST

Mark: DL-WINTER FORMULA

US Serial Number: 75128360
US Registration Number: 2079110
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Oct. 11, 2006
Publication Date: Apr. 22, 1997

Application Filing Date: Jul. 01, 1996
Registration Date: Jul. 15, 1997

Mark Information

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

Goods and Services

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

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

For: nutritional supplements

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 1995
Use in Commerce: Jun. 30, 1995

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: HI-VIDOMIN LABORATORIES, INC.
Owner Address: 600 BOYCE ROAD
PITTSBURGH, PENNSYLVANIA 15205
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carrie Webb Olson

Docket Number: 711282-00000

Attorney Primary Email trademarks@daypitney.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Carrie Webb Olson
DAY PITNEY LLP
One International Place
Boston, MASSACHUSETTS 02110
UNITED STATES

Phone: 617-345-4767

Fax: 617-345-4745

Correspondent e-mail: trademarks@daypitney.com
colson@daypitney.com jwessel@daypitney.com anzano@daypitney.com
tmrecords@daypitney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 23, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 16, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 09, 2007	CASE FILE IN TICRS	
Oct. 11, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59807
Oct. 11, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 10, 2006	ASSIGNED TO PARALEGAL	59807
Jul. 26, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 26, 2006	TEAS SECTION 8 & 9 RECEIVED	
Jul. 26, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 17, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Sep. 10, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 10, 2002	PAPER RECEIVED	
Jul. 15, 1997	REGISTERED-PRINCIPAL REGISTER	
Apr. 22, 1997	PUBLISHED FOR OPPOSITION	
Mar. 21, 1997	NOTICE OF PUBLICATION	
Feb. 20, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 23, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 09, 1996	NON-FINAL ACTION MAILED	
Nov. 29, 1996	ASSIGNED TO EXAMINER	67443

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 15, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Mar. 09, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 6

Registrant: HVL INC.

Conveyance: SECURITY AGREEMENT
Reel/Frame: [1632/0170](#)
Date Recorded: Sep. 10, 1997
Supporting Documents: No Supporting Documents Available

Pages: 14

Assignor

Name: [HI-VIDOMIN LABORATORIES, INC.](#) Execution Date: Aug. 22, 1997
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [BANKBOSTON, N.A. AS AGENT](#)
Legal Entity Type: NATIONAL BANKING ASSOCIATION State or Country Where Organized: No Place Where Organized Found
Address: 100 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: SULLIVAN & WORCESTER LLP
Correspondent Address: LORI WOODWARD
ONE POST OFFICE SQUARE
BOSTON, MA 02109

Domestic Representative - Not Found

Assignment 2 of 6

Conveyance: SECURITY AGREEMENT
Reel/Frame: [1768/0197](#)
Date Recorded: Jul. 21, 1998
Supporting Documents: [assignment-tm-1768-0197.pdf](#)

Pages: 5

Assignor

Name: [HVL INCORPORATED](#) Execution Date: Jul. 07, 1998
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [BANKBOSTON, N.A.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: MASSACHUSETTS
Address: 100 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: AMY BRADY/CSC
Correspondent Address: 80 STATE STREET
6TH FLOOR
893581-005/LJP
ALBANY, NY 12207

Domestic Representative - Not Found

Assignment 3 of 6

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2437/0133](#)
Date Recorded: Jan. 25, 2002
Supporting Documents: [assignment-tm-2437-0133.pdf](#)

Pages: 6

Assignor

Name: [HVL INC.](#) Execution Date: Jan. 24, 2002
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [HI-VIDOMIN LABORATORIES, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 600 BOYCE ROAD
PITTSBURGH, PENNSYLVANIA 15205

Correspondent

Correspondent Name: SHLESINGER, ARKWRIGHT & GARVEY LLP
Correspondent Address: JAMES E. SHLESINGER, ESQ.
3000 SOUTH EADS STREET

Domestic Representative - Not Found

Assignment 4 of 6

Conveyance: SECURITY INTEREST

Reel/Frame: [2456/0308](#)

Pages: 9

Date Recorded: Feb. 13, 2002

Supporting Documents: [assignment-tm-2456-0308.pdf](#)

Assignor

Name: [HI-VIDOMIN LABORATORIES, INC.](#)

Execution Date: Jan. 30, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: STATELESS

Assignee

Name: [HELLER HEALTHCARE FINANCE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 500 WEST MONROE STREET
CHICAGO, ILLINOIS 60661

Correspondent

Correspondent Name: GOLDBERG KOHN ET AL

Correspondent Address: SHARON PATTERSON
55 E. MONROE STREET, STE. 3700
CHICAGO, IL 60603

Domestic Representative - Not Found

Assignment 5 of 6

Conveyance: RELEASE

Reel/Frame: [2460/0708](#)

Pages: 4

Date Recorded: Feb. 15, 2002

Supporting Documents: [assignment-tm-2460-0708.pdf](#)

Assignor

Name: [FLEET NATIONAL BANK](#)

Execution Date: Jan. 31, 2002

Legal Entity Type: NATIONAL CHARTERED BANK

State or Country Where Organized: No Place Where Organized Found

DBA, AKA, TA, Formerly: FORMERLY SUCCESSOR IN INTEREST TO
BANK BOSTON, N.A.

Assignee

Name: [HVL INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 600 BOYCE ROAD
PITTSBURGH, PENNSYLVANIA 15202

DBA, AKA, TA, Formerly: DBA HVL INCORPORATED

Correspondent

Correspondent Name: GOLDBERG KOHN ET AL

Correspondent Address: SHARON PATTERSON
55 E. MONROE ST., SUITE 3700
CHICAGO, I.L. 60603

Domestic Representative - Not Found

Assignment 6 of 6

Conveyance: U.S. SECURITY AND PLEDGE AGREEMENT

Reel/Frame: [3693/0565](#)

Pages: 69

Date Recorded: Jan. 10, 2008

Supporting Documents: [assignment-tm-3693-0565.pdf](#)

Assignor

Name: [HI VIDOMIN LABORATORIES, INC.](#)

Execution Date: Jul. 12, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [NATIONAL BANK OF CANADA](#)

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, CANADA H3B 4S9

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: 1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-14 18:47:51 EST

Mark: PIONEER NUTRITIONAL FORMULAS

US Serial Number: 75133273
US Registration Number: 2069740
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jul. 16, 2007
Publication Date: Mar. 18, 1997

Application Filing Date: Jul. 15, 1996
Registration Date: Jun. 10, 1997

Mark Information

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

Goods and Services

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

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

For: human vitamin and mineral and herbal supplements

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 1984
Use in Commerce: Mar. 1984

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Pioneer Nutritional Formulas, Inc.
Owner Address: 304 Shelburne Center Road
Shelburne Falls, MASSACHUSETTS 01370
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: MASSACHUSETTS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alison Pitt

Attorney Primary Email legal@nutracorp.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Alison Pitt
1400 Kearns Boulevard, 2nd Floor
Park City, UTAH 84060
UNITED STATES

Correspondent e-mail: legal@nutracorp.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 16, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Jul. 16, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 06, 2007	ASSIGNED TO PARALEGAL	68335
Jun. 07, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 07, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 04, 2006	CASE FILE IN TICRS	
Jan. 08, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 14, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 14, 2002	TEAS SECTION 8 & 15 RECEIVED	
Jun. 10, 1997	REGISTERED-PRINCIPAL REGISTER	
Mar. 18, 1997	PUBLISHED FOR OPPOSITION	
Feb. 14, 1997	NOTICE OF PUBLICATION	
Jan. 10, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 1996	EXAMINER'S AMENDMENT MAILED	
Dec. 11, 1996	ASSIGNED TO EXAMINER	72617

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 10, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jul. 16, 2007

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Mark: GSX FORMULA

US Serial Number: 75139541
US Registration Number: 2099121
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 27, 2007
Publication Date: Jul. 01, 1997

Application Filing Date: Jul. 15, 1996
Registration Date: Sep. 23, 1997

Mark Information

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

Goods and Services

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

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

For: dietary supplements

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 1996
Use in Commerce: Jan. 01, 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: BLUEBONNET NUTRITION CORP.
Owner Address: 12915 DAIRY ASHFORD
SUGAR LAND, TEXAS 77478
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JOHN S. EGBERT

Docket Number: 1303-5

Correspondent

Correspondent Name/Address: JOHN S. EGBERT
 HARRISON & EGBERT
 412 MAIN ST
 7TH FL
 HOUSTON, TEXAS 77002
 UNITED STATES

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Mar. 27, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70619
Mar. 27, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 22, 2007	ASSIGNED TO PARALEGAL	70619
Mar. 01, 2007	CASE FILE IN TICRS	
Feb. 05, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 05, 2007	TEAS SECTION 8 & 9 RECEIVED	
Jan. 09, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 07, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 07, 2002	PAPER RECEIVED	
Sep. 23, 1997	REGISTERED-PRINCIPAL REGISTER	
Jul. 01, 1997	PUBLISHED FOR OPPOSITION	
May 30, 1997	NOTICE OF PUBLICATION	
Apr. 28, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 11, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 07, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 06, 1997	NON-FINAL ACTION MAILED	
Jan. 03, 1997	ASSIGNED TO EXAMINER	72519

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 23, 2007

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** POST REGISTRATION**Date in Location:** Mar. 27, 2007

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Mark: SUPER EARTH FORMULA

US Serial Number: 75139542
US Registration Number: 2085782
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 15, 2007
Publication Date: May 13, 1997

Application Filing Date: Jul. 15, 1996
Registration Date: Aug. 05, 1997

Mark Information

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

Goods and Services

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

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

For: dietary supplement

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 1996
Use in Commerce: Jan. 01, 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: BLUEBONNET NUTRITION CORP.
Owner Address: 12915 Dairy Ashford
Sugarland, TEXAS 77478
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JOHN S EGBERT

Docket Number: 1303-6

Correspondent

Correspondent Name/Address: JOHN S EGBERT
HARRISON & EGBERT
412 MAIN ST 7TH FL
HOUSTON, TEXAS 77002
UNITED STATES

Phone: 713-224-8080

Fax: 713-223-4873

Correspondent e-mail: harrisonegbert@yahoo.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 01, 2011	CASE FILE IN TICRS	
May 04, 2011	CASE FILE IN TICRS	
Feb. 15, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Feb. 15, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 09, 2007	ASSIGNED TO PARALEGAL	67723
Dec. 12, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 12, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 12, 2006	TEAS SECTION 8 & 9 RECEIVED	
Oct. 21, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Sep. 05, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 05, 2002	PAPER RECEIVED	
Aug. 19, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 05, 1997	REGISTERED-PRINCIPAL REGISTER	
May 13, 1997	PUBLISHED FOR OPPOSITION	
Apr. 11, 1997	NOTICE OF PUBLICATION	
Mar. 08, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 07, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 06, 1997	NON-FINAL ACTION MAILED	
Jan. 03, 1997	ASSIGNED TO EXAMINER	72519

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 05, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 01, 2011

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Mark: COMPREHENSIVE FORMULA

US Serial Number: 75157538
US Registration Number: 2513488
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jan. 16, 2001
Status: The registration has been renewed.
Status Date: Dec. 21, 2011

Application Filing Date: Aug. 29, 1996
Registration Date: Nov. 27, 2001

Mark Information

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

Goods and Services

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

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

For: vitamins and food supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 12, 1997
Use in Commerce: Jun. 12, 1997

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: GUTHY-RENKER LLC
Owner Address: 41-550 ECLECTIC STREET, SUITE 200
PALM DESERT, CALIFORNIA 92260
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Marnie Wright Barnhorst, Esq.

Attorney Primary Email Address: usdocketing@scmv.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Marnie Wright Barnhorst, Esq.
Seltzer Caplan McMahon Vitek
750 B Street, Suite 2100
San Diego, CALIFORNIA 92101
UNITED STATES

Phone: 619-685-3055

Fax: 619-702-6813

Correspondent e-mail: usdocketing@scmv.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 06, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 06, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 16, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 21, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69934
Dec. 21, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69934
Nov. 28, 2011	TEAS SECTION 8 & 9 RECEIVED	
Jun. 15, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 08, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 21, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 18, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED	69934
Nov. 08, 2007	TEAS SECTION 8 RECEIVED	
May 02, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 01, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 01, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 11, 2007	CASE FILE IN TICRS	
Oct. 05, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 27, 2001	REGISTERED-SUPPLEMENTAL REGISTER	
May 24, 2001	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jan. 16, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 18, 2000	NON-FINAL ACTION MAILED	
Oct. 13, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 27, 1998	NON-FINAL ACTION MAILED	
Jan. 30, 1998	PETITION TO REVIVE-GRANTED	
Jan. 30, 1998	PETITION TO REVIVE-RECEIVED	
Mar. 12, 1998	PREVIOUS ACTION COUNT WITHDRAWN	
Aug. 27, 1997	USE AMENDMENT ACCEPTED	
Aug. 04, 1997	AMENDMENT TO USE PROCESSING COMPLETE	
Jul. 14, 1997	USE AMENDMENT FILED	
Mar. 17, 1997	NON-FINAL ACTION MAILED	
Mar. 17, 1997	ASSIGNED TO EXAMINER	72519
Feb. 27, 1997	ASSIGNED TO EXAMINER	72519

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Nov. 27, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Dec. 21, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: GUTHY-RENKER CORPORATION

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3529/0277](#)

Pages: 3

Date Recorded: Apr. 25, 2007

Supporting Documents: [assignment-tm-3529-0277.pdf](#)

Assignor

Name: [GUTHY-RENKER CORPORATION](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [GUTHY-RENKER CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 41-550 ECLECTIC STREET, SUITE 200
PALM DESERT, CALIFORNIA 92260

Correspondent

Correspondent Name: MARNIE WRIGHT BARNHORST, ESQ.

Correspondent Address: 1200 PROSPECT STREET, SUITE G-100
LA JOLLA, CA 92037

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: CONVERSION

Reel/Frame: [3777/0957](#)

Pages: 8

Date Recorded: May 15, 2008

Supporting Documents: [assignment-tm-3777-0957.pdf](#)

Assignor

Name: [GUTHY-RENKER CORPORATION](#)

Execution Date: Apr. 23, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [GUTHY-RENKER LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 41-550 ECLECTIC STREET, SUITE 200
PALM DESERT, CALIFORNIA 92260

Correspondent

Correspondent Name: MARNIE WRIGHT BARNHORST, ESQ.

Correspondent Address: THE TRADEMARK GROUP, APLC
1200 PROSPECT STREET, SUITE G-100
LA JOLLA, CA 92037

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [3793/0475](#)

Pages: 12

Date Recorded: Jun. 10, 2008

Supporting Documents: [assignment-tm-3793-0475.pdf](#)

Assignor

Name: [GUTHY-RENKER LLC](#)

Execution Date: May 05, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

DBA, AKA, TA, Formerly: FORMERLY GUTHY-RENKER CORPORATION

Assignee

Name: [UNION BANK OF CALIFORNIA, N.A., AS ADMINISTRATIVE AGENT](#)
Legal Entity Type: NATIONAL BANK **State or Country Where Organized:** UNITED STATES
Address: 18300 VON KARMAN AVE., SUITE 310
ATTN: GUTHY-RENKER ACCT OFFICER
IRVINE, CALIFORNIA 92612

Correspondent

Correspondent Name: SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
Correspondent Address: 333 S. HOPE ST., 48TH FLOOR
ATTN: J. CRAVITZ
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: NOTICE OF GRANT OF SECURITY INTEREST IN TRADEMARKS
Reel/Frame: [4555/0542](#) **Pages:** 14
Date Recorded: Jun. 07, 2011
Supporting Documents: [assignment-tm-4555-0542.pdf](#)

Assignor

Name: [GUTHY-RENKER LLC](#) **Execution Date:** Jun. 03, 2011
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Assignee

Name: [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)
Legal Entity Type: NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** UNITED STATES
Address: 2001 CLAYTON ROAD
CA4-702-02-25
CONCORD, CALIFORNIA 92260

Correspondent

Correspondent Name: MOORE & VAN ALLEN PLLC
Correspondent Address: 430 DAVIS DRIVE
SUITE 500
MORRISVILLE, NC 27560

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: RELEASE OF SECURITY INTEREST IN TRADEMARKS
Reel/Frame: [4561/0038](#) **Pages:** 7
Date Recorded: Jun. 14, 2011
Supporting Documents: [assignment-tm-4561-0038.pdf](#)

Assignor

Name: [UNION BANK, N.A. \(FORMERLY, UNION BANK OF CALIFORNIA, N.A.\), AS ADMINISTRATIVE AGENT](#) **Execution Date:** Jun. 03, 2011
Legal Entity Type: NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** CALIFORNIA

Assignee

Name: [GUTHY-RENKER LLC \(FORMERLY, GUTHY-RENKER CORPORATION\)](#)
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE
Address: 41-550 ECLECTIC STREET
SUITE 200
PALM DESERT, CALIFORNIA 92260

Correspondent

Correspondent Name: MOORE & VAN ALLEN PLLC
Correspondent Address: 430 DAVIS DRIVE
SUITE 500
MORRISVILLE, NC 27560

Domestic Representative - Not Found

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Mark: OPTIMAL HEALTH FORMULA

US Serial Number: 75335846
Application Filing Date: Aug. 04, 1997
US Registration Number: 2195515
Registration Date: Oct. 13, 1998
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jun. 05, 2008
Publication Date: Jul. 21, 1998

Mark Information

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

Goods and Services

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

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

For: vitamins and dietary food supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 1996
Use in Commerce: Jan. 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: MURAD, INC.
Owner Address: 2121 ROSECRANS AVENUE, FIFTH FLOOR
EL SEGUNDO, CALIFORNIA 90245
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MICHAEL A PAINTER

Docket Number: 06889.048

Correspondent

Correspondent Name/Address: Michael A. Painter, Esq.
Isaacman, Kaufman & Painter
10250 Constellation Boulevard
Suite 2900
Los Angeles, CALIFORNIA 90067
UNITED STATES

Phone: (310) 881-6800

Fax: (310) 881-6801

Correspondent e-mail: painter@ikplaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Dec. 29, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 03, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 05, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Jun. 05, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 02, 2008	ASSIGNED TO PARALEGAL	68335
May 16, 2008	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 16, 2008	PAPER RECEIVED	
Aug. 03, 2007	CASE FILE IN TICRS	
Feb. 04, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 24, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 13, 1998	REGISTERED-PRINCIPAL REGISTER	
Jul. 21, 1998	PUBLISHED FOR OPPOSITION	
Jun. 19, 1998	NOTICE OF PUBLICATION	
May 16, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 17, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 06, 1998	NON-FINAL ACTION MAILED	
Mar. 15, 1998	ASSIGNED TO EXAMINER	71994

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 13, 2008

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: POST REGISTRATION

Date in Location: Jun. 05, 2008

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Registrant: MURAD, HOWARD

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3842/0808](#)

Pages: 7

Date Recorded: Aug. 12, 2008

Supporting Documents: [assignment-tm-3842-0808.pdf](#)

Assignor

Name: [MURAD, HOWARD](#)

Execution Date: Aug. 05, 2008

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [MURAD, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 2121 ROSECRANS AVENUE, FIFTH FLOOR
EL SEGUNDO, CALIFORNIA 90245

Correspondent

Correspondent Name: MICHAEL A. PAINTER, ESQ.

Correspondent Address: ISAACMAN, KAUFMAN & PAINTER
8484 WILSHIRE BLVD., SUITE 850
BEVERLY HILLS, CA 90211

Domestic Representative - Not Found

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Mark: MBF MUSCLE BUILDING FORMULA

US Serial Number: 75351421
US Registration Number: 2202806
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 20, 2008
Publication Date: Aug. 18, 1998

Application Filing Date: Aug. 18, 1997
Registration Date: Nov. 10, 1998

Mark Information

Mark Literal Elements: MBF MUSCLE BUILDING FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "MUSCLE BUILDING FORMULA"

Goods and Services

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

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

For: food supplement
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 20, 1989

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Jan. 19, 1994

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: REYMAN DRUG COMPANY, INC.
Owner Address: 817 E. BALTIMORE ST.
Baltimore, MARYLAND 21202
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: MARYLAND

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: MEYER OXMAN
817 East Baltimore Street
Baltimore, MARYLAND 21202
UNITED STATES

Phone: 410-727-4679

Correspondent e-mail: abnats@verizon.net

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 20, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	60132
Mar. 20, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 20, 2008	ASSIGNED TO PARALEGAL	60132
Mar. 17, 2008	TEAS SECTION 8 & 9 RECEIVED	
Mar. 17, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 08, 2006	REVIEW OF CORRESPONDENCE COMPLETE	67657
Jan. 03, 2005	PAPER RECEIVED	
Feb. 05, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Dec. 01, 2003	REGISTERED - SEC. 8 (6-YR) FILED	
Nov. 10, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 18, 1998	PUBLISHED FOR OPPOSITION	
Jul. 17, 1998	NOTICE OF PUBLICATION	
May 26, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 24, 1998	EXAMINER'S AMENDMENT MAILED	
Apr. 14, 1998	ASSIGNED TO EXAMINER	74309

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Nov. 10, 2008

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: POST REGISTRATION

Date in Location: Mar. 20, 2008

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Mark: MBF MUSCLE BUILDING FORMULA

US Serial Number: 75351421
US Registration Number: 2202806
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 20, 2008
Publication Date: Aug. 18, 1998
Application Filing Date: Aug. 18, 1997
Registration Date: Nov. 10, 1998

Mark Information

Mark Literal Elements: MBF MUSCLE BUILDING FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "MUSCLE BUILDING FORMULA"

Goods and Services

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

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

For: food supplement
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 20, 1989
Use in Commerce: Jan. 19, 1994

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: REYMAN DRUG COMPANY, INC.
Owner Address: 817 E. BALTIMORE ST.
Baltimore, MARYLAND 21202
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: MARYLAND

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: MEYER OXMAN
817 East Baltimore Street
Baltimore, MARYLAND 21202
UNITED STATES

Phone: 410-727-4679

Correspondent e-mail: abnats@verizon.net

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 20, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	60132
Mar. 20, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 20, 2008	ASSIGNED TO PARALEGAL	60132
Mar. 17, 2008	TEAS SECTION 8 & 9 RECEIVED	
Mar. 17, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 08, 2006	REVIEW OF CORRESPONDENCE COMPLETE	67657
Jan. 03, 2005	PAPER RECEIVED	
Feb. 05, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Dec. 01, 2003	REGISTERED - SEC. 8 (6-YR) FILED	
Nov. 10, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 18, 1998	PUBLISHED FOR OPPOSITION	
Jul. 17, 1998	NOTICE OF PUBLICATION	
May 26, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 24, 1998	EXAMINER'S AMENDMENT MAILED	
Apr. 14, 1998	ASSIGNED TO EXAMINER	74309

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Nov. 10, 2008

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: POST REGISTRATION

Date in Location: Mar. 20, 2008

Current Owner(s) Information

Owner Name: HAIR FRANCE CORP.
DBA, AKA, Formerly: DBA PANTRON I, CORP.
Owner Address: 73726 ALESSANDRO DRIVE
SUITE 203
PALM DESERT, CALIFORNIA 92260
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: WILLIAM J. BRUCKER **Docket Number:** 324.102

Correspondent

Correspondent Name/Address: WILLIAM J BRUCKER
STETINA BRUNDA GARRED & BRUCKER
75 ENTERPRISE STE 250
ALISO VIEJO, CALIFORNIA 92656
UNITED STATES

Phone: 949.855.1246

Fax: 949.855.6371

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 01, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	60132
Feb. 01, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 31, 2008	ASSIGNED TO PARALEGAL	60132
Jan. 14, 2008	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 14, 2008	PAPER RECEIVED	
Aug. 09, 2007	CASE FILE IN TICRS	
Aug. 25, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 19, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 06, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 06, 2003	PAPER RECEIVED	
Oct. 06, 1998	REGISTERED-PRINCIPAL REGISTER	
Jul. 14, 1998	PUBLISHED FOR OPPOSITION	
Jun. 12, 1998	NOTICE OF PUBLICATION	
May 06, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 27, 1998	EXAMINER'S AMENDMENT MAILED	
Apr. 20, 1998	ASSIGNED TO EXAMINER	73700

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 06, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Feb. 01, 2008

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Mark: MASTER DEFENSE FORMULA

MASTER DEFENSE FORMULA

US Serial Number: 75383080

Application Filing Date: Oct. 31, 1997

US Registration Number: 4020919

Registration Date: Sep. 06, 2011

Register: Principal

Mark Type: Trademark

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

Status Date: Sep. 06, 2011

Publication Date: Jun. 21, 2011

Mark Information

Mark Literal Elements: MASTER DEFENSE FORMULA

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "FORMULA"

Goods and Services

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

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

For: Dietary Supplement with Cat's Claw Root

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 13, 1997

Use in Commerce: Aug. 13, 1997

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Inmuno Vital, Inc.

Owner Address: 2828 Coral Way
Suite 305
Miami, FLORIDA 33145
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JOHN H OLTMAN

Docket Number: 11323

Correspondent

Correspondent Name/Address: JOHN H OLTMAN
OLTMAN FLYNN & KUBLER
915 MIDDLE RIVER DR
415 GALLERIA PROFESSIONAL BLDG
FT LAUDERDALE, FLORIDA 33304-3544
UNITED STATES

Prosecution History

Date	Description	Proceeding Number
Sep. 06, 2011	REGISTERED-PRINCIPAL REGISTER	
Jun. 21, 2011	PUBLISHED FOR OPPOSITION	
Jun. 01, 2011	NOTICE OF PUBLICATION	
May 18, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
May 11, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 29, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	69712
Oct. 29, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	69712
Apr. 28, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	69712
Apr. 28, 2010	ASSIGNED TO LIE	69712
Oct. 28, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Oct. 09, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Oct. 01, 2009	ASSIGNED TO LIE	76243
Mar. 30, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76539
Sep. 29, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76539
Mar. 20, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76539
Sep. 05, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76539
Feb. 20, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76539
Feb. 20, 2007	ASSIGNED TO LIE	76539
Aug. 08, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76537
Feb. 07, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76537
Jul. 20, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	74193
Dec. 06, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	74193
Jun. 06, 2003	CASE FILE IN TICRS	
Oct. 03, 2001	ASSIGNED TO EXAMINER	72152
Oct. 02, 2001	ASSIGNED TO EXAMINER	73362
Apr. 16, 1999	LETTER OF SUSPENSION MAILED	
Aug. 04, 1998	NON-FINAL ACTION MAILED	
Jul. 11, 1998	ASSIGNED TO EXAMINER	72152
Jun. 21, 1998	ASSIGNED TO EXAMINER	71994

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 06, 2011

OREM, UTAH 84097
UNITED STATES

Phone: 801-714-1331

Fax: 801-714-1100

Correspondent e-mail: jerome.bichon@unicity.net

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 27, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Dec. 27, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 27, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Dec. 15, 2010	TEAS SECTION 8 & 9 RECEIVED	
Aug. 29, 2007	REVIEW OF CORRESPONDENCE COMPLETE	60234
Jun. 27, 2007	FAX RECEIVED	
Jun. 27, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 27, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	59807
Jun. 27, 2007	RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 15	
Feb. 23, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 22, 2007	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	59807
Feb. 16, 2007	ASSIGNED TO PARALEGAL	59807
Jan. 15, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 15, 2007	TEAS SECTION 8 & 15 RECEIVED	
Jul. 12, 2006	CASE FILE IN TICRS	
Jan. 23, 2001	REGISTERED-PRINCIPAL REGISTER	
Aug. 16, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 16, 2000	ASSIGNED TO EXAMINER	74290
Aug. 16, 2000	ASSIGNED TO EXAMINER	74290
Aug. 14, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Jun. 19, 2000	USE AMENDMENT FILED	
Jan. 04, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 12, 1999	PUBLISHED FOR OPPOSITION	
Sep. 10, 1999	NOTICE OF PUBLICATION	
Jun. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 04, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 21, 1998	NON-FINAL ACTION MAILED	
Dec. 03, 1998	ASSIGNED TO EXAMINER	74290

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 23, 2011

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Dec. 27, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 4

Registrant: Rexall Sundown, Inc.

Assignment 1 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2403/0643](#)

Pages: 7

Date Recorded: Dec. 14, 2001

Supporting Documents: [assignment-tm-2403-0643.pdf](#)

Assignor

Name: [REXALL SUNDOWN, INC.](#)

Execution Date: Dec. 13, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Assignee

Name: [MET-RX SUBSTRATE TECHNOLOGY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 6111 BROKEN SOUND PKWY., NW
BOCA RATON, FLORIDA 33487

Correspondent

Correspondent Name: MET-RX SUBSTRATE TECHNOLOGY, INC.

Correspondent Address: KENNETH STRICK
6111 BROKEN SOUND PKWY., NW
BOCA RATON, FL 33487

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2407/0050](#)

Pages: 19

Date Recorded: Dec. 26, 2001

Supporting Documents: [assignment-tm-2407-0050.pdf](#)

Assignor

Name: [MET-RX SUBSTRATE TECHNOLOGY, INC.](#)

Execution Date: Dec. 19, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [NUMICO FINANCIAL SERVICES, S.A.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Address: 3, PLACE DE L'EUROPE, CH-1003
LAUSANNE, SWITZERLAND

Correspondent

Correspondent Name: VEDDER, PRICE, KAUFMAN & KAMMOLZ

Correspondent Address: GUY E. SNYDER, ESQ.
222 NORTH LASALLE STREET
SUITE 2400
CHICAGO, IL 60606

Domestic Representative

Domestic Representative Name: VEDDER, PRICE, KAUFMAN & KAMMOLZ

Domestic Representative Address: GUY E. SNYDER, ESQ.
222 NORTH LASALLE STREET, SUITE 2400
CHICAGO, IL 60606

Assignment 3 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3567/0203](#)

Pages: 2

Date Recorded: Jun. 25, 2007

Supporting Documents: [assignment-tm-3567-0203.pdf](#)

Assignor

Name: [UNICITY NETWORK INC.](#)

Execution Date: Apr. 04, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [UNICITY PROPERTIES INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Organized:

Address: 1201 NORTH 800 EAST
OREM, UTAH 84097

Correspondent

Correspondent Name: TIM MERRILL

Correspondent Address: 1201 NORTH 800 EAST
OREM, UT 84097

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2696/0829](#)

Pages: 7

Date Recorded: Aug. 08, 2003

Supporting Documents: [assignment-tm-2696-0829.pdf](#)

Assignor

Name: [NUMICO FINANCIAL SERVICES, S.A.](#)

Execution Date: Jul. 01, 2003

Legal Entity Type: SWISS CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [UNICITY NETWORKS INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 748 NORTH 1348 WEST
OREM, UTAH 84057

Correspondent

Correspondent Name: VEDDER, PRICE, KAUFMAN & KAMMHOLZ

Correspondent Address: HOLLY MILLER
222 NORTH LASALLE ST., 24TH FLOOR
CHICAGO, IL 60601

Domestic Representative - Not Found

Correspondent Name/Address: Adam Michelin
OWS PRODUCTS, LLC
10531 Humbolt Street
Los Alamitos, CALIFORNIA 90720
UNITED STATES

Phone: (800) 645-0010

Fax: (562) 598-9988

Correspondent e-mail: amichelin@roex.com adam79c@rdxh.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 16, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
May 16, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 15, 2011	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 23, 2011	CASE FILE IN TICRS	
Apr. 29, 2011	CASE FILE IN TICRS	
Feb. 02, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 03, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 03, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 19, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Jul. 19, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 19, 2008	ASSIGNED TO PARALEGAL	76533
Jun. 30, 2008	TEAS SECTION 8 & 9 RECEIVED	
Aug. 04, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 01, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 01, 2004	TEAS SECTION 8 & 15 RECEIVED	
Jun. 29, 1999	REGISTERED-PRINCIPAL REGISTER	
Apr. 06, 1999	PUBLISHED FOR OPPOSITION	
Mar. 05, 1999	NOTICE OF PUBLICATION	
Jan. 08, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 31, 1998	EXAMINER'S AMENDMENT MAILED	
Dec. 10, 1998	ASSIGNED TO EXAMINER	75595

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 29, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: May 23, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Roex, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4559/0256](#)

Pages: 11

Date Recorded: Jun. 10, 2011

Supporting Documents: [assignment-tm-4559-0256.pdf](#)

Assignor

Name: [ROEX, INC.](#) **Execution Date:** Jan. 14, 2011
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Assignee

Name: [OWS PRODUCTS, LLC](#) **State or Country Where Organized:** CALIFORNIA
Legal Entity Type: LIMITED LIABILITY COMPANY
Address: 16841 ARMSTRONG AVENUE
IRVINE, CALIFORNIA 92606

Correspondent

Correspondent Name: SUSAN B. MEYER - GORDON & REES LLP
Correspondent Address: 101 WEST BROADWAY, 16TH FLOOR
SAN DIEGO, CA 92101

Domestic Representative - Not Found

Attorney Primary Email ipdocket@hgcpatent.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Kathleen A. Costigan
HEDMAN & COSTIGAN, P.C.
1230 Avenue of the Americas, 7th Floor
New York, NEW YORK 10020
UNITED STATES

Phone: 2123028989

Correspondent e-mail: ipdocket@hgcpatent.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 03, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 03, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Aug. 03, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Aug. 03, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Jul. 23, 2012	TEAS SECTION 8 & 9 RECEIVED	
Aug. 18, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
May 21, 2008	ASSIGNED TO PARALEGAL	73376
May 08, 2008	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 08, 2008	PAPER RECEIVED	
Dec. 14, 2007	CASE FILE IN TICRS	
Jul. 23, 2002	REGISTERED-PRINCIPAL REGISTER	
May 15, 2002	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 14, 2002	ASSIGNED TO EXAMINER	73708
Apr. 19, 2002	STATEMENT OF USE PROCESSING COMPLETE	
Apr. 19, 2002	USE AMENDMENT FILED	
Feb. 11, 2002	EXTENSION 3 GRANTED	
Nov. 23, 2001	EXTENSION 3 FILED	
Jun. 23, 2001	EXTENSION 2 GRANTED	
May 23, 2001	EXTENSION 2 FILED	
Jan. 19, 2001	EXTENSION 1 GRANTED	
Nov. 22, 2000	EXTENSION 1 FILED	
May 23, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 29, 2000	PUBLISHED FOR OPPOSITION	
Jan. 28, 2000	NOTICE OF PUBLICATION	
Nov. 22, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 17, 1999	EXAMINER'S AMENDMENT MAILED	
Nov. 16, 1999	ASSIGNED TO EXAMINER	76683
Aug. 04, 1999	ASSIGNED TO EXAMINER	74666
Jun. 23, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 21, 1998	NON-FINAL ACTION MAILED	
Dec. 17, 1998	ASSIGNED TO EXAMINER	74666

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 23, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Aug. 03, 2012

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Mark: LIVER MAINTENANCE FORMULA

LIVER MAINTENANCE FORMULA

US Serial Number: 75474071
Application Filing Date: Apr. 24, 1998
US Registration Number: 2346182
Registration Date: Apr. 25, 2000
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jun. 28, 1999
Status: The registration has been renewed.
Status Date: Feb. 01, 2010

Mark Information

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

Goods and Services

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

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

For: non-prescription dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1997

Use in Commerce: Jul. 01, 1997

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: NATURESMART, LLC
Owner Address: Legal Dept
2100 Smithtown Avenue
Ronkonkoma, NEW YORK 11779
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: COLORADO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: LEE GROSSKREUZ HECHTEL
Docket Number: 87900
Attorney Primary Email Address: lhechtel@nbt.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: LEE GROSSKREUZ HECHTEL
NBTY, Inc.
2100 Smithtown Avenue
Legal Dept.

Ronkonkoma, NEW YORK 11779
UNITED STATES

Phone: 6312187335

Fax: 6312187341

Correspondent e-mail: lhechtel@nbtty.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 01, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 01, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 01, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Jan. 29, 2010	TEAS SECTION 8 & 9 RECEIVED	
Nov. 30, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED	61619
Nov. 28, 2006	ASSIGNED TO PARALEGAL	61619
Sep. 28, 2006	REGISTERED - SEC. 8 (6-YR) FILED	
Sep. 28, 2006	TEAS SECTION 8 RECEIVED	
Sep. 28, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 28, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 07, 2006	CASE FILE IN TICRS	
Apr. 25, 2000	REGISTERED-SUPPLEMENTAL REGISTER	
Nov. 29, 1999	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jun. 28, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 30, 1998	NON-FINAL ACTION MAILED	
Dec. 29, 1998	ASSIGNED TO EXAMINER	68792

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Apr. 25, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 01, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Amrion, Inc.

Assignment 1 of 2

Conveyance: TRANSFER OF ASSETS

Reel/Frame: [2538/0001](#)

Pages: 74

Date Recorded: Jul. 02, 2002

Supporting Documents: [assignment-tm-2538-0001.pdf](#)

Assignor

Name: [AMRION, INC.](#)

Execution Date: May 14, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: COLORADO

Assignee

Name: [NATURESMART, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 90 ORVILLE DRIVE
BOHEMIA, NEW YORK 11716

Correspondent

Correspondent Name: ERIC S. KLEE, ESQ.

Correspondent Address: ASSISTANT GENERAL COUNSEL
90 ORVILLE DRIVE
BOHEMIA, NY 11716

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [2357/0440](#)

Pages: 48

Date Recorded: Aug. 27, 2001

Supporting Documents: [assignment-tm-2357-0440.pdf](#)

Assignor

Name: [NATURESMART, LLC](#)

Execution Date: May 29, 2001

Legal Entity Type: COLORADO LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [CHASE MANHATTAN BANK, AS ADMINISTRATIVE AGENT, THE](#)

Legal Entity Type: NEW YORK BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Address: P.O. BOX 2558
HOUSTON, TEXAS 77252

Correspondent

Correspondent Name: SIMPSON THACHER & BARTLETT

Correspondent Address: ROBYN GREENBERG, ESQ.
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

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Mark: MASTER NUTRIENT FORMULA

US Serial Number: 75474094
US Registration Number: 2257021
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jul. 21, 2008
Publication Date: Apr. 06, 1999

Application Filing Date: Apr. 24, 1998
Registration Date: Jun. 29, 1999

Mark Information

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

Goods and Services

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

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

For: Food supplements for humans, namely, dietary food supplements, herbal supplements, nutritional supplements, vitamin and mineral supplements, natural food supplements, natural vegetable oils for use as food supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1995

Use in Commerce: Mar. 19, 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Designing Health, Inc.
Owner Address: 28410 Witherspoon Pkwy
Valencia, CALIFORNIA 91355
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: COLORADO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: LOUIS J. BOVASSO

Docket Number: 58086-021200

Correspondent

Correspondent Name/Address: Louis J. Bovasso
GREENBERG TRAURIG LLP
1840 CENTURY PARK EAST, SUITE 1900
LOS ANGELES, CALIFORNIA 90067-2121
UNITED STATES

Phone: 310-586-7700

Fax: 310-586-7800

Correspondent e-mail: laipmail@gtlaw.com laipmail@gtlaw.com bovassol@gtlaw.com banksb@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 30, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 21, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Jul. 21, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 21, 2008	ASSIGNED TO PARALEGAL	64591
Jul. 03, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jul. 11, 2007	CASE FILE IN TICRS	
Aug. 02, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 04, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 30, 2005	ASSIGNED TO PARALEGAL	76293
May 04, 2005	TEAS SECTION 8 & 15 RECEIVED	
May 19, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 29, 1999	REGISTERED-PRINCIPAL REGISTER	
Apr. 06, 1999	PUBLISHED FOR OPPOSITION	
Mar. 05, 1999	NOTICE OF PUBLICATION	
Jan. 26, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 20, 1999	EXAMINER'S AMENDMENT MAILED	
Dec. 30, 1998	NON-FINAL ACTION MAILED	
Dec. 29, 1998	ASSIGNED TO EXAMINER	68792

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 29, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jul. 21, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Designing Health, Inc.

Assignment 1 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [3774/0509](#)

Pages: 9

Date Recorded: May 08, 2008

Supporting Documents: [assignment-tm-3774-0509.pdf](#)

Assignor

Name: [DESIGNING HEALTH, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jul. 01, 2005
State or Country Where Organized: CALIFORNIA

Assignee

Name: [ROBERT M. COLLETT AND JOY COLLETT](#)
Legal Entity Type: INDIVIDUALS

State or Country Where Organized: CALIFORNIA

Address: 11951 CLONLEE STREET
GRANADA HILLS, CALIFORNIA 91344

Correspondent

Correspondent Name: RHODAH VANDERSCHYFF

Correspondent Address: 555 SOUTH FLOWER STREET
30TH FLOOR
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [3774/0461](#)

Pages: 14

Date Recorded: May 08, 2008

Supporting Documents: [assignment-tm-3774-0461.pdf](#)

Assignor

Name: [DESIGNING HEALTH, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jan. 01, 2008
State or Country Where Organized: CALIFORNIA

Assignee

Name: [THE COLLETT FAMILY TRUST](#)
Legal Entity Type: TRUST

State or Country Where Organized: No Place Where Organized Found

Address: 11951 CLONLEE STREET
GRANADA HILLS, CALIFORNIA 91344

Correspondent

Correspondent Name: RHODAH VANDERSCHYFF

Correspondent Address: 555 SOUTH FLOWER STREET
30TH FLOOR
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Attorney of Record

Attorney Name: Lee Grosskreuz Hechtel **Docket Number:** 75494879
Attorney Primary Email Address: lhechtel@nbty.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Lee Grosskreuz Hechtel
 NBTY, INC.
 2100 Smithtown Avenue
 Legal Dept.
 Ronkonkoma, NEW YORK 11779
 UNITED STATES

Phone: 6312187335**Fax:** 6312187341**Correspondent e-mail:** lhechtel@nbty.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Aug. 26, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Aug. 26, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Aug. 26, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Jul. 15, 2011	TEAS SECTION 8 & 15 RECEIVED	
Mar. 14, 2006	REGISTERED-PRINCIPAL REGISTER	
Dec. 20, 2005	PUBLISHED FOR OPPOSITION	
Nov. 30, 2005	NOTICE OF PUBLICATION	
Nov. 03, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	76984
Nov. 01, 2005	ASSIGNED TO LIE	76984
Oct. 17, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 15, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	77978
Oct. 04, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	77978
Oct. 04, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 23, 2005	PRIORITY ACTION E-MAILED	6326
Aug. 23, 2005	PRIORITY ACTION WRITTEN	72505
Aug. 03, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Jun. 21, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Jun. 21, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 05, 2005	AMENDMENT FROM APPLICANT ENTERED	68171
Mar. 21, 2005	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	68171
Mar. 21, 2005	PAPER RECEIVED	
Mar. 02, 2005	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	68171
Mar. 02, 2005	PAPER RECEIVED	
Mar. 01, 2005	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	
Mar. 01, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 01, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 01, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 01, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 02, 2005	NON-FINAL ACTION E-MAILED	6325
Jan. 02, 2005	NON-FINAL ACTION WRITTEN	72505
Jul. 02, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Dec. 05, 2003	PAPER RECEIVED	
Dec. 11, 2003	CASE FILE IN TICRS	
May 23, 2003	LETTER OF SUSPENSION E-MAILED	

Apr. 23, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 23, 2003	PAPER RECEIVED	
Apr. 21, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 21, 2002	NON-FINAL ACTION MAILED	
Sep. 16, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 16, 2002	PAPER RECEIVED	
Mar. 13, 2002	NON-FINAL ACTION MAILED	
Jan. 22, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 17, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 12, 2001	LETTER OF SUSPENSION MAILED	
Jun. 29, 2001	ASSIGNED TO EXAMINER	72505
Aug. 17, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 07, 1999	LETTER OF SUSPENSION MAILED	
May 10, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 16, 1998	NON-FINAL ACTION MAILED	
Sep. 30, 1998	ASSIGNED TO EXAMINER	64390

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 107

Date in Location: Aug. 26, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: NATURESMART, LLC

Assignment 1 of 2

Conveyance: TRANSFER OF ASSETS

Reel/Frame: [2538/0001](#)

Pages: 74

Date Recorded: Jul. 02, 2002

Supporting Documents: [assignment-tm-2538-0001.pdf](#)

Assignor

Name: [AMRION, INC.](#)

Execution Date: May 14, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: COLORADO

Assignee

Name: [NATURESMART, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 90 ORVILLE DRIVE
BOHEMIA, NEW YORK 11716

Correspondent

Correspondent Name: ERIC S. KLEE, ESQ.

Correspondent Address: ASSISTANT GENERAL COUNSEL
90 ORVILLE DRIVE
BOHEMIA, NY 11716

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [2357/0440](#)

Pages: 48

Date Recorded: Aug. 27, 2001

Supporting Documents: [assignment-tm-2357-0440.pdf](#)

Assignor

Name: [NATURESMART, LLC](#) Execution Date: May 29, 2001
Legal Entity Type: COLORADO LIMITED LIABILITY COMPANY State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [CHASE MANHATTAN BANK, AS ADMINISTRATIVE AGENT, THE](#)
Legal Entity Type: NEW YORK BANKING CORPORATION State or Country Where Organized: No Place Where Organized Found
Address: P.O. BOX 2558
HOUSTON, TEXAS 77252

Correspondent

Correspondent Name: SIMPSON THACHER & BARTLETT
Correspondent Address: ROBYN GREENBERG, ESQ.
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: [92041712](#) Filing Date: Feb 12, 2003
Status: Terminated Status Date: Mar 12, 2003
Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: WYETH
Correspondent Address: MARIE V. DRISCOLL
FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA
NEW YORK NY , 10017
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PROSTATE SUPPORT	Cancelled - Section 7(D)	75416005	2557545

Plaintiff(s)

Name: NATURESMART, LLC
Correspondent Address: Scott B Fisher
Jaspan Schlesinger Hoffman LLP
300 Garden City Plaza
Garden City NY , 11530
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PROSTATE SUPPORT FORMULA	Section 8 and 15 - Accepted and Acknowledged	75494879	3066989

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 12, 2003	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 12, 2003	Apr 21, 2003
3	PENDING, INSTITUTED	Mar 12, 2003	
4	MOTION FOR EXTENSION OF TIME TO FILE ANSWER	Apr 11, 2003	
5	PL'S CONSENT TO D'S REQUEST FOR EXTENSION OF TIME	Apr 17, 2003	
6	REQUEST GRANTED; ANSWER DUE 5/21/03	May 12, 2003	
7	ANSWER	May 20, 2003	
8	Def's mot. to compel; memo in supp of change on name	Oct 03, 2003	

9	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Oct 27, 2003
10	TRIAL DATES RESET	Jan 13, 2004
11	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jan 23, 2004
12	P'S MOTION TO REOPEN DISCOVERY	Apr 13, 2004
13	P'S MOTION FOR AN EXTENSION OF TIME	Apr 12, 2004
14	D's response to P's mtn to reopen discovery	Apr 21, 2004
15	Stipulated mtn to extend P's testimony only	Apr 23, 2004
16	Consented mtn to extend testimony for petitioner	May 06, 2004
17	stipulated mtn suspend	May 13, 2004
18	PROC SUS 6 MONTHS	May 28, 2004
19	WITHDRAWAL OF PETITION FOR CANCELLATION	Aug 03, 2004
20	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Aug 10, 2004
21	TERMINATED	Aug 10, 2004

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Mark: A.I. FORMULA

A.I. FORMULA

US Serial Number: 75574050
US Registration Number: 2396919
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 01, 2010
Publication Date: Aug. 01, 2000

Application Filing Date: Oct. 21, 1998
Registration Date: Oct. 24, 2000

Mark Information

Mark Literal Elements: A.I. FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "FORMULA"

Goods and Services

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

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

For: nutritional and dietary supplements

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 01, 1992
Use in Commerce: Jun. 01, 1992

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PURE ENCAPSULATION, INC.
Owner Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carrie Webb Olson
Attorney Primary Email: trademarks@daypitney.com
Address:

Docket Number: 707973-00000
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Carrie Webb Olson
DAY PITNEY LLP

One International Place
Boston, MASSACHUSETTS 02110
UNITED STATES

Phone: 617-345-4767

Fax: 617-345-4745

Correspondent e-mail: trademarks@daypitney.com
colson@daypitney.com jwessel@daypitney.com |
anzano@daypitney.com
tmrecords@daypitney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 23, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 26, 2011	NOTICE OF SUIT	
Feb. 01, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 01, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 01, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Jan. 29, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sep. 27, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Sep. 27, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Jan. 22, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 24, 2006	CASE FILE IN TICRS	
Dec. 01, 2005	TEAS SECTION 8 & 15 RECEIVED	
Aug. 11, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 24, 2000	REGISTERED-PRINCIPAL REGISTER	
Aug. 01, 2000	PUBLISHED FOR OPPOSITION	
Jun. 30, 2000	NOTICE OF PUBLICATION	
Jan. 31, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 26, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 15, 1999	NON-FINAL ACTION MAILED	
May 13, 1999	ASSIGNED TO EXAMINER	76683

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 24, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 01, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: Pure Encapsulations, Inc.

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2804/0024](#)

Pages: 5

Date Recorded: Mar. 04, 2004

Supporting Documents: [assignment-tm-2804-0024.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#)

Execution Date: Mar. 02, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [ATRIUM PURECO, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE

Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT, LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: CHANGE OF NAME

Reel/Frame: [2804/0134](#)

Pages: 3

Date Recorded: Mar. 04, 2004

Supporting Documents: [assignment-tm-2804-0134.pdf](#)

Assignor

Name: [ATRIUM PURECO, INC.](#)

Execution Date: Mar. 04, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [PURE ENCAPSULATION, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE

Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: TO CORRECT ASSIGNEE NAME

Reel/Frame: [2824/0644](#)

Pages: 5

Date Recorded: Apr. 06, 2004

Supporting Documents: [assignment-tm-2824-0644.pdf](#)

Assignor

Name: [PURE ENCAPSULATION, INC.](#)

Execution Date: Apr. 06, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

DBA, AKA, TA, Formerly: FORMERLY ATRIUM PURECO, INC.

Assignee

Name: [PURE ENCAPSULATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: LAURENCE P. HARRINGTON

Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [3025/0920](#)

Pages: 55

Date Recorded: Feb. 07, 2005

Supporting Documents: [assignment-tm-3025-0920.pdf](#)

Assignor

Name: [ATRIUM BIOTECH HOLDCO., INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PURE ENCAPSULATIONS, INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [ATRIUM BIOTECH USA INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [NATIONAL BANK OF CANADA](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: BRAUNER BARON ET. AL.
Correspondent Address: MICHAEL J. CLAIN, ESQ.
61 BROADWAY, 18TH FLOOR
NEW YORK, NEW YORK 10006

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY AGREEMENT
Reel/Frame: [3258/0335](#) Pages: 7
Date Recorded: Feb. 09, 2006
Supporting Documents: [assignment-tm-3258-0335.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#) Execution Date: Nov. 23, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [NATIONAL BANK OF CANADA - AS ADMINISTRATIVE AGENT AND CANDIAN OVERDRAFT PROVIDER](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: MICHAEL J. CLAIN, ESQ.
Correspondent Address: BRAUNER BARON ROSENZWEIG & KLEIN, LLP
61 BROADWAY - 18TH FLOOR
NEW YORK, NY 10006

Domestic Representative - Not Found

Boston, MASSACHUSETTS 02110
UNITED STATES

Phone: 617-345-4767

Fax: 617-345-4745

Correspondent e-mail: trademarks@daypitney.com
colson@daypitney.com jwessel@daypitney.com |
anzano@daypitney.com
tmrecords@daypitney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 23, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 01, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 01, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 01, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Jan. 29, 2010	TEAS SECTION 8 & 9 RECEIVED	
Feb. 17, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	65765
Feb. 10, 2006	CASE FILE IN TICRS	
Nov. 22, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 22, 2005	TEAS SECTION 8 & 15 RECEIVED	
Oct. 25, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 11, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 22, 2000	REGISTERED-PRINCIPAL REGISTER	
May 30, 2000	PUBLISHED FOR OPPOSITION	
Apr. 28, 2000	NOTICE OF PUBLICATION	
Jan. 31, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 26, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 15, 1999	NON-FINAL ACTION MAILED	
May 13, 1999	ASSIGNED TO EXAMINER	76683

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 22, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 01, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: Pure Encapsulations, Inc.

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2804/0024](#)

Pages: 5

Date Recorded: Mar. 04, 2004

Supporting Documents: [assignment-tm-2804-0024.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#)

Execution Date: Mar. 02, 2004

Legal Entity Type: CORPORATION

State or Country Where MASSACHUSETTS

Organized:

Assignee

Name: [ATRIUM PURECO, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT, LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: CHANGE OF NAME
Reel/Frame: [2804/0134](#) Pages: 3
Date Recorded: Mar. 04, 2004
Supporting Documents: [assignment-tm-2804-0134.pdf](#)

Assignor

Name: [ATRIUM PURECO, INC.](#) Execution Date: Mar. 04, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [PURE ENCAPSULATION, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: TO CORRECT ASSIGNEE NAME
Reel/Frame: [2824/0644](#) Pages: 5
Date Recorded: Apr. 06, 2004
Supporting Documents: [assignment-tm-2824-0644.pdf](#)

Assignor

Name: [PURE ENCAPSULATION, INC.](#) Execution Date: Apr. 06, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
DBA, AKA, TA, Formerly: FORMERLY ATRIUM PURECO, INC.

Assignee

Name: [PURE ENCAPSULATIONS, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: LAURENCE P. HARRINGTON
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: SECURITY INTEREST
Reel/Frame: [3025/0920](#) Pages: 55
Date Recorded: Feb. 07, 2005
Supporting Documents: [assignment-tm-3025-0920.pdf](#)

Assignor

Name: [ATRIUM BIOTECH HOLDCO., INC.](#) **Execution Date:** Jan. 17, 2005
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Name: [PURE ENCAPSULATIONS, INC.](#) **Execution Date:** Jan. 17, 2005
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Name: [ATRIUM BIOTECH USA INC.](#) **Execution Date:** Jan. 17, 2005
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [NATIONAL BANK OF CANADA](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: BRAUNER BARON ET. AL.
Correspondent Address: MICHAEL J. CLAIN, ESQ.
61 BROADWAY, 18TH FLOOR
NEW YORK, NEW YORK 10006

Domestic Representative - Not Found**Assignment 5 of 5**

Conveyance: SECURITY AGREEMENT
Reel/Frame: [3258/0335](#) **Pages:** 7
Date Recorded: Feb. 09, 2006
Supporting Documents: [assignment-tm-3258-0335.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#) **Execution Date:** Nov. 23, 2005
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [NATIONAL BANK OF CANADA - AS ADMINISTRATIVE AGENT AND CANDIAN OVERDRAFT PROVIDER](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: MICHAEL J. CLAN, ESQ.
Correspondent Address: BRAUNER BARON ROSENZWEIG & KLEIN, LLP
61 BROADWAY - 18TH FLOOR
NEW YORK, NY 10006

Domestic Representative - Not Found

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Mark: A.C. FORMULA

A.C. FORMULA

US Serial Number: 75574054
Application Filing Date: Oct. 21, 1998
US Registration Number: 2430683
Registration Date: Feb. 27, 2001
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Sep. 30, 2010
Publication Date: Dec. 05, 2000

Mark Information

Mark Literal Elements: A.C. FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "FORMULA"

Goods and Services

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

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

For: Vitamins, minerals supplements and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 01, 1992
Use in Commerce: Jun. 01, 1992

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PURE ENCAPSULATION, INC.
Owner Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carrie Webb Olson
Attorney Primary Email Address: trademarks@daypitney.com
Docket Number: 707973-00000
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Carrie Webb Olson
DAY PITNEY LLP
One International Place

Boston, MASSACHUSETTS 02110
UNITED STATES

Phone: 617-345-4767

Fax: 617-345-4745

Correspondent e-mail: trademarks@daypitney.com
colson@daypitney.com jwessel@daypitney.com |
anzano@daypitney.com
tmrecords@daypitney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 23, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 26, 2011	NOTICE OF SUIT	
Sep. 30, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70132
Sep. 30, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 29, 2010	TEAS SECTION 8 & 9 RECEIVED	
Nov. 28, 2006	CASE FILE IN TICRS	
Sep. 21, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Jul. 27, 2006	ASSIGNED TO PARALEGAL	70132
May 01, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 01, 2006	TEAS SECTION 8 & 15 RECEIVED	
Aug. 11, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 27, 2001	REGISTERED-PRINCIPAL REGISTER	
Dec. 05, 2000	PUBLISHED FOR OPPOSITION	
Nov. 03, 2000	NOTICE OF PUBLICATION	
Jul. 19, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 11, 2000	EXAMINER'S AMENDMENT MAILED	
Jun. 27, 2000	NON-FINAL ACTION MAILED	
Jun. 26, 2000	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jun. 26, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 01, 2000	ASSIGNED TO EXAMINER	76725
Dec. 09, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 09, 1999	NON-FINAL ACTION MAILED	
May 13, 1999	ASSIGNED TO EXAMINER	76683

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 27, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Sep. 30, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: Pure Encapsulations, Inc.

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2804/0024](#)

Pages: 5

Date Recorded: Mar. 04, 2004

Supporting Documents: [assignment-tm-2804-0024.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#)

Execution Date: Mar. 02, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [ATRIUM PURECO, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE

Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT, LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: CHANGE OF NAME

Reel/Frame: [2804/0134](#)

Pages: 3

Date Recorded: Mar. 04, 2004

Supporting Documents: [assignment-tm-2804-0134.pdf](#)

Assignor

Name: [ATRIUM PURECO, INC.](#)

Execution Date: Mar. 04, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [PURE ENCAPSULATION, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE

Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: TO CORRECT ASSIGNEE NAME

Reel/Frame: [2824/0644](#)

Pages: 5

Date Recorded: Apr. 06, 2004

Supporting Documents: [assignment-tm-2824-0644.pdf](#)

Assignor

Name: [PURE ENCAPSULATION, INC.](#)

Execution Date: Apr. 06, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

DBA, AKA, TA, Formerly: FORMERLY ATRIUM PURECO, INC.

Assignee

Name: [PURE ENCAPSULATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: LAURENCE P. HARRINGTON

Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [3025/0920](#)

Pages: 55

Date Recorded: Feb. 07, 2005

Supporting Documents: [assignment-tm-3025-0920.pdf](#)

Assignor

Name: [ATRIUM BIOTECH HOLDCO., INC.](#)

Execution Date: Jan. 17, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: [PURE ENCAPSULATIONS, INC.](#)

Execution Date: Jan. 17, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: [ATRIUM BIOTECH USA INC.](#)

Execution Date: Jan. 17, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [NATIONAL BANK OF CANADA](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: BRAUNER BARON ET. AL.

Correspondent Address: MICHAEL J. CLAIN, ESQ.
61 BROADWAY, 18TH FLOOR
NEW YORK, NEW YORK 10006

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY AGREEMENT

Reel/Frame: [3258/0335](#)

Pages: 7

Date Recorded: Feb. 09, 2006

Supporting Documents: [assignment-tm-3258-0335.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#)

Execution Date: Nov. 23, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [NATIONAL BANK OF CANADA - AS ADMINISTRATIVE AGENT AND CANDIAN OVERDRAFT PROVIDER](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: MICHAEL J. CLAN, ESQ.

Correspondent Address: BRAUNER BARON ROSENZWEIG & KLEIN, LLP
61 BROADWAY - 18TH FLOOR
NEW YORK, NY 10006

Domestic Representative - Not Found

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Mark: ADR FORMULA

ADR FORMULA

US Serial Number: 75574222
Application Filing Date: Oct. 21, 1998
US Registration Number: 2380503
Registration Date: Aug. 29, 2000
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 01, 2010
Publication Date: May 23, 2000

Mark Information

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

Goods and Services

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

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

For: nutritional and dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1992

Use in Commerce: Jun. 01, 1992

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PURE ENCAPSULATION, INC.
Owner Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carrie Webb Olson
Docket Number: 707973-00000
Attorney Primary Email Address: trademarks@daypitney.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Carrie Webb Olson
DAY PITNEY LLP
One International Place

Boston, MASSACHUSETTS 02110
UNITED STATES

Phone: 617-345-4767

Fax: 617-345-4745

Correspondent e-mail: trademarks@daypitney.com
colson@daypitney.com jwessel@daypitney.com anzano@daypitney.com
tmrecords@daypitney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 23, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 01, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 01, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 01, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Jan. 29, 2010	TEAS SECTION 8 & 9 RECEIVED	
Feb. 16, 2006	CASE FILE IN TICRS	
Feb. 16, 2006	CASE FILE IN TICRS	
Dec. 08, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	60132
Dec. 01, 2005	ASSIGNED TO PARALEGAL	60132
Oct. 13, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 13, 2005	TEAS SECTION 8 & 15 RECEIVED	
Aug. 11, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 29, 2000	REGISTERED-PRINCIPAL REGISTER	
May 23, 2000	PUBLISHED FOR OPPOSITION	
Apr. 21, 2000	NOTICE OF PUBLICATION	
Jan. 31, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 26, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 15, 1999	NON-FINAL ACTION MAILED	
May 17, 1999	ASSIGNED TO EXAMINER	76683
May 13, 1999	ASSIGNED TO EXAMINER	74829

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 29, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 01, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: Pure Encapsulations, Inc.

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2804/0024](#)

Pages: 5

Date Recorded: Mar. 04, 2004

Supporting Documents: [assignment-tm-2804-0024.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#) Execution Date: Mar. 02, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [ATRIUM PURECO, INC.](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT, LLP
BOSTON, MA 02116

Domestic Representative - Not Found**Assignment 2 of 5**

Conveyance: CHANGE OF NAME
Reel/Frame: [2804/0134](#) Pages: 3
Date Recorded: Mar. 04, 2004
Supporting Documents: [assignment-tm-2804-0134.pdf](#)

Assignor

Name: [ATRIUM PURECO, INC.](#) Execution Date: Mar. 04, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [PURE ENCAPSULATION, INC.](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found**Assignment 3 of 5**

Conveyance: TO CORRECT ASSIGNEE NAME
Reel/Frame: [2824/0644](#) Pages: 5
Date Recorded: Apr. 06, 2004
Supporting Documents: [assignment-tm-2824-0644.pdf](#)

Assignor

Name: [PURE ENCAPSULATION, INC.](#) Execution Date: Apr. 06, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
DBA, AKA, TA, Formerly: FORMERLY ATRIUM PURECO, INC.

Assignee

Name: [PURE ENCAPSULATIONS, INC.](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: LAURENCE P. HARRINGTON
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found**Assignment 4 of 5**

Conveyance: SECURITY INTEREST

Reel/Frame: [3025/0920](#)

Pages: 55

Date Recorded: Feb. 07, 2005

Supporting Documents: [assignment-tm-3025-0920.pdf](#)

Assignor

Name: [ATRIUM BIOTECH HOLDCO., INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PURE ENCAPSULATIONS, INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [ATRIUM BIOTECH USA INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [NATIONAL BANK OF CANADA](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: BRAUNER BARON ET. AL.

Correspondent Address: MICHAEL J. CLAIN, ESQ.
61 BROADWAY, 18TH FLOOR
NEW YORK, NEW YORK 10006

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY AGREEMENT

Reel/Frame: [3258/0335](#)

Pages: 7

Date Recorded: Feb. 09, 2006

Supporting Documents: [assignment-tm-3258-0335.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#) Execution Date: Nov. 23, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [NATIONAL BANK OF CANADA - AS ADMINISTRATIVE AGENT AND CANDIAN OVERDRAFT PROVIDER](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: MICHAEL J. CLAN, ESQ.

Correspondent Address: BRAUNER BARON ROSENZWEIG & KLEIN, LLP
61 BROADWAY - 18TH FLOOR
NEW YORK, NY 10006

Domestic Representative - Not Found

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Mark: BONE SUPPORT FORMULA

US Serial Number: 75584857
US Registration Number: 2793388
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jun. 12, 2013
Publication Date: Sep. 23, 2003

Application Filing Date: Nov. 09, 1998
Registration Date: Dec. 16, 2003

Mark Information

Mark Literal Elements: BONE SUPPORT FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "BONE" and "FORMULA"

Goods and Services

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

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

For: NUTRITIONAL AND DIETARY SUPPLEMENTS

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE
Basis: 1(a)

First Use: Jun. 22, 1998
Use in Commerce: Jun. 22, 1998

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: ANABOLIC LABORATORIES, LLC
Owner Address: 46 CORPORATE PARK, SUITE 100
IRVINE, CALIFORNIA 92606
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tirzah Abe Lowe

Docket Number: ANABOLI.050T

Attorney Primary Email efiling@knobbe.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Tirzah Abe Lowe
KNOBBE, MARTENS, OLSON & BEAR LLP
2040 MAIN STREET, 14TH FLOOR
IRVINE, CALIFORNIA 92614
UNITED STATES

Phone: 949-760-0404

Fax: 949-760-9502

Correspondent e-mail: efiling@knobbe.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 12, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 12, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Jun. 12, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Jun. 10, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
May 15, 2013	TEAS SECTION 8 & 9 RECEIVED	
Nov. 25, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Nov. 24, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	73376
Nov. 16, 2009	TEAS SECTION 8 & 15 RECEIVED	
Apr. 16, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 04, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 05, 2007	CASE FILE IN TICRS	
Dec. 16, 2003	REGISTERED-PRINCIPAL REGISTER	
Sep. 23, 2003	PUBLISHED FOR OPPOSITION	
Sep. 03, 2003	NOTICE OF PUBLICATION	
Jul. 25, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 21, 2003	EXAMINERS AMENDMENT E-MAILED	
Aug. 05, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 25, 2000	LETTER OF SUSPENSION MAILED	
Jul. 31, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 27, 2000	LETTER OF SUSPENSION MAILED	
Nov. 29, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 25, 1999	NON-FINAL ACTION MAILED	
May 24, 1999	ASSIGNED TO EXAMINER	74816

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 16, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jun. 12, 2013

Assignment Abstract Of Title Information

Summary

Assignment 1 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [3571/0435](#)

Pages: 5

Date Recorded: Jun. 29, 2007

Supporting Documents: [assignment-tm-3571-0435.pdf](#)**Assignor**Name: [ANABOLIC LABORATORIES, INC.](#)

Execution Date: Nov. 10, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

AssigneeName: [NEXGEN PHARMA, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 46 CORPORATE PARK, SUITE 100
IRVINE, CALIFORNIA 92606**Correspondent**

Correspondent Name: TIRZAH ABE LOWE

Correspondent Address: 2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614**Domestic Representative - Not Found****Assignment 2 of 2**

Conveyance: NUNC PRO TUNC ASSIGNMENT EFFECTIVE 01012007

Reel/Frame: [3756/0580](#)

Pages: 5

Date Recorded: Apr. 10, 2008

Supporting Documents: [assignment-tm-3756-0580.pdf](#)**Assignor**Name: [NEXGEN PHARMA, INC.](#)

Execution Date: Mar. 10, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

AssigneeName: [ANABOLIC LABORATORIES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 46 CORPORATE PARK, SUITE 100
IRVINE, CALIFORNIA 92606**Correspondent**

Correspondent Name: KNOBBE MARTENS OLSON & BEAR LLP

Correspondent Address: 2040 MAIN STREET, 14TH FLOOR
ATTENTION: TIRZAH A. LOWE, ESQ.
IRVINE, CA 92614**Domestic Representative - Not Found**

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Mark: THE ARTHROMOBILITY FORMULA

THE ARTHROMOBILITY FORMULA

US Serial Number: 75589648
US Registration Number: 2371723
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 12, 2010
Publication Date: Oct. 12, 1999
Application Filing Date: Nov. 16, 1998
Registration Date: Jul. 25, 2000
Notice of Allowance Date: Jan. 04, 2000

Mark Information

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

Goods and Services

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

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

For: Nutritional Supplement
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 01, 1999
Use in Commerce: Apr. 01, 1999

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PHARM-A-CARE LABORATORIES PTY LTD
DBA, AKA, Formerly: AKA PHARMACARE LABORATORIES PTY LTD
Owner Address: 18 JUBILEE AVENUE
WARRIEWOOD NSW 2102
AUSTRALIA
Legal Entity Type: PROPRIETARY LIMITED COMPANY
State or Country Where Organized: AUSTRALIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Timothy J. Lyden
Attorney Primary Email Address: boxip@hhlaw.com
Docket Number: 27467.02
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Timothy J. Lyden
HOGAN & HARTSON L.L.P.

BOX INTELLECTUAL PROPERTY
7930 JONES BRANCH DRIVE
MCLEAN, VIRGINIA 22102
UNITED STATES

Phone: 7036106100

Fax: 7036106200

Correspondent e-mail: boxip@hhlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 12, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Mar. 12, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 08, 2010	TEAS SECTION 8 & 9 RECEIVED	
Dec. 31, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 22, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 22, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 19, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Sep. 18, 2006	ASSIGNED TO PARALEGAL	67723
Jul. 06, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 06, 2006	TEAS SECTION 8 & 15 RECEIVED	
May 17, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
May 17, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 17, 2006	CASE FILE IN TICRS	
Jul. 25, 2000	REGISTERED-PRINCIPAL REGISTER	
Apr. 05, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 29, 2000	EXAMINERS AMENDMENT -WRITTEN	
Mar. 11, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Jan. 12, 2000	USE AMENDMENT FILED	
Jan. 04, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 12, 1999	PUBLISHED FOR OPPOSITION	
Sep. 10, 1999	NOTICE OF PUBLICATION	
Jun. 28, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 04, 1999	ASSIGNED TO EXAMINER	76419
Jun. 03, 1999	ASSIGNED TO EXAMINER	76580

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 25, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Mar. 12, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Real Health Laboratories, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4118/0647](#)

Pages: 7

Date Recorded: Dec. 22, 2009

Supporting Documents: [assignment-tm-4118-0647.pdf](#)

Assignor

Name: [REAL HEALTH LABORATORIES, INC.](#) Execution Date: Jul. 31, 2009
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee

Name: [PHARM-A-CARE LABORATORIES PTY LTD](#)
Legal Entity Type: PROPRIETARY LIMITED COMPANY State or Country Where Organized: AUSTRALIA
Address: 18 JUBILEE AVENUE
WARRIEWOOD NSW, AUSTRALIA 2102
DBA, AKA, TA, Formerly: AKA PHARMACARE LABORATORIES PTY LTD

Correspondent

Correspondent Name: TIMOTHY J. LYDEN
Correspondent Address: 7930 JONES BRANCH DRIVE
BOX INTELLECTUAL PROPERTY
MCLEAN, VA 22102

Domestic Representative - Not Found

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Mark: FORMULA 911

FORMULA 911

US Serial Number: 75685981 Application Filing Date: Apr. 19, 1999
US Registration Number: 2413637 Registration Date: Dec. 19, 2000
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Dec. 11, 2010
Publication Date: Sep. 26, 2000

Mark Information

Mark Literal Elements: FORMULA 911
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "FORMULA"

Goods and Services

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

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

For: Animal feed additives for livestock for use as a nutritional supplement

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 03, 1991

Use in Commerce: Jan. 03, 1991

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Advantech, Ltd
Owner Address: 227 South 21st Street
Fort Dodge, IOWA 50501
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kent A. Herink Docket Number: 53280/21100
Attorney Primary Email Address: KentHerink@DavisBrownLaw.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Kent A. Herink
DAVIS, BROWN, KOEHN, SHORS & ROBERTS
215 10th Street, Suite 1300
The Davis Brown Tower

DES MOINES, IOWA 50309
UNITED STATES

Phone: 5152882500

Correspondent e-mail: KentHerink@DavisBrownLaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 11, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Dec. 11, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 10, 2010	TEAS SECTION 8 & 9 RECEIVED	
Feb. 14, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Jan. 25, 2007	ASSIGNED TO PARALEGAL	68335
Nov. 17, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 17, 2006	TEAS SECTION 8 & 15 RECEIVED	
Jul. 25, 2006	CASE FILE IN TICRS	
Dec. 19, 2000	REGISTERED-PRINCIPAL REGISTER	
Sep. 26, 2000	PUBLISHED FOR OPPOSITION	
Aug. 25, 2000	NOTICE OF PUBLICATION	
May 26, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 02, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 31, 1999	NON-FINAL ACTION MAILED	
Aug. 20, 1999	ASSIGNED TO EXAMINER	76419

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 19, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Dec. 11, 2010

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Mark: ULTRA SAW PALMETTO FORMULA

ULTRA SAW PALMETTO FORMULA

US Serial Number: 75738434
Application Filing Date: Jun. 25, 1999
US Registration Number: 2343577
Registration Date: Apr. 18, 2000
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 26, 2010
Publication Date: Jan. 25, 2000

Mark Information

Mark Literal Elements: ULTRA SAW PALMETTO FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "SAW PALMETTO FORMULA"

Goods and Services

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

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

For: DIETARY SUPPLEMENTS CONTAINING SAW PALMETTO IN TABLET, CAPSULE, POWDER AND LIQUID FORM

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 04, 1997

Use in Commerce: Sep. 04, 1997

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: GENERAL NUTRITION INVESTMENT COMPANY
Owner Address: 1011 Centre Road, Suite 322
Wilmington, DELAWARE 19805
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Janet P. Peyton
Docket Number: 2036753-9072
Attorney Primary Email Address: trademarks@mcguirewoods.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Janet P. Peyton
MCGUIREWOODS LLP
901 E. CARY STREET
RICHMOND, VIRGINIA 23219-4030

UNITED STATES

Phone: 804-775-1166

Fax: 804-698-2230

Correspondent e-mail: trademarks@mcguirewoods.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 04, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 04, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 26, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Feb. 26, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 23, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67603
Feb. 19, 2010	TEAS SECTION 8 & 9 RECEIVED	
Oct. 02, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Oct. 02, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 24, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 24, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 25, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 11, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 23, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	61619
Jun. 15, 2006	ASSIGNED TO PARALEGAL	61619
Mar. 16, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 11, 2006	CASE FILE IN TICRS	
Mar. 16, 2006	PAPER RECEIVED	
Apr. 18, 2000	REGISTERED-PRINCIPAL REGISTER	
Jan. 25, 2000	PUBLISHED FOR OPPOSITION	
Dec. 23, 1999	NOTICE OF PUBLICATION	
Nov. 05, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 05, 1999	ASSIGNED TO EXAMINER	76419
Oct. 26, 1999	EXAMINER'S AMENDMENT MAILED	
Oct. 06, 1999	NON-FINAL ACTION MAILED	
Oct. 04, 1999	ASSIGNED TO EXAMINER	76419
Sep. 29, 1999	ASSIGNED TO EXAMINER	76419
Sep. 23, 1999	ASSIGNED TO EXAMINER	76795

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 18, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 26, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 8

Registrant: General Nutrition Investment Company

Conveyance: MERGER

Reel/Frame: [2761/0099](#)

Pages: 5

Date Recorded: Dec. 09, 2003

Supporting Documents: [assignment-tm-2761-0099.pdf](#)

Assignor

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Execution Date: Feb. 01, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Address: 300 SIXTH STREET
PITTSBURGH, PENNSYLVANIA 15222

Correspondent

Correspondent Name: VEDDER, PRICE, KAUFMAN & KAMMHOLZ

Correspondent Address: HOLLY MILLER
222 NORTH LASALLE STREET
24TH FLOOR
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 2 of 8

Conveyance: CHANGE OF NAME

Reel/Frame: [2756/0645](#)

Pages: 10

Date Recorded: Nov. 24, 2003

Supporting Documents: [assignment-tm-2756-0645.pdf](#)

Assignor

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Execution Date: Oct. 28, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Assignee

Name: [GN INVESTMENT OLDSCO COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Address: 300 SIXTH STREET
PITTSBURGH, PENNSYLVANIA 15222

Correspondent

Correspondent Name: VEDDER, PRICE, KAUFMAN & KAMMHOLZ

Correspondent Address: HOLLY MILLER
222 NORTH LASALLE STREET
24TH FLOOR
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 3 of 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2762/0001](#)

Pages: 39

Date Recorded: Dec. 09, 2003

Supporting Documents: [assignment-tm-2762-0001.pdf](#)

Assignor

Name: [GN INVESTMENT OLDSCO COMPANY](#)

Execution Date: Dec. 05, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Assignee

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Address: 300 SIXTH STREET
PITTSBURGH, PENNSYLVANIA 15222

Correspondent

Correspondent Name: VEDDER, PRICE, KAUFMAN & KAMMHOLZ

Correspondent Address: HOLLY MILLER
222 N. LASALLE ST.
24TH FLOOR
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 4 of 8

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2894/0022](#)

Pages: 14

Date Recorded: Dec. 30, 2003

Supporting Documents: [assignment-tm-2894-0022.pdf](#)

Assignor

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Execution Date: Dec. 05, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Assignee

Name: [LEHMAN COMMERCIAL PAPER INC., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: 745 SEVENTH AVENUE, 8TH FLOOR
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: LOTHAM & WATKINS

Correspondent Address: ROSALIND RODBURG
885 3RD AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 5 of 8

Conveyance: RELEASE OF SECURITY INTEREST AT REEL/FRAME NO. 2894/0022

Reel/Frame: [3517/0793](#)

Pages: 18

Date Recorded: Apr. 09, 2007

Supporting Documents: [assignment-tm-3517-0793.pdf](#)

Assignor

Name: [LEHMAN COMMERCIAL PAPER, INC.](#)

Execution Date: Mar. 16, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Address: 300 SIXTH STREET
PITTSBURGH, PENNSYLVANIA 15222

Correspondent

Correspondent Name: LATHAM & WATKINS LLP

Correspondent Address: 650 TOWN CENTER DRIVE
SUITE 2000
COSTA MESA, CA 92626

Domestic Representative - Not Found

Assignment 6 of 8

Conveyance: INTELLECTUAL PROPERTY SECURITY AGREEMENT

Reel/Frame: [3525/0297](#)

Pages: 76

Date Recorded: Apr. 19, 2007

Supporting Documents: [assignment-tm-3525-0297.pdf](#)

Assignor

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Execution Date: Mar. 16, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Assignee

Name: [JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Address: 270 PARK AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: LATHAM & WATKINS LLP

Correspondent Address: 650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CA 92626

Domestic Representative - Not Found

Assignment 7 of 8

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [4491/0157](#)

Pages: 75

Date Recorded: Mar. 04, 2011

Supporting Documents: [assignment-tm-4491-0157.pdf](#)

Assignor

Name: [JPMORGAN CHASE BANK, N.A.](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: NEW YORK

Assignee

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Legal Entity Type: COMPANY

State or Country Where Organized: ARIZONA

Address: 1002 SOUTH 63RD AVENUE AT BUCKEYE
PHOENIX, ARIZONA 85043

Correspondent

Correspondent Name: PROSKAUER ROSE LLP

Correspondent Address: ONE INTERNATIONAL PLACE
BOSTON, MA 02110

Domestic Representative - Not Found

Assignment 8 of 8

Conveyance: SECURITY INTEREST

Reel/Frame: [4496/0412](#)

Pages: 124

Date Recorded: Mar. 15, 2011

Supporting Documents: [assignment-tm-4496-0412.pdf](#)

Assignor

Name: [GNC CORPORATION](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [GENERAL NUTRITION CENTERS, INC.](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [GENERAL NUTRITION CORPORATION](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: PENNSYLVANIA

Name: [GENERAL NUTRITION INVESTMENT COMPANY](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: ARIZONA

Name: [GNC TRANSPORTATION, LLC](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: PENNSYLVANIA

Name: [GNC FUNDING, INC.](#)

Execution Date: Mar. 04, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 383 MADISON AVENUE, 24TH FLOOR
NEW YORK, NEW YORK 10179

Correspondent

Correspondent Name: MINDY M. LOK, ESQ.

Correspondent Address: SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Los Angeles, CALIFORNIA 90035
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MARK D. GIARRATANA

Docket Number: 496857.0022

Correspondent

Correspondent Name/Address: MARK D GIARRATANA ESQ
MCCARTER & ENGLISH LLP
CITYPLACE I 185 ASYLUM ST
HARTFORD, CONNECTICUT 06103-3495
UNITED STATES

Phone: 860.275.6700

Fax: 860.724.3397

Correspondent e-mail: mgiarratana@mccarter.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 07, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70132
May 07, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 06, 2011	TEAS SECTION 8 & 9 RECEIVED	
Feb. 27, 2007	CASE FILE IN TICRS	
Dec. 06, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Sep. 25, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 25, 2006	TEAS SECTION 8 & 15 RECEIVED	
Jun. 23, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 23, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 23, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 15, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 17, 2001	REGISTERED-PRINCIPAL REGISTER	
Apr. 24, 2001	PUBLISHED FOR OPPOSITION	
Apr. 11, 2001	NOTICE OF PUBLICATION	
Jan. 09, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 25, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 25, 2000	NON-FINAL ACTION MAILED	
Feb. 24, 2000	ASSIGNED TO EXAMINER	68792
Sep. 28, 1999	ASSIGNED TO EXAMINER	68792

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 17, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 07, 2011

Generated on: This page was generated by TSDR on 2014-02-14 19:02:48 EST

Mark: WORKOUT FORMULA

WORKOUT FORMULA

US Serial Number: 75761272
Application Filing Date: Jul. 26, 1999
US Registration Number: 2537609
Registration Date: Feb. 12, 2002
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Sep. 01, 2012
Publication Date: Nov. 20, 2001

Mark Information

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

Goods and Services

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

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

For: Food supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 31, 1998
Use in Commerce: Dec. 31, 1998

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: BODY WISE INTERNATIONAL, LLC
Owner Address: 17101 Armstrong Ave., Suite 101
Irvine, CALIFORNIA 92614
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lori Lee Yamato
Docket Number: BWI.090T
Attorney Primary Email Address: efiling@knobbe.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Lori Lee Yamato
Knobbe Martens Olson & Bear, LLP
2040 Main Street, 14th Floor
IRVINE, CALIFORNIA 92614

UNITED STATES

Phone: (949) 760-0404

Fax: (949) 760-9502

Correspondent e-mail: efiling@knobbe.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 01, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 01, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Sep. 01, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68973
Sep. 01, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Aug. 09, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 25, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Feb. 13, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 12, 2008	ASSIGNED TO PARALEGAL	64591
Feb. 07, 2008	TEAS SECTION 8 & 15 RECEIVED	
Apr. 09, 2007	CASE FILE IN TICRS	
Apr. 11, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 12, 2002	REGISTERED-PRINCIPAL REGISTER	
Nov. 20, 2001	PUBLISHED FOR OPPOSITION	
Oct. 31, 2001	NOTICE OF PUBLICATION	
Jun. 27, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 25, 2001	ASSIGNED TO EXAMINER	73726
Oct. 17, 2000	LETTER OF SUSPENSION MAILED	
Aug. 30, 2000	REINSTATED	
Aug. 08, 2000	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Nov. 10, 1999	NON-FINAL ACTION MAILED	
Nov. 09, 1999	ASSIGNED TO EXAMINER	74229
Nov. 03, 1999	ASSIGNED TO EXAMINER	73708

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 12, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Sep. 01, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Body Wise International, Inc.

Assignment 1 of 1

Conveyance: NUNC PRO TUNC ASSIGNMENT EFFECTIVE 06302004

Reel/Frame: [3714/0980](#)

Pages: 8

Date Recorded: Feb. 07, 2008

Supporting Documents: [assignment-tm-3714-0980.pdf](#)

Assignor

Name: [BODY WISE INTERNATIONAL, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jun. 22, 2005
State or Country Where Organized: NEVADA

Assignee

Name: [BODY WISE INTERNATIONAL, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 2802 DOW AVENUE
TUSTIN, CALIFORNIA 92780

Correspondent

Correspondent Name: ELENORE NIU

Correspondent Address: 2040 MAIN STREET, FOURTEENTH FLOOR
IRVINE, CA 92614

Domestic Representative - Not Found

Correspondent Name/Address: David M. Carter
CARTER & SCHNEDLER, P.A.
P.O. Box 2985
ASHEVILLE, NORTH CAROLINA 28802
UNITED STATES

Phone: 828-252-6225

Fax: 828-252-6316

Correspondent e-mail: Carter@AshevillePatent.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 21, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Jun. 21, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 17, 2011	TEAS SECTION 8 & 9 RECEIVED	
Feb. 01, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Jan. 31, 2008	ASSIGNED TO PARALEGAL	66607
Jan. 14, 2008	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 14, 2008	PAPER RECEIVED	
Sep. 07, 2007	CASE FILE IN TICRS	
Jun. 04, 2002	REGISTERED-PRINCIPAL REGISTER	
Mar. 12, 2002	PUBLISHED FOR OPPOSITION	
Feb. 20, 2002	NOTICE OF PUBLICATION	
Dec. 20, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 18, 2001	NON-FINAL ACTION MAILED	
Mar. 26, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 26, 2000	NON-FINAL ACTION MAILED	
May 16, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 18, 1999	NON-FINAL ACTION MAILED	
Nov. 17, 1999	ASSIGNED TO EXAMINER	76835

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 04, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jun. 21, 2011

Generated on: This page was generated by TSDR on 2014-02-14 19:03:27 EST

Mark: IMM FORMULA

IMM FORMULA

US Serial Number: 75804577
US Registration Number: 2377587
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 06, 2010
Publication Date: May 23, 2000

Application Filing Date: Sep. 21, 1999
Registration Date: Aug. 15, 2000

Mark Information

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

Goods and Services

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

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

For: Vitamins, minerals and other nutritional dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 01, 1992

Use in Commerce: Apr. 01, 1992

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PURE ENCAPSULATION, INC.
Owner Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carrie Webb Olson
Attorney Primary Email Address: trademarks@daypitney.com
Docket Number: 707973-00000
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Carrie Webb Olson
DAY PITNEY LLP
One International Place

Boston, MASSACHUSETTS 02110
UNITED STATES

Phone: 617-345-4767

Fax: 617-345-4745

Correspondent e-mail: trademarks@daypitney.com
colson@daypitney.com jwessel@daypitney.com anzano@daypitney.com
tmrecords@daypitney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 23, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 06, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74886
Feb. 06, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 02, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Jan. 29, 2010	TEAS SECTION 8 & 9 RECEIVED	
Feb. 27, 2006	CASE FILE IN TICRS	
Feb. 24, 2006	CASE FILE IN TICRS	
Feb. 24, 2006	CASE FILE IN TICRS	
Nov. 10, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70853
Nov. 10, 2005	ASSIGNED TO PARALEGAL	70853
Oct. 25, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 14, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 14, 2005	TEAS SECTION 8 & 15 RECEIVED	
Aug. 11, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 15, 2000	REGISTERED-PRINCIPAL REGISTER	
May 23, 2000	PUBLISHED FOR OPPOSITION	
Apr. 21, 2000	NOTICE OF PUBLICATION	
Feb. 25, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 18, 2000	EXAMINER'S AMENDMENT MAILED	
Jan. 19, 2000	NON-FINAL ACTION MAILED	
Jan. 14, 2000	ASSIGNED TO EXAMINER	67659

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 15, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 06, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: Pure Encapsulations, Inc.

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2804/0024](#)

Pages: 5

Date Recorded: Mar. 04, 2004

Supporting Documents: [assignment-tm-2804-0024.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#) Execution Date: Mar. 02, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [ATRIUM PURECO, INC.](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT, LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: CHANGE OF NAME
Reel/Frame: [2804/0134](#) Pages: 3
Date Recorded: Mar. 04, 2004
Supporting Documents: [assignment-tm-2804-0134.pdf](#)

Assignor

Name: [ATRIUM PURECO, INC.](#) Execution Date: Mar. 04, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [PURE ENCAPSULATION, INC.](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: GEORGE TUTTLE
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: TO CORRECT ASSIGNEE NAME
Reel/Frame: [2824/0644](#) Pages: 5
Date Recorded: Apr. 06, 2004
Supporting Documents: [assignment-tm-2824-0644.pdf](#)

Assignor

Name: [PURE ENCAPSULATION, INC.](#) Execution Date: Apr. 06, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
DBA, AKA, TA, Formerly: FORMERLY ATRIUM PURECO, INC.

Assignee

Name: [PURE ENCAPSULATIONS, INC.](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 490 BOSTON POST ROAD
SUDBURY, MASSACHUSETTS 01776

Correspondent

Correspondent Name: LAURENCE P. HARRINGTON
Correspondent Address: 10 ST. JAMES AVENUE
HOLLAND & KNIGHT LLP
BOSTON, MA 02116

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [3025/0920](#)

Pages: 55

Date Recorded: Feb. 07, 2005

Supporting Documents: [assignment-tm-3025-0920.pdf](#)

Assignor

Name: [ATRIUM BIOTECH HOLDCO., INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PURE ENCAPSULATIONS, INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [ATRIUM BIOTECH USA INC.](#) Execution Date: Jan. 17, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [NATIONAL BANK OF CANADA](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: BRAUNER BARON ET. AL.
Correspondent Address: MICHAEL J. CLAIN, ESQ.
61 BROADWAY, 18TH FLOOR
NEW YORK, NEW YORK 10006

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY AGREEMENT

Reel/Frame: [3258/0335](#)

Pages: 7

Date Recorded: Feb. 09, 2006

Supporting Documents: [assignment-tm-3258-0335.pdf](#)

Assignor

Name: [PURE ENCAPSULATIONS, INC.](#) Execution Date: Nov. 23, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [NATIONAL BANK OF CANADA - AS ADMINISTRATIVE AGENT AND CANDIAN OVERDRAFT PROVIDER](#)
Legal Entity Type: CORPORATION State or Country Where Organized: CANADA

Address: 1155 METCALFE STREET
5TH FLOOR
MONTREAL, QUEBEC, CANADA H3B 4S9

Correspondent

Correspondent Name: MICHAEL J. CLAN, ESQ.
Correspondent Address: BRAUNER BARON ROSENZWEIG & KLEIN, LLP
61 BROADWAY - 18TH FLOOR
NEW YORK, NY 10006

Domestic Representative - Not Found

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 16, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
May 16, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 26, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Aug. 26, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Aug. 22, 2011	TEAS SECTION 8 & 9 RECEIVED	
Jun. 15, 2011	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 17, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 03, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 03, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 12, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Mar. 28, 2007	CASE FILE IN TICRS	
Feb. 25, 2007	REGISTERED - SEC. 8 (6-YR) FILED	
Feb. 27, 2007	REGISTERED - SEC. 8 (6-YR) FILED	
Feb. 25, 2007	TEAS SECTION 8 & 15 RECEIVED	
Feb. 19, 2002	REGISTERED-PRINCIPAL REGISTER	
Dec. 27, 2001	OPPOSITION TERMINATED NO. 999999	124271
Dec. 27, 2001	OPPOSITION DISMISSED NO. 999999	124271
Oct. 17, 2001	OPPOSITION INSTITUTED NO. 999999	124271
Jul. 30, 2001	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 10, 2001	PUBLISHED FOR OPPOSITION	
Jun. 27, 2001	NOTICE OF PUBLICATION	
Feb. 08, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 05, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 13, 2000	NON-FINAL ACTION MAILED	
Jun. 07, 2000	ASSIGNED TO EXAMINER	74290

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 19, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Aug. 26, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Roex, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4559/0256](#)

Pages: 11

Date Recorded: Jun. 10, 2011

Supporting Documents: [assignment-tm-4559-0256.pdf](#)

Assignor

Name: [ROEX, INC.](#) **Execution Date:** Jan. 14, 2011
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Assignee

Name: [OWS PRODUCTS, LLC](#) **State or Country Where Organized:** CALIFORNIA
Legal Entity Type: LIMITED LIABILITY COMPANY
Address: 16841 ARMSTRONG AVENUE
 IRVINE, CALIFORNIA 92606

Correspondent

Correspondent Name: SUSAN B. MEYER - GORDON & REES LLP
Correspondent Address: 101 WEST BROADWAY, 16TH FLOOR
 SAN DIEGO, CA 92101

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91124271](#) **Filing Date:** Oct 09, 2001
Status: Terminated **Status Date:** Dec 27, 2001
Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: ROEX, INC.
Correspondent Address: JAY H. GELLER
 WEST TOWER, SUITE 4000
 2425 W. OLYMPIC BLVD
 SANTA MONICA CA , 90404
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
ADVANCED MEN'S FORMULA	Renewed	75895325	2539120

Plaintiff(s)

Name: AMERICAN CYANAMID COMPANY
Correspondent Address: STEVEN J. BARON
 FIVE GIRALDA FARMS
 MADISON NJ , 07940
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 09, 2001	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 17, 2001	Nov 26, 2001
3	PENDING, INSTITUTED	Oct 17, 2001	
4	PL'S EXPRESS W/D OF OPPOSITION	Nov 05, 2001	
5	BD'S DECISION: DISMISSED W/O PREJUDICE	Dec 27, 2001	
6	TERMINATED	Dec 27, 2001	

Attorney of Record**Attorney Name:** KENNETH CANG LI**Correspondent****Correspondent Name/Address:** KENNETH CANG LI
65 BROADWAY STE 814
NEW YORK, NEW YORK 10006
UNITED STATES**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Aug. 25, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75184
Aug. 25, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75184
Jul. 06, 2011	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	75184
Jul. 06, 2011	PAPER RECEIVED	
Dec. 03, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
May 08, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75184
May 08, 2007	ASSIGNED TO PARALEGAL	75184
Apr. 05, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 05, 2007	PAPER RECEIVED	
Feb. 12, 2007	CASE FILE IN TICRS	
Aug. 21, 2001	REGISTERED-PRINCIPAL REGISTER	
May 29, 2001	PUBLISHED FOR OPPOSITION	
May 16, 2001	NOTICE OF PUBLICATION	
Jan. 25, 2001	ASSIGNED TO EXAMINER	76929
Jan. 25, 2001	ASSIGNED TO EXAMINER	67523
Dec. 15, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 08, 2000	EXAMINER'S AMENDMENT MAILED	
Oct. 16, 2000	EXAMINER'S AMENDMENT MAILED	
Jul. 27, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 10, 2000	NON-FINAL ACTION MAILED	
Jul. 03, 2000	ASSIGNED TO EXAMINER	76929

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted**Renewal Date:** Aug. 21, 2011**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** Not Found**Date in Location:** Aug. 25, 2011

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Mark: GARY NULL'S SUPREME HEALTH FORMULA

GARY NULL'S SUPREME HEALTH FORMULA

US Serial Number: 76052989 Application Filing Date: May 22, 2000
US Registration Number: 2509228 Registration Date: Nov. 20, 2001
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jan. 08, 2011
Publication Date: Aug. 28, 2001

Mark Information

Mark Literal Elements: GARY NULL'S SUPREME HEALTH FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "SUPREME HEALTH FORMULA"
Name Portrait Consent: The name "Gary Null" identifies a living individual whose consent is of record.

Related Properties Information

Claimed Ownership of US Registrations: 1339984, 1339985, 2202686, 2340776 and others

Goods and Services

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

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

For: Nutritional supplements, and vitamins, minerals and herbs used as dietary supplements
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 01, 1999 Use in Commerce: Mar. 01, 1999

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Gary Null & Associates, Inc.
Owner Address: PO Box 918, Planetarium Station
New York, NEW YORK 10024
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Eric D. Offner
Attorney Primary Email: loffner@optonline.net Attorney Email: Yes

Address:

Authorized:

Correspondent

Correspondent Name/Address: Eric D. Offner
LAW OFFICES OF ERIC D. OFFNER
20 JOY DRIVE
NEW HYDE PARK, NEW YORK 11040
UNITED STATES

Phone: 516-627-4468

Fax: 516-627-6334

Correspondent e-mail: oeffner@optonline.net

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Eric D. Offner

Prosecution History

Date	Description	Proceeding Number
Jan. 08, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Jan. 08, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 08, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Dec. 27, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jul. 05, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	61619
Jun. 13, 2007	ASSIGNED TO PARALEGAL	61619
May 19, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 19, 2007	TEAS SECTION 8 & 15 RECEIVED	
Jan. 12, 2007	CASE FILE IN TICRS	
Nov. 20, 2001	REGISTERED-PRINCIPAL REGISTER	
Aug. 28, 2001	PUBLISHED FOR OPPOSITION	
Aug. 08, 2001	NOTICE OF PUBLICATION	
Mar. 28, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 15, 2001	EXAMINER'S AMENDMENT MAILED	
Mar. 15, 2001	ASSIGNED TO EXAMINER	78063
Oct. 27, 2000	NON-FINAL ACTION MAILED	
Oct. 13, 2000	ASSIGNED TO EXAMINER	78063

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 20, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jan. 08, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: ELIZABETH A. LINFORD, ESQ. **Docket Number:** 500001563 -
Attorney Primary Email Address: elinford@la.ladas.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: ELIZABETH A. LINFORD, ESQ.
LADAS & PARRY LLP
5670 WILSHIRE BOULEVARD
SUITE 2100
LOS ANGELES, CALIFORNIA 90036-5679
UNITED STATES
Phone: (323) 934-2300 **Fax:** (323) 934-0202
Correspondent e-mail: elinford@la.ladas.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 31, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 31, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Jul. 23, 2012	TEAS SECTION 8 & 15 RECEIVED	
Mar. 10, 2011	AMENDMENT UNDER SECTION 7 - ISSUED	71378
Oct. 08, 2010	SEC 7 REQUEST FILED	71378
Oct. 08, 2010	PAPER RECEIVED	
Mar. 26, 2010	AMENDMENT UNDER SECTION 7 - ISSUED	71378
Mar. 15, 2010	SEC 7 REQUEST FILED	71378
Mar. 15, 2010	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Mar. 15, 2010	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Feb. 19, 2010	POST REGISTRATION ACTION MAILED - SEC. 7	71378
Feb. 17, 2010	PAPER RECEIVED	
Nov. 29, 2006	CERTIFICATE OF CORRECTION ISSUED	
Nov. 29, 2006	ASSIGNED TO PARALEGAL	71378
Oct. 18, 2006	SEC 7 REQUEST FILED	
Oct. 18, 2006	PAPER RECEIVED	
Sep. 05, 2006	REGISTERED-PRINCIPAL REGISTER	
Jul. 20, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	76529
Jul. 14, 2006	ASSIGNED TO LIE	76529
Jul. 07, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 05, 2006	STATEMENT OF USE PROCESSING COMPLETE	71280
Jun. 14, 2006	USE AMENDMENT FILED	71280
Jun. 14, 2006	TEAS STATEMENT OF USE RECEIVED	
Dec. 20, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 27, 2005	PUBLISHED FOR OPPOSITION	
Sep. 07, 2005	NOTICE OF PUBLICATION	
Jun. 03, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
May 20, 2005	ASSIGNED TO LIE	76568
May 17, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 17, 2005	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
May 17, 2005	ASSIGNED TO EXAMINER	72503

Apr. 28, 2005	CASE RETURNED TO EXAMINATION	71034
Apr. 28, 2005	NOTICE OF ALLOWANCE CANCELLED	71034
Nov. 23, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 31, 2004	PUBLISHED FOR OPPOSITION	
Aug. 11, 2004	NOTICE OF PUBLICATION	
Jun. 24, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 10, 2004	CONTINUATION OF FINAL REFUSAL MAILED	
Dec. 04, 2003	CASE FILE IN TICRS	
Nov. 15, 2002	ASSIGNED TO EXAMINER	72503
May 15, 2002	LETTER OF SUSPENSION MAILED	
Dec. 26, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 26, 2001	FINAL REFUSAL MAILED	
May 10, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 17, 2000	NON-FINAL ACTION MAILED	
Oct. 26, 2000	ASSIGNED TO EXAMINER	78198

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Change in Registration: Yes

Amendment to a Registration/Renewal Certificate: The drawing is amended to appear as follows: DR. CHEN MEN'S FORMULA

Correction made to Registration: In the statement, Column 1, line 6, "DIETARY" should be deleted, and "NUTRITIONAL" should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 106

Date in Location: Jul. 31, 2012

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Mark: EPS FORMULA

EPS FORMULA

US Serial Number: 76064021
US Registration Number: 2579914
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jun. 19, 2012
Publication Date: Apr. 10, 2001
Application Filing Date: Jun. 06, 2000
Registration Date: Jun. 11, 2002
Notice of Allowance Date: Jul. 03, 2001

Mark Information

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

Goods and Services

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

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

For: FOOD SUPPLEMENT
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 13, 2001
Use in Commerce: Apr. 13, 2001

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: VITA ROYAL PRODUCTS INC.
Owner Address: 840 HUSKER PLACE
RAPID CITY, SOUTH DAKOTA 57701
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: SOUTH DAKOTA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Clinton G. Newton
Docket Number: VRPD.161953
Attorney Primary Email: cgntmdocket@shb.com
Attorney Email Address: Yes
Authorized:

Correspondent

Correspondent Name/Address: Clinton G. Newton
Shook, Hardy & Bacon L.L.P.
2555 Grand Blvd.

Kansas City, MISSOURI 64108
UNITED STATES

Phone: (816) 474-6550

Fax: (816) 421-5547

Correspondent e-mail: cgntmdocket@shb.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 19, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 19, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Jun. 19, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Jun. 19, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67603
Jun. 11, 2012	TEAS SECTION 8 & 9 RECEIVED	
Oct. 20, 2011	REVIEW OF CORRESPONDENCE COMPLETE - ADDRESS UPDATED	77315
Oct. 20, 2011	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
May 25, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
May 25, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 24, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Apr. 24, 2008	ASSIGNED TO PARALEGAL	77315
Apr. 02, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 31, 2008	TEAS SECTION 8 & 15 RECEIVED	
Sep. 06, 2007	CASE FILE IN TICRS	
Nov. 01, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 11, 2002	REGISTERED-PRINCIPAL REGISTER	
Dec. 03, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 28, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Nov. 05, 2001	USE AMENDMENT FILED	
Jul. 03, 2001	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 10, 2001	PUBLISHED FOR OPPOSITION	
Mar. 28, 2001	NOTICE OF PUBLICATION	
Dec. 29, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 05, 2000	EXAMINER'S AMENDMENT MAILED	
Nov. 30, 2000	ASSIGNED TO EXAMINER	76419

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 11, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jun. 19, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Vita Royal Products. Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3746/0814](#)

Pages: 4

Date Recorded: Mar. 26, 2008

Supporting Documents: [assignment-tm-3746-0814.pdf](#)

Assignor

Name: [VITA ROYAL PRODUCTS INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Feb. 20, 2008
State or Country Where Organized: MICHIGAN

Assignee

Name: [VITA ROYAL PRODUCTS INC.](#)
Legal Entity Type: CORPORATION

State or Country Where Organized: SOUTH DAKOTA

Address: 840 HUSKER PLACE
RAPID CITY, SOUTH DAKOTA 57701

Correspondent

Correspondent Name: ERNEST I. GIFFORD

Correspondent Address: P.O. BOX 7021
TROY, MI 48007-7021

Domestic Representative - Not Found

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Mark: LIFEGUARD JOINT FORMULA

LIFEGUARD JOINT FORMULA

US Serial Number: 76116040
Application Filing Date: Aug. 24, 2000
US Registration Number: 2539748
Registration Date: Feb. 19, 2002
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 23, 2011
Publication Date: Nov. 27, 2001

Mark Information

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

Goods and Services

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

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

For: DIETARY SUPPLEMENTS IN THE NATURE OF TABLETS TO ASSIST THE PERFORMANCE OF JOINTS IN THE HUMAN BODY

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 15, 2000

Use in Commerce: Jul. 15, 2000

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Starlight International, Ltd. LP
Composed of: Natural Dietary Products, Inc. a California corporation
Owner Address: 80 Garden Court, Suite 100
Monterey, CALIFORNIA 93940
UNITED STATES
Legal Entity Type: LIMITED PARTNERSHIP
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alan Feldstein
Docket Number: 86099-99001
Attorney Primary Email Address: feldstein.alan@gmail.com
Attorney Email Authorized: Yes

Correspondent

Correspondent: Alan Feldstein

Name/Address: Law Offices of Alan Feldstein
11271 Ventura Blvd
#127
Studio City, CALIFORNIA 91604
UNITED STATES

Phone: 818-508-1820

Fax: 818-508-1845

Correspondent e-mail: feldstein.alan@gmail.com

Correspondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative Name: BAKER & HOSTETLER LLP

Prosecution History

Date	Description	Proceeding Number
Feb. 23, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Feb. 23, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 22, 2011	TEAS SECTION 8 & 9 RECEIVED	
Dec. 05, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 05, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 21, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75461
Dec. 18, 2007	ASSIGNED TO PARALEGAL	75461
Dec. 16, 2007	TEAS SECTION 8 & 15 RECEIVED	
Apr. 04, 2007	CASE FILE IN TICRS	
Feb. 19, 2002	REGISTERED-PRINCIPAL REGISTER	
Nov. 27, 2001	PUBLISHED FOR OPPOSITION	
Nov. 07, 2001	NOTICE OF PUBLICATION	
Apr. 26, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 26, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 26, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 06, 2001	NON-FINAL ACTION MAILED	
Jan. 17, 2001	ASSIGNED TO EXAMINER	78426

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 19, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 23, 2011

Correspondent

Correspondent Name/Address: Jacqueline L. Patt
 VENABLE LLP
 P.O. BOX 34385
 WASHINGTON, DISTRICT OF COLUMBIA 20045-9998
 UNITED STATES

Phone: 202-344-4000

Fax: 202-344-8300

Correspondent e-mail: trademarkdocket@venable.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Sep. 18, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 18, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75184
Sep. 18, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75184
Sep. 18, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75184
Sep. 05, 2012	TEAS SECTION 8 & 9 RECEIVED	
May 21, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75461
May 21, 2009	ASSIGNED TO PARALEGAL	75461
May 08, 2009	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 08, 2009	PAPER RECEIVED	
Feb. 15, 2008	CASE FILE IN TICRS	
Jun. 10, 2003	REGISTERED-PRINCIPAL REGISTER	
Mar. 18, 2003	PUBLISHED FOR OPPOSITION	
Feb. 26, 2003	NOTICE OF PUBLICATION	
Jan. 27, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 04, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 04, 2002	PAPER RECEIVED	
May 20, 2002	ACTION GRANTING REQ. FOR RECON. MAILED	
Feb. 13, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 14, 2002	FINAL REFUSAL MAILED	
Oct. 12, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 12, 2001	NON-FINAL ACTION MAILED	
Mar. 29, 2001	ASSIGNED TO EXAMINER	76612

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 10, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Sep. 18, 2012

Correspondent e-mail: alicec@pluspharm.com
suzanne@coromega.com

Correspondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative PlusPharma, Inc.
Name:

Prosecution History

Date	Description	Proceeding Number
Sep. 06, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 05, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Sep. 05, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Sep. 04, 2012	TEAS SECTION 8 & 9 RECEIVED	
May 14, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 09, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Nov. 28, 2007	CASE FILE IN TICRS	
Sep. 19, 2007	TEAS SECTION 8 & 15 RECEIVED	
Sep. 03, 2002	REGISTERED-PRINCIPAL REGISTER	
Jun. 11, 2002	PUBLISHED FOR OPPOSITION	
May 22, 2002	NOTICE OF PUBLICATION	
Feb. 06, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 04, 2002	USE AMENDMENT ACCEPTED	
Jan. 31, 2002	ASSIGNED TO EXAMINER	77763
Oct. 26, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 04, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 30, 2001	AMENDMENT TO USE PROCESSING COMPLETE	
May 04, 2001	USE AMENDMENT FILED	
Apr. 26, 2001	NON-FINAL ACTION MAILED	
Apr. 13, 2001	ASSIGNED TO EXAMINER	78488

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 03, 2012

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Sep. 05, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: EXTRACTS PLUS, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [2738/0407](#)

Pages: 3

Date Recorded: Oct. 29, 2003

Supporting Documents: [assignment-tm-2738-0407.pdf](#)

Assignor

Name: [EXTRACTSPLUS, INC.](#)

Execution Date: Jul. 01, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PLUSPHARMA, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 2460 CORAL STREET
VISTA, CALIFORNIA 92081

Correspondent

Correspondent Name: BROWN MARTIN HALLER & MCCLAIN LLP

Correspondent Address: 1660 UNION STREET
SAN DIEGO, CA 92101

Domestic Representative - Not Found

Correspondent

Correspondent Name/Address: Tirzah Abe Lowe
 KNOBBE, MARTENS, OLSON & BEAR LLP
 2040 MAIN STREET, 14TH FLOOR
 IRVINE, CALIFORNIA 92614
 UNITED STATES

Phone: 949-760-0404

Fax: 949-760-9502

Correspondent e-mail: efiling@kmob.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Mar. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 26, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	71378
Mar. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	71378
Mar. 26, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Mar. 06, 2012	TEAS SECTION 8 & 9 RECEIVED	
Nov. 03, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	59807
Oct. 15, 2008	TEAS SECTION 8 & 15 RECEIVED	
Mar. 14, 2008	CASE FILE IN TICRS	
Jul. 04, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 07, 2003	REGISTERED-PRINCIPAL REGISTER	
Oct. 26, 2002	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 08, 2002	ASSIGNED TO EXAMINER	74819
Aug. 07, 2002	ASSIGNED TO EXAMINER	78329
Aug. 06, 2002	STATEMENT OF USE PROCESSING COMPLETE	
Jul. 15, 2002	USE AMENDMENT FILED	
Aug. 02, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 15, 2002	PAPER RECEIVED	
Mar. 12, 2002	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 18, 2001	PUBLISHED FOR OPPOSITION	
Nov. 28, 2001	NOTICE OF PUBLICATION	
Jun. 28, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 08, 2001	EXAMINER'S AMENDMENT MAILED	
Jun. 04, 2001	ASSIGNED TO EXAMINER	78329

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 07, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Mar. 26, 2012

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Registrant: Anabolic Laboratories, Inc.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [3571/0435](#)

Pages: 5

Date Recorded: Jun. 29, 2007

Supporting Documents: [assignment-tm-3571-0435.pdf](#)

Assignor

Name: [ANABOLIC LABORATORIES, INC.](#)

Execution Date: Nov. 10, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [NEXGEN PHARMA, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 46 CORPORATE PARK, SUITE 100
IRVINE, CALIFORNIA 92606

Correspondent

Correspondent Name: TIRZAH ABE LOWE

Correspondent Address: 2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

Domestic Representative - Not Found

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Mark: L-FORMULA

L - FORMULA

US Serial Number: 76252379 Application Filing Date: May 07, 2001
US Registration Number: 2517382 Registration Date: Dec. 11, 2001
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 30, 2012
Publication Date: Sep. 18, 2001

Mark Information

Mark Literal Elements: L-FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Acquired Distinctiveness Claim: In whole

Goods and Services

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

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

For: vitamins and dietary food supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 08, 1980

Use in Commerce: Jul. 08, 1980

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: UNITED STATES NUTRITION, INC.
Owner Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lee Grosskreuz Hechtel
Attorney Primary Email Address: lhechtel@nbt.com Attorney Email Authorized: Yes

Correspondent

Correspondent: Lee Grosskreuz Hechtel

Name/Address: 2100 Smithtown Avenue
Legal Dept.
Ronkonkoma, NEW YORK 11779
UNITED STATES

Phone: 6312187335

Fax: 6312187341

Correspondent e-mail: lhechtel@nbt.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 30, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59136
Mar. 30, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	59136
Mar. 28, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jun. 30, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 03, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 10, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	59136
Feb. 16, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 16, 2007	PAPER RECEIVED	
Jan. 08, 2007	CASE FILE IN TICRS	
Dec. 11, 2001	REGISTERED-PRINCIPAL REGISTER	
Sep. 18, 2001	PUBLISHED FOR OPPOSITION	
Aug. 29, 2001	NOTICE OF PUBLICATION	
Aug. 07, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 31, 2001	ASSIGNED TO EXAMINER	67516

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 11, 2011

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Mar. 30, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 4

Registrant: LEINER HEALTH SERVICES CORP.

Assignment 1 of 4

Conveyance: SECURITY INTEREST

Reel/Frame: [2990/0017](#)

Pages: 15

Date Recorded: Jun. 10, 2004

Supporting Documents: [assignment-tm-2990-0017.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: May 27, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [UBS AG, STAMFORD BRANCH](#)

Legal Entity Type: COLLATERAL AGENT

State or Country Where Organized: No Place Where Organized Found

Address: 677 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY

Correspondent Address: JAMES P. MURPHY
1133 AVENUE OF THE AMERICAS
SUITE 3100
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3820/0864](#)

Pages: 24

Date Recorded: Jul. 23, 2008

Supporting Documents: [assignment-tm-3820-0864.pdf](#)

Assignor

Name: [UBS AG, STAMFORD BRANCH](#)

Execution Date: Jul. 14, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Assignee

Name: [LEINER HEALTH SERVICES CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 901 E. 233RD STREET
CARSON, CALIFORNIA 90745

Correspondent

Correspondent Name: SUSAN ZABLOCKI, KIRKLAND & ELLIS LLP

Correspondent Address: 153 EAST 53RD STREET
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3892/0538](#)

Pages: 12

Date Recorded: Nov. 25, 2008

Supporting Documents: [assignment-tm-3892-0538.pdf](#)

Assignor

Name: [LEINER HEALTH SERVICES CORP.](#)

Execution Date: Jul. 14, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [NBTY ACQUISITION LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKAMA, NEW YORK 11779

Correspondent

Correspondent Name: LEE GROSSKREUZ HECHTEL

Correspondent Address: NBTY, INC.
LEGAL DEPT.
2100 SMITHTOWN AVENUE
RONKONKOMA, NEW YORK 11779

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4233/0787](#)

Pages: 9

Date Recorded: Jun. 29, 2010

Supporting Documents: [assignment-tm-4233-0787.pdf](#)

Assignor

Name: [NBTY ACQUISITION LLC](#)

Execution Date: Jun. 28, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [UNITED STATES NUTRITION, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NEW YORK 11779

Correspondent

Correspondent Name: NBTY, INC.

Correspondent Address: 2100 SMITHTOWN AVENUE
LEGAL DEPT.
RONKONKOMA, NY 11779

Domestic Representative - Not Found

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Mark: AGE-LESS SKIN FORMULA

AGE-LESS SKIN FORMULA

US Serial Number: 76307297

Application Filing Date: Aug. 31, 2001

US Registration Number: 3021311

Registration Date: Nov. 29, 2005

Register: Principal

Mark Type: Trademark

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

Status Date: Jun. 16, 2011

Publication Date: Apr. 27, 2004

Notice of Allowance Date: May 03, 2005

Mark Information

Mark Literal Elements: AGE-LESS SKIN FORMULA

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "SKIN FORMULA"

Goods and Services

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

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

For: nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: 2004

Use in Commerce: 2004

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: NAC MARKETING COMPANY, LLC

Owner Address: 260 SMITH STREET
FARMINGDALE, NEW YORK 11735
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John S. Egbert

Docket Number: 1303-14

Attorney Primary Email Address: mail@egbertlawoffices.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: John S. Egbert
Egbert Law Offices, PLLC
412 Main St., 7th Floor
HOUSTON, TEXAS 77002
UNITED STATES

Phone: 713-224-8080

Fax: 713-223-4873

Correspondent e-mail: mail@egbertlawoffices.com

Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 07, 2014	NOTICE OF SUIT	
Feb. 05, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 25, 2013	NOTICE OF SUIT	
Jun. 16, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Jun. 16, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
May 16, 2011	TEAS SECTION 8 & 15 RECEIVED	
Nov. 29, 2005	REGISTERED-PRINCIPAL REGISTER	
Oct. 17, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	67215
Oct. 14, 2005	ASSIGNED TO LIE	67215
Oct. 11, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 30, 2005	STATEMENT OF USE PROCESSING COMPLETE	61756
Sep. 15, 2005	USE AMENDMENT FILED	61756
Sep. 15, 2005	TEAS STATEMENT OF USE RECEIVED	
May 03, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 27, 2004	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
May 26, 2004	EXTENSION OF TIME TO OPPOSE RECEIVED	
Apr. 27, 2004	PUBLISHED FOR OPPOSITION	
Apr. 07, 2004	NOTICE OF PUBLICATION	
Feb. 02, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 11, 2003	CASE FILE IN TICRS	
Nov. 06, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 01, 2003	REINSTATED	78756
Dec. 19, 2002	PAPER RECEIVED	
Dec. 04, 2002	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Nov. 06, 2002	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 12, 2002	ASSIGNED TO EXAMINER	67516
May 09, 2002	NON-FINAL ACTION MAILED	
Apr. 30, 2002	ASSIGNED TO EXAMINER	78063
Dec. 07, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 19, 2001	NON-FINAL ACTION MAILED	
Nov. 02, 2001	ASSIGNED TO EXAMINER	78306

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 105

Date in Location: Jun. 16, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Bluebonnet Nutrition Corp.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5203/0236](#)

Pages: 4

Date Recorded: Jan. 29, 2014

Supporting Documents: [assignment-tm-5203-0236.pdf](#)**Assignor**Name: [BLUEBONNET NUTRITION CORP.](#)

Execution Date: Jan. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TEXAS

AssigneeName: [NAC MARKETING COMPANY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 260 SMITH STREET
FARMINGDALE, NEW YORK 11735**Correspondent**

Correspondent Name: BRITT L. ANDERSON, K&L GATES LLP

Correspondent Address: 630 HANSEN WAY
PALO ALTO, CA 94304**Domestic Representative - Not Found****Proceedings****Summary**

Number of Proceedings: 6

Type of Proceeding: OppositionProceeding Number: [91201410](#)

Filing Date: Aug 11, 2011

Status: Pending Court Appeal

Status Date: Aug 31, 2011

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: NAC Marketing, LLC

Correspondent Address: BRITT L ANDERSON
K&L GATES
630 HANSEN WAY
PALO ALTO CA , 94304
UNITED STATESCorrespondent e-mail: britt.anderson@klgates.com , ranjini.acharya@klgates.com , pltrademarks@klgates.com , terri.li@klgates.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
AGELESS MALE	Opposition Pending	85236913	

Plaintiff(s)

Name: Bluebonnet Nutrition Corp.

Correspondent Address: JOHN S EGBERT
EGBERT LAW OFFICES PLLC
1314 TEXAS AVE., 21ST FLOOR
HOUSTON TX , 77002
UNITED STATESCorrespondent e-mail: mail@egbertlawoffices.com , kwilson@egbertlawoffices.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
AGE-LESS SKIN FORMULA	Section 8 and 15 - Accepted and Acknowledged	76307297	3021311

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 11, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2011	Oct 10, 2011

3	PENDING, INSTITUTED	Aug 31, 2011
4	ANSWER	Sep 07, 2011
5	CHANGE OF CORRESPONDENCE ADDRESS	May 29, 2012
6	PLAINTIFF'S NOTICE OF RELIANCE	Aug 03, 2012
7	PLAINTIFF'S NOTICE OF RELIANCE	Aug 03, 2012
8	PLAINTIFF'S NOTICE OF RELIANCE	Aug 03, 2012
9	PLAINTIFF'S NOTICE OF RELIANCE	Aug 03, 2012
10	PLAINTIFF'S NOTICE OF RELIANCE	Aug 06, 2012
11	DEFENDANT'S NOTICE OF RELIANCE	Oct 04, 2012
12	DEFENDANT'S NOTICE OF RELIANCE	Oct 04, 2012
13	DEFENDANT'S NOTICE OF RELIANCE	Oct 04, 2012
14	DEFENDANT'S NOTICE OF RELIANCE	Oct 04, 2012
15	P'S MOTION TO STRIKE	Oct 23, 2012
16	D'S OPPOSITION/RESPONSE TO MOTION	Nov 16, 2012
17	TRIAL DATES RESET	Dec 18, 2012
18	BRIEF ON MERITS FOR PLAINTIFF	Feb 18, 2013
19	D FINAL BRIEF: TM RULE 2.128	Mar 19, 2013
20	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Apr 02, 2013
21	P REQ FOR ORAL HEARING	Apr 12, 2013
22	BOARD'S ORDER	May 04, 2013
23	ORAL HEARING SCHEDULED	Jun 24, 2013
24	D APPEARANCE / POWER OF ATTORNEY	Jul 17, 2013
25	ORAL HEARING APPEARANCE RECORD	Jul 24, 2013
26	BD DECISION: SUSTAINED	Aug 05, 2013
27	D APPEARANCE / POWER OF ATTORNEY	Aug 12, 2013
28	AMENDMENT TO APPLICATION	Sep 18, 2013
29	BD ORDER	Sep 23, 2013
30	APPEAL TO DISTRICT CT	Oct 07, 2013

Type of Proceeding: Cancellation

Proceeding Number: [92048363](#)

Filing Date: Oct 31, 2007

Status: Terminated

Status Date: Apr 10, 2008

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Univera, Inc.

Correspondent Address: Thomas D. Bratschun
Swanson & Bratschun, L.L.C.
8210 Southpark Terrace
Littleton CO , 80120
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGELESS PRIME	Cancelled - Section 7(D)	78657154	3103825

Plaintiff(s)

Name: Bluebonnet Nutrition Corp.

Correspondent Address: John S. Egbert
Egbert Law Offices, PLLC
412 Main St., 7th Floor
Houston TX , 77002
UNITED STATES

Correspondent e-mail: mail@egbertlawoffices.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Section 8 and 15 - Accepted and

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 31, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 01, 2007	Dec 11, 2007
3	PENDING, INSTITUTED	Nov 01, 2007	
4	ANSWER	Dec 11, 2007	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Dec 11, 2007	
6	D'S CHANGE OF CORRESPONDENCE ADDRESS	Dec 11, 2007	
7	MOTION TO AMEND ANSWER/AMENDED ANSWER OR COUNTERCLAIM	Dec 11, 2007	
8	TRIAL DATES REMAIN AS SET	Feb 02, 2008	
9	STIP TO DISMISS	Apr 08, 2008	
10	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Apr 09, 2008	
11	TERMINATED	Apr 10, 2008	

Type of Proceeding: CancellationProceeding Number: [92048365](#)

Filing Date: Oct 31, 2007

Status: Terminated

Status Date: Apr 10, 2008

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ECONET, INC.

Correspondent Address: Thomas D. Bratschun
Swanson & Bratschun, L.L.C.
8210 Southpark Terrace
Littleton CO , 80120
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGELESS ESSENTIALS	Cancelled - Section 7(D)	78558203	3280510

Plaintiff(s)

Name: Bluebonnet Nutrition Corp.

Correspondent Address: John S. Egbert
Egbert Law Offices
412 Main St., 7th Floor
Houston TX , 77002
UNITED STATES

Correspondent e-mail: mail@egbertlawoffices.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
AGE-LESS SKIN FORMULA	Section 8 and 15 - Accepted and Acknowledged	76307297	3021311

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 31, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 01, 2007	Dec 11, 2007
3	PENDING, INSTITUTED	Nov 01, 2007	
4	ANSWER	Dec 11, 2007	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Dec 11, 2007	
6	D'S CHANGE OF CORRESPONDENCE ADDRESS	Dec 11, 2007	
7	WITHDRAWAL OF PETITION FOR CANCELLATION	Apr 08, 2008	
8	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Apr 10, 2008	
9	TERMINATED	Apr 10, 2008	

Type of Proceeding: Cancellation

Proceeding Number: [92048370](#)

Filing Date: Oct 31, 2007

Status: Terminated

Status Date: Apr 18, 2008

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Univera, Inc.

Correspondent Address: THOMAS D. BRATSCHUN
SWANSON & BRATSCHUN, L.L.C.
8210 SOUTHPARK TERRANCE
LITTLETON CO , 80120
UNITED STATES

Correspondent e-mail: efs@sbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGELESS	Cancelled - Section 7(D)	78219905	3058128

Plaintiff(s)

Name: Bluebonnet Nutrition Corp.

Correspondent Address: John S. Egbert
Egbert Law Offices, PLLC
412 Main St., 7th Floor
Houston TX , 77002
UNITED STATES

Correspondent e-mail: mail@egbertlawoffices.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGE-LESS SKIN FORMULA	Section 8 and 15 - Accepted and Acknowledged	76307297	3021311

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 31, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 01, 2007	Dec 11, 2007
3	PENDING, INSTITUTED	Nov 01, 2007	
4	NOTICE OF DEFAULT	Dec 26, 2007	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jan 24, 2008	
6	D'S CHANGE OF CORRESPONDENCE ADDRESS	Jan 24, 2008	
7	DEF'S MOTION TO SET ASIDE DEFAULT	Jan 24, 2008	
8	ANSWER	Jan 24, 2008	
9	TRIAL DATES RESET	Feb 27, 2008	
10	WITHDRAWAL OF PETITION FOR CANCELLATION	Apr 08, 2008	
11	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Apr 18, 2008	
12	TERMINATED	Apr 18, 2008	

Type of Proceeding: Cancellation

Proceeding Number: [92048372](#)

Filing Date: Oct 31, 2007

Status: Terminated

Status Date: Apr 18, 2008

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Univera, Inc.

Correspondent Address: Thomas D. Bratschum
Swanson & Bratschum, LLC
8210 Southpark Terrace
Littleton CO , 80120
UNITED STATES

Correspondent e-mail: efs@sbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGELESSXTRA	Cancelled - Section 7(D)	78737383	3142145

Plaintiff(s)**Name:** Bluebonnet Nutrition Corp.**Correspondent Address:** John S. Egbert
Egbert Law Offices
412 Main St., 7th Floor
Houston TX , 77002
UNITED STATES**Correspondent e-mail:** mail@egbertlawoffices.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
AGE-LESS SKIN FORMULA	Section 8 and 15 - Accepted and Acknowledged	76307297	3021311

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 31, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 01, 2007	Dec 11, 2007
3	PENDING, INSTITUTED	Nov 01, 2007	
4	NOTICE OF DEFAULT	Dec 29, 2007	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jan 24, 2008	
6	D'S CHANGE OF CORRESPONDENCE ADDRESS	Jan 24, 2008	
7	MOTION TO SET ASIDE NOTICE OF DEFAULT	Jan 24, 2008	
8	ANSWER	Jan 24, 2008	
9	TRIAL DATES RESET	Mar 05, 2008	
10	WITHDRAWAL OF PETITION FOR CANCELLATION	Apr 08, 2008	
11	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Apr 18, 2008	
12	TERMINATED	Apr 18, 2008	

Type of Proceeding: Extension of Time**Proceeding Number:** [76307297](#)**Filing Date:** May 26, 2004**Status:** Terminated**Status Date:** Sep 25, 2004**Interlocutory Attorney:****Defendant****Name:** Bluebonnet Nutrition Corp.**Correspondent Address:** JOHN S. EGBERT
HARRISON & EGBERT
412 MAIN ST FL 7
HOUSTON TX , 77002-1838
UNITED STATES**Associated marks**

Mark	Application Status	Serial Number	Registration Number
AGE-LESS SKIN FORMULA	Section 8 and 15 - Accepted and Acknowledged	76307297	3021311

Potential Opposer(s)**Name:** Natural Organics Inc.**Correspondent Address:** Pasquale A. Razzano and Aimee E. Nassau
Fitzpatrick, Cella, Harper & Scinto
30 Rockefeller Plaza
New York NY , 10112
UNITED STATES**Correspondent e-mail:** anassau@fchs.com**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	May 26, 2004	
2	EXTENSION OF TIME GRANTED	May 26, 2004	

Address:

Authorized:

Correspondent

Correspondent Name/Address: Richard A. Friedman
Pfizer Inc.
Five Giralda Farms
Madison, NEW JERSEY 07940
UNITED STATES

Phone: 212-733-0086

Fax: 212-573-2273

Correspondent e-mail: deadlinesipnyo@pfizer.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 18, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 18, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 01, 2007	CASE FILE IN TICRS	
Apr. 20, 2006	CERTIFICATE OF CORRECTION ISSUED	
Oct. 11, 2005	PAPER RECEIVED	
Sep. 29, 2005	POST REGISTRATION ACTION MAILED - SEC. 7	
Sep. 29, 2005	ASSIGNED TO PARALEGAL	60234
Jul. 22, 2005	SEC 7 REQUEST FILED	
Jul. 22, 2005	FAX RECEIVED	
Jul. 22, 2005	FAX RECEIVED	
Apr. 06, 2004	REGISTERED-PRINCIPAL REGISTER	
Aug. 07, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 16, 2003	EXTENSION OF TIME TO OPPOSE RECEIVED	
May 13, 2003	PUBLISHED FOR OPPOSITION	
Apr. 23, 2003	NOTICE OF PUBLICATION	
Mar. 12, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 12, 2003	ASSIGNED TO EXAMINER	73347
Aug. 10, 2002	ASSIGNED TO EXAMINER	76732
Feb. 07, 2002	LETTER OF SUSPENSION MAILED	
Jan. 31, 2002	EXAMINERS AMENDMENT MAILED	
Jan. 24, 2002	NON-FINAL ACTION MAILED	
Jan. 23, 2002	ASSIGNED TO EXAMINER	73347
Jan. 07, 2002	ASSIGNED TO EXAMINER	73703

Maintenance Filings or Post Registration Information

Change in Registration: Yes

Correction made to Registration: In the statement, column 1, lines 1 through 4, should be deleted, and, "Wyeth Holdings Corporation (Maine Corporation), Five Giralda Farms, Trademark Department, Madison NJ 07940" should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jun. 01, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: WYETH

Assignment 1 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [2493/0462](#)

Pages: 15

Date Recorded: Apr. 12, 2002

Supporting Documents: [assignment-tm-2493-0462.pdf](#)

Assignor

Name: [AMERICAN HOME PRODUCTS CORPORATION](#) Execution Date: Mar. 11, 2002
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [WYETH](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: TRADEMARK DEPARTMENT
FIVE GIRALDA FARMS
MADISON, NEW JERSEY 07940

Correspondent

Correspondent Name: WYETH
Correspondent Address: RON ADAMS
TRADEMARK DEPARTMENT
FIVE GIRALDA FARMS
MADISON, NJ 07940

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [2694/0789](#) Pages: 2
Date Recorded: Mar. 13, 2003
Supporting Documents: [assignment-tm-2694-0789.pdf](#)

Assignor

Name: [WYETH](#) Execution Date: Mar. 11, 2003
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [WYETH HOLDINGS CORPORATION](#) State or Country Where Organized: MAINE
Legal Entity Type: CORPORATION
Address: FIVE GIRALDA FARMS
TRADEMARK DEPARTMENT
MADISON, NEW JERSEY 07940

Correspondent

Correspondent Name: RON ADAMS
Correspondent Address: TRADEMARK DEPARTMENT
WYETH FIVE GIRALDA FARMS
MADISON, NJ 07940

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [76333902](#) Filing Date: Jun 18, 2003
Status: Terminated Status Date: Jun 18, 2003
Interlocutory Attorney:

Defendant

Name: WYETH
Correspondent Address: STANLEY J SILVERBERG
AMERICAN HOME PRODUCTS CORP
5 GIRALDA FARMS
MADISON NJ, 07940
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
ADVANCED FORMULA CENTRUM	Registered	76333902	2829036

Potential Opposer(s)

Name: L. Perrigo Company

Correspondent Address: H. W. Reick
PRICE, HENEVELD, COOPER, DEWITT & LITTON
695 Kenmoor S. E., P. O. Box 2567
Grand Rapids MI , 49501
UNITED STATES

Prosecution History			
Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jun 09, 2003	
2	EXTENSION OF TIME GRANTED	Jun 18, 2003	

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

Current Owner(s) Information

Owner Name: Rath, Matthias
Owner Address: Ambachtstraat 20
 NL-7609 KL Almelo
 NETHERLANDS
Legal Entity Type: INDIVIDUAL **Citizenship:** GERMANY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Roy S. Gordet **Docket Number:** 359-103

Correspondent

Correspondent Name/Address: John C. Nishi
 Dickinson Wright, PLLC
 1875 Eye Street, NW, Suite 1200
 International Square
 Washington, DISTRICT OF COLUMBIA 20006
 UNITED STATES

Phone: (734) 623-1938

Fax: (202) 659-1559

Correspondent e-mail: trademark@dickinsonwright.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: John C. Nishi

Phone: (734) 623-1938

Fax: (202) 659-1559

Domestic Representative e-mail: trademark@dickinsonwright.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Nov. 06, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 06, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 05, 2005	REGISTERED - SEC. 7 REQUEST ABANDONED	
Dec. 17, 2004	POST REGISTRATION ACTION MAILED - SEC. 7	
Oct. 25, 2004	SEC 7 REQUEST FILED	
Oct. 25, 2004	PAPER RECEIVED	
May 18, 2004	REGISTERED-PRINCIPAL REGISTER	
Feb. 24, 2004	PUBLISHED FOR OPPOSITION	
Feb. 04, 2004	NOTICE OF PUBLICATION	
Dec. 22, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 17, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 17, 2003	PAPER RECEIVED	
Nov. 24, 2003	NON-FINAL ACTION E-MAILED	
Oct. 31, 2003	CASE FILE IN TICRS	
Apr. 02, 2003	LETTER OF SUSPENSION E-MAILED	
Mar. 26, 2003	Sec. 1(B) CLAIM DELETED	71906
Mar. 10, 2003	EXAMINERS AMENDMENT MAILED	
Jan. 21, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 21, 2003	PAPER RECEIVED	
Oct. 09, 2002	ASSIGNED TO EXAMINER	76582
Sep. 24, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

Jul. 26, 2002	NON-FINAL ACTION MAILED	
Jul. 18, 2002	ASSIGNED TO EXAMINER	76684
Jul. 12, 2002	ASSIGNED TO EXAMINER	76419

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: POST REGISTRATION

Date in Location: Nov. 05, 2005

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Mark: SUSTAINED ENERGY FORMULA

SUSTAINED ENERGY FORMULA

US Serial Number: 76387844
Application Filing Date: Mar. 25, 2002
US Registration Number: 2796342
Registration Date: Dec. 16, 2003
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Aug. 25, 2003
Status: The registration has been renewed.
Status Date: Nov. 27, 2013

Mark Information

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

Goods and Services

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

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

For: [vitamins and] dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2002

Use in Commerce: May 2002

For: Non-alcoholic beverages containing vitamins, namely soft drinks

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2002

Use in Commerce: May 2002

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Taisho Pharmaceutical Co., Ltd.
Owner Address: 24-1, Takata 3-chome, Toshimaku
Tokyo
JAPAN
Legal Entity Type: CORPORATION
State or Country Where Organized: JAPAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mainak H. Mehta
Docket Number: 120776-TSH00
Attorney Primary Email: cpaglobal@procopio.com
Attorney Email: Yes

Address:

Authorized:

Correspondent

Correspondent Name/Address: Mainak H. Mehta
Procopio, Cory, Hargreaves & Savitch LLP
1020 Marsh Road
Suite 200
Menlo Park, CALIFORNIA 94025
UNITED STATES

Phone: 650-645-9000

Fax: 619-235-0398

Correspondent e-mail: cpaglobal@procopio.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Mainak H. Mehta

Phone: 650-645-9000

Fax: 619-235-0398

Domestic Representative e-mail: cpaglobal@procopio.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Nov. 27, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 27, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Nov. 27, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Nov. 09, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	68502
Nov. 27, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Nov. 09, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jan. 12, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED	76293
Sep. 02, 2009	REGISTERED - SEC. 8 (6-YR) FILED	76293
Jan. 12, 2010	AMENDMENT UNDER SECTION 7 - ISSUED	76293
Sep. 02, 2009	SEC 7 REQUEST FILED	76293
Jan. 11, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Sep. 02, 2009	REGISTERED - SEC. 8 (6-YR) FILED	
Sep. 02, 2009	SEC 7 REQUEST FILED	
Sep. 02, 2009	PAPER RECEIVED	
May 10, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 16, 2003	REGISTERED-SUPPLEMENTAL REGISTER	
Oct. 23, 2003	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Oct. 23, 2003	USE AMENDMENT ACCEPTED	
Sep. 25, 2003	AMENDMENT TO USE PROCESSING COMPLETE	
Aug. 25, 2003	USE AMENDMENT FILED	
Aug. 25, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 23, 2003	CASE FILE IN TICRS	
Aug. 25, 2003	PAPER RECEIVED	
May 13, 2003	NON-FINAL ACTION MAILED	
Dec. 23, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 23, 2002	PAPER RECEIVED	
Aug. 13, 2002	NON-FINAL ACTION MAILED	
Jul. 24, 2002	ASSIGNED TO EXAMINER	68792

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Dec. 16, 2013

Change in Registration: Yes

Amendment to a In the statement, Column 1, line 6, "vitamins" is deleted.
Registration/Renewal
Certificate:

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Nov. 27, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: (Kenneth) Cang Li

Attorney Primary Email Address: kennethcli@hotmail.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: (Kenneth) Cang Li
(KENNETH) CANG LI, ATTORNEY-AT-LAW
65 BROADWAY, SUITE 814
NEW YORK, NEW YORK 10006
UNITED STATES

Phone: 212-430-6810

Fax: 347-426-0473

Correspondent e-mail: kennethcli@hotmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 30, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Mar. 30, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Mar. 17, 2010	TEAS SECTION 8 & 15 RECEIVED	
Sep. 28, 2004	REGISTERED-PRINCIPAL REGISTER	
Jul. 29, 2004	LAW OFFICE REGISTRATION REVIEW COMPLETED	70644
Jul. 29, 2004	ASSIGNED TO LIE	70644
Jul. 26, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 18, 2004	ASSIGNED TO EXAMINER	75516
May 11, 2004	STATEMENT OF USE PROCESSING COMPLETE	
Apr. 22, 2004	USE AMENDMENT FILED	
Apr. 22, 2004	PAPER RECEIVED	
Mar. 22, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 23, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 30, 2003	PUBLISHED FOR OPPOSITION	
Sep. 10, 2003	NOTICE OF PUBLICATION	
Aug. 01, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 01, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 08, 2003	CASE FILE IN TICRS	
Jul. 01, 2003	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 11, 2003	NON-FINAL ACTION MAILED	
May 09, 2003	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Mar. 24, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 03, 2003	Sec. 1(B) CLAIM ADDED	70644
Feb. 03, 2003	SEC. 1(A) CLAIM DELETED	70644
Feb. 03, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 03, 2003	PAPER RECEIVED	
Sep. 09, 2002	NON-FINAL ACTION MAILED	
Sep. 03, 2002	ASSIGNED TO EXAMINER	75516

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 115

Date in Location: Mar. 30, 2010

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Mark: CAT FORMULA

CAT FORMULA

US Serial Number: 76466502 Application Filing Date: Nov. 13, 2002
US Registration Number: 2769084 Registration Date: Sep. 30, 2003
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Aug. 01, 2013
Publication Date: Jul. 08, 2003

Mark Information

Mark Literal Elements: CAT FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Acquired Distinctiveness Claim: In whole

Goods and Services

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

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

For: Nutritional supplements for cats
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: 1981 Use in Commerce: 1981

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Lewis Laboratories International, Ltd.
Owner Address: 49 Richmondville Avenue
Westport, CONNECTICUT 06880
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Douglas M. McAllister Docket Number: LLI-107
Attorney Primary Email Address: info@patlawfirm.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Douglas M. McAllister
LIPSITZ & MCALLISTER, LLC
755 MAIN STREET

BUILDING 8
MONROE, CONNECTICUT 06468
UNITED STATES

Phone: (203)459-0200

Fax: (203)459-0201

Correspondent e-mail: info@patlawfirm.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 01, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 01, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Aug. 01, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Aug. 01, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Jul. 16, 2013	TEAS SECTION 8 & 9 RECEIVED	
Mar. 05, 2009	CASE FILE IN TICRS	
Jan. 17, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	65765
Jan. 13, 2009	ASSIGNED TO PARALEGAL	65765
Jan. 08, 2009	TEAS SECTION 8 & 15 RECEIVED	
Sep. 30, 2003	REGISTERED-PRINCIPAL REGISTER	
Jul. 08, 2003	PUBLISHED FOR OPPOSITION	
Jun. 18, 2003	NOTICE OF PUBLICATION	
May 06, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 14, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 14, 2003	PAPER RECEIVED	
Mar. 05, 2003	NON-FINAL ACTION MAILED	
Feb. 27, 2003	ASSIGNED TO EXAMINER	76611

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 30, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Aug. 01, 2013

Attorney of Record**Attorney Name:** DAVID R. ELLIS**Attorney Primary Email Address:** ellislaw@alum.mit.edu**Attorney Email Authorized:** Yes**Correspondent****Correspondent Name/Address:** DAVID R. ELLIS
DAVID R ELLIS, ATTORNEY
3233 E BAY DR STE 101
LARGO, FLORIDA 33771-1900
UNITED STATES**Phone:** (727) 531-1111**Fax:** (727) 531-5088**Correspondent e-mail:** ellislaw@alum.mit.edu**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Oct. 05, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Oct. 05, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Sep. 21, 2009	TEAS SECTION 8 & 15 RECEIVED	
Sep. 21, 2004	REGISTERED-PRINCIPAL REGISTER	
Jun. 29, 2004	PUBLISHED FOR OPPOSITION	
Jun. 09, 2004	NOTICE OF PUBLICATION	
Apr. 26, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 21, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 08, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 08, 2004	PAPER RECEIVED	
Nov. 20, 2003	NON-FINAL ACTION MAILED	
Nov. 18, 2003	ASSIGNED TO EXAMINER	74887

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** TMO LAW OFFICE 110**Date in Location:** Oct. 05, 2009

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Mark: SUPER PROSTATE FORMULA

SUPER PROSTATE FORMULA

US Serial Number: 76517485 Application Filing Date: May 16, 2003
US Registration Number: 3185176 Registration Date: Dec. 19, 2006
Register: Principal
Mark Type: Trademark
Date Amended to Current Register: May 07, 2004
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Jan. 03, 2013
Publication Date: Jun. 28, 2005

Mark Information

Mark Literal Elements: SUPER PROSTATE FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "PROSTATE FORMULA"
Acquired Distinctiveness Claim: In whole

Goods and Services

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

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

For: DIETARY SUPPLEMENT CONTAINING A CONCENTRATED FORMULATION OF BETA SITOSTEROL FOR PROSTATE HEALTH

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 18, 1996

Use in Commerce: Jul. 18, 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PHYSICIAN'S CHOICE, INC.
Owner Address: 101 Mattie M. Kelly Blvd.
Destin, FLORIDA 32541
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Rakesh M. Amin Docket Number: SUPER PROSTA
Attorney Primary Email Address: trademark@amintalati.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Rakesh M. Amin
 AMIN TALATI, LLC
 55 West Monroe Street
 Suite 3400
 CHICAGO, ILLINOIS 60603
 UNITED STATES

Phone: 312.327.3328

Fax: 312.884.7352

Correspondent e-mail: trademark@amintalati.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 03, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jan. 03, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Jan. 03, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Dec. 04, 2012	TEAS SECTION 8 & 15 RECEIVED	
May 24, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 19, 2006	REGISTERED-PRINCIPAL REGISTER	
Nov. 01, 2006	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jul. 27, 2005	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jun. 28, 2005	PUBLISHED FOR OPPOSITION	
Jun. 08, 2005	NOTICE OF PUBLICATION	
Mar. 14, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Mar. 11, 2005	ASSIGNED TO LIE	77075
Mar. 10, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 10, 2005	AMENDMENT FROM APPLICANT ENTERED	77075
Feb. 09, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	77075
Feb. 09, 2005	PAPER RECEIVED	
Dec. 02, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jun. 01, 2004	LETTER OF SUSPENSION MAILED	
May 07, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 07, 2004	PAPER RECEIVED	
Feb. 02, 2004	NON-FINAL ACTION MAILED	
Nov. 10, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 10, 2003	PAPER RECEIVED	
Oct. 31, 2003	NON-FINAL ACTION MAILED	
Oct. 28, 2003	ASSIGNED TO EXAMINER	72508

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information**TM Staff Information - None**
File Location

Current Location: TMO LAW OFFICE 115

Date in Location: Jan. 03, 2013

Proceedings**Summary**

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [76517485](#)

Filing Date: Jul 27, 2005

Status: Terminated

Status Date: Jan 09, 2006

Interlocutory Attorney:

Defendant

Name: PHYSICIAN'S CHOICE, INC.

Correspondent Address: MYRON AMER
MYRON AMER, P.C.
114 OLD COUNTRY ROAD, SUITE 310
MINEOLA NY , 11501
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
SUPER PROSTATE FORMULA	Section 8 and 15 - Accepted and Acknowledged	76517485	3185176

Potential Opposer(s)

Name: Real Health Laboratories, Inc.

Correspondent Address: Carol Anne Been
Sonnenschein Nath & Rosenthal LLP
P.O. Box #061080Wacker Drive Station, Sears Tower
Chicago IL , 60606-1080
UNITED STATES

Correspondent e-mail: cbeen@sonnenschein.com , mrichter@sonnenschein.com , pmcbride@sonnenschein.com , trademarks@sonnenschein.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jul 27, 2005	
2	EXTENSION OF TIME GRANTED	Jul 27, 2005	
3	INCOMING - EXT TIME TO OPPOSE FILED	Oct 21, 2005	
4	EXTENSION OF TIME GRANTED	Oct 21, 2005	
5	TERMINATED	Feb 08, 2006	

SALT LAKE CITY, UTAH 84111
UNITED STATES

Phone: (801) 415-3000 or (801) 7

Fax: (801) 415-3500

Correspondent e-mail: tjones@djplaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 27, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Jun. 24, 2009	TEAS SECTION 8 & 15 RECEIVED	
Sep. 18, 2007	REVIEW OF CORRESPONDENCE COMPLETE	61619
Jun. 07, 2007	PAPER RECEIVED	
Jun. 15, 2004	REGISTERED-PRINCIPAL REGISTER	
Mar. 23, 2004	PUBLISHED FOR OPPOSITION	
Mar. 03, 2004	NOTICE OF PUBLICATION	
Jan. 21, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 21, 2004	ASSIGNED TO EXAMINER	77300

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jul. 27, 2009

Name/Address: 8 Bowers Road PO Box 325
Derry, NEW HAMPSHIRE 03038
UNITED STATES

Phone: 603-432-5022

Fax: 603-432-6254

Correspondent e-mail: elsa@biosan.net

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 01, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 19, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 19, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Apr. 18, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Mar. 29, 2012	TEAS SECTION 8 & 15 RECEIVED	
Mar. 29, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 14, 2007	CERTIFICATE OF CORRECTION ISSUED	
Mar. 07, 2007	ASSIGNED TO PARALEGAL	61619
Feb. 07, 2007	SEC 7 REQUEST FILED	
Feb. 07, 2007	PAPER RECEIVED	
Oct. 17, 2006	REGISTERED-PRINCIPAL REGISTER	
Sep. 01, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	70997
Sep. 01, 2006	ASSIGNED TO LIE	70997
Jul. 21, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 17, 2006	STATEMENT OF USE PROCESSING COMPLETE	64657
Jun. 23, 2006	USE AMENDMENT FILED	64657
Jun. 23, 2006	TEAS STATEMENT OF USE RECEIVED	
Apr. 25, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 31, 2006	PUBLISHED FOR OPPOSITION	
Jan. 11, 2006	NOTICE OF PUBLICATION	
Dec. 19, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	65864
Dec. 19, 2005	ASSIGNED TO LIE	65864
Dec. 10, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 29, 2005	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 29, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 29, 2005	EXAMINERS AMENDMENT -WRITTEN	76071
Oct. 07, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Sep. 23, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Sep. 23, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 23, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 21, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 25, 2005	NON-FINAL ACTION E-MAILED	6325
Mar. 25, 2005	NON-FINAL ACTION WRITTEN	76071
Mar. 10, 2005	PETITION TO REVIVE-GRANTED	66303
Nov. 05, 2004	PETITION TO REVIVE-RECEIVED	
Nov. 05, 2004	PAPER RECEIVED	
Sep. 06, 2004	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
May 27, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 10, 2004	NON-FINAL ACTION E-MAILED	
Dec. 30, 2003	ASSIGNED TO EXAMINER	76071

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Change in Registration: Yes

Correction made to Registration: In the statement, Column 1, lines 1 and 2, "New Hampshire" should be deleted, and, "Delaware" should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 117

Date in Location: Apr. 19, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Bio San Laboratories, Inc.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [4829/0015](#)

Pages: 4

Date Recorded: Jul. 25, 2012

Supporting Documents: [assignment-tm-4829-0015.pdf](#)

Assignor

Name: [BIOSAN LABORATORIES, INC.](#)

Execution Date: Jun. 01, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [FOODSTATE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 8 BOWERS ROAD
DERRY, NEW HAMPSHIRE 03038

Correspondent

Correspondent Name: DOUGLAS G. VERGE

Correspondent Address: 1000 ELM STREET, PO BOX 3701
SHEEHAN PHINNEY BASS + GREEN PA
MANCHESTER, NH 03105-3701

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-14 19:04:50 EST

Mark: 3-IN-1 JOINT FORMULA

3-IN-1 JOINT FORMULA

US Serial Number: 76537870

Application Filing Date: Aug. 15, 2003

US Registration Number: 2921822

Registration Date: Jan. 25, 2005

Register: Supplemental

Mark Type: Trademark

Date Amended to Current Register: Aug. 19, 2004

Register:

Status: A Section 8 declaration has been accepted.

Status Date: Jan. 13, 2011

Mark Information

Mark Literal Elements: 3-IN-1 JOINT FORMULA

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

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

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

For: VITAMINS; NUTRITIONAL SUPPLEMENTS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2002

Use in Commerce: Jan. 01, 2002

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Primary Investments Group Limited

Owner Address: TrustNet Limited
P.O. Box 3444 Road Town
Tortola
VIRGIN ISLANDS, BRITISH

Legal Entity Type: CORPORATION

State or Country Where Organized: VIRGIN ISLANDS, BRITISH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: THOMAS W. COOK

Docket Number: PRIM-101

Attorney Primary Email Address: tom@thomascooklaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: THOMAS W. COOK
Thomas Cook Intellectual Property Attorneys
P.O. BOX 1989

SAUSALITO, CALIFORNIA 94965
UNITED STATES

Phone: 415-339-8550

Fax: 415-339-8555

Correspondent e-mail: tom@thomascooklaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative Name: THOMAS W. COOK

Phone: 415-339-8550

Fax: 415-339-8555

Prosecution History

Date	Description	Proceeding Number
Jan. 13, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED	74886
Jan. 07, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Dec. 14, 2010	TEAS SECTION 8 RECEIVED	
Jan. 25, 2005	REGISTERED-SUPPLEMENTAL REGISTER	
Nov. 26, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	71906
Nov. 10, 2004	ASSIGNED TO LIE	71906
Nov. 03, 2004	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Nov. 03, 2004	USE AMENDMENT ACCEPTED	
Sep. 24, 2004	AMENDMENT FROM APPLICANT ENTERED	77075
Aug. 19, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	77075
Sep. 24, 2004	AMENDMENT TO USE PROCESSING COMPLETE	
Aug. 19, 2004	USE AMENDMENT FILED	
Aug. 19, 2004	PAPER RECEIVED	
Mar. 04, 2004	NON-FINAL ACTION MAILED	
Mar. 03, 2004	ASSIGNED TO EXAMINER	77868

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 115

Date in Location: Jan. 13, 2011

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Mark: DOUBLE DEERS FORMULA



US Serial Number: 76538011

Application Filing Date: Aug. 06, 2003

US Registration Number: 3745628

Registration Date: Feb. 09, 2010

Register: Principal

Mark Type: Trademark

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

Status Date: Feb. 09, 2010

Publication Date: Nov. 24, 2009

Mark Information

Mark Literal Elements: DOUBLE DEERS FORMULA

Standard Character Claim: No

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

Disclaimer: "FORMULA" AND THE NON-LATIN CHARACTERS THAT MEAN "LANZHOU", "HERBAL MEDICINE", AND "GLOSSY GANODERMA"

Translation: The non-Latin characters in the mark transliterate to "LAN ZHOU", "ZHONG YUE", "SHUANG LU", and "LING ZHI", and this means "the capital of Ganshu Province, China", "herbal medicine, or alternative medicine", "double deer", and "glossy ganoderma", respectively in English.

Design Search Code(s): 03.07.07 - Gazelle; Fawns; Caribou; Deer, elk, reindeer, fawns, antelopes, moose, gazelles; Impala
26.01.02 - Plain single line circles; Circles, plain single line
26.01.17 - Concentric circles, two; Circles, two concentric; Two concentric circles
26.01.21 - Circles that are totally or partially shaded.
28.01.03 - Japanese characters; Chinese characters; Asian characters

Goods and Services

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

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

For: Natural herbal supplements; herbal teas for medicinal purposes; food for medically restricted diets

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 02, 1998

Use in Commerce: Aug. 02, 1998

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: T.Y. NG, Franklin

Owner Address: 66 John Street
Brooklyn, NEW YORK 11201
UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kenneth Cang Li

Docket Number: CLLJ-ITUTM-0

Correspondent

Correspondent Name/Address: KENNETH CANG LI
LIN & LI, LLC
65 BROADWAY STE 801/802
NEW YORK, NEW YORK 10006
UNITED STATES

Phone: (212) 430-6810

Fax: (212) 430-6815

Domestic Representative

Domestic Representative Name: Lin & Li, LLC

Phone: (212) 430-6810

Fax: (212) 430-6815

Prosecution History

Date	Description	Proceeding Number
Feb. 09, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 24, 2009	PUBLISHED FOR OPPOSITION	
Nov. 04, 2009	NOTICE OF PUBLICATION	
Oct. 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Oct. 20, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 15, 2009	EXAMINERS AMENDMENT MAILED	
Oct. 15, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 15, 2009	EXAMINERS AMENDMENT -WRITTEN	85321
Apr. 14, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	67215
Oct. 14, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Oct. 01, 2008	ASSIGNED TO EXAMINER	85321
Apr. 10, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Mar. 31, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	67215
Mar. 28, 2008	ASSIGNED TO LIE	67215
Sep. 25, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	69350
Sep. 25, 2007	ASSIGNED TO LIE	69350
Feb. 16, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70824
Feb. 16, 2007	ASSIGNED TO LIE	70824
Aug. 04, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77975
Jan. 20, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77975
Jun. 01, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 23, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76532
May 04, 2004	LETTER OF SUSPENSION MAILED	
Mar. 23, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 23, 2004	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 04, 2004	NON-FINAL ACTION MAILED	
Feb. 25, 2004	ASSIGNED TO EXAMINER	76926

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 09, 2010

Generated on: This page was generated by TSDR on 2014-02-14 19:05:06 EST

Mark: LEWIS LABS DOG FORMULA

LEWIS LABS DOG FORMULA

US Serial Number: 76541334
US Registration Number: 2896868
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Nov. 17, 2009
Publication Date: Aug. 03, 2004

Application Filing Date: Aug. 15, 2003
Registration Date: Oct. 26, 2004

Mark Information

Mark Literal Elements: LEWIS LABS DOG FORMULA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: LABS DOG FORMULA

Related Properties Information

Claimed Ownership of US Registrations: 2750141 and others

Goods and Services

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

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

For: Nutritional supplements for dogs

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: 1981
Use in Commerce: 1981

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Lewis Laboratories International, Ltd.

Owner Address: 49 Richmondville Avenue
Westport, CONNECTICUT 06880
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Barry R. Lipsitz
Attorney Primary Email Address: info@patlawfirm.com
Docket Number: LLI-127
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Barry R. Lipsitz
Lipsitz & McAllister, LLC
755 Main Street
Building 8
MONROE, CONNECTICUT 06468
UNITED STATES

Phone: (203) 459-0200

Fax: (203) 459-0201

Correspondent e-mail: info@patlawfirm.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 17, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Nov. 17, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Nov. 04, 2009	TEAS SECTION 8 & 15 RECEIVED	
Oct. 26, 2004	REGISTERED-PRINCIPAL REGISTER	
Aug. 03, 2004	PUBLISHED FOR OPPOSITION	
Jul. 14, 2004	NOTICE OF PUBLICATION	
May 27, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 14, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 14, 2004	PAPER RECEIVED	
Mar. 04, 2004	NON-FINAL ACTION MAILED	
Mar. 03, 2004	ASSIGNED TO EXAMINER	78484

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Nov. 17, 2009

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Mark: RALPH PLANTWAGON NUTRITIONAL FORMULAS

RALPH PLANTWAGON NUTRITIONAL FORMULAS

US Serial Number: 76544077

Application Filing Date: Aug. 29, 2003

US Registration Number: 2916987

Registration Date: Jan. 11, 2005

Register: Principal

Mark Type: Trademark

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

Status Date: Jan. 11, 2005

Publication Date: Oct. 19, 2004

Mark Information

Mark Literal Elements: RALPH PLANTWAGON NUTRITIONAL FORMULAS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "NUTRITIONAL FORMULAS"

Name Portrait Consent: The name "Ralph Plantwagon" does not identify a particular living individual.

Goods and Services

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

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

For: Nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 06, 2003

Use in Commerce: Jun. 06, 2003

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: The Free Daist International Health andResearch Institute

Owner Address: 11370 Loch Lomond Road
Middletown, CALIFORNIA 95461
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: William J. Arnone, Jr.

Attorney Primary Email Address: firm@majlaw.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: WILLIAM J ARNONE JR
MERRILL, ARNONE & JONES, LLP
3554 ROUND BARN BLVD #303

SANTA ROSA, CALIFORNIA 95403
UNITED STATES

Phone: (707) 528-2882

Fax: (707) 528-6015

Correspondent e-mail: firm@majlaw.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 11, 2005	REGISTERED-PRINCIPAL REGISTER	
Oct. 19, 2004	PUBLISHED FOR OPPOSITION	
Sep. 29, 2004	NOTICE OF PUBLICATION	
Aug. 16, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	77975
Jul. 30, 2004	ASSIGNED TO LIE	77975
Jul. 29, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 29, 2004	EXAMINERS AMENDMENT MAILED	
Jul. 06, 2004	AMENDMENT FROM APPLICANT ENTERED	78287
Jul. 06, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	78287
Jul. 06, 2004	PAPER RECEIVED	
Mar. 23, 2004	NON-FINAL ACTION MAILED	
Mar. 22, 2004	ASSIGNED TO EXAMINER	73717

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 11, 2005

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Mark: GOLD FORMULA

GOLD FORMULA

US Serial Number: 76587707 **Application Filing Date:** Apr. 16, 2004
US Registration Number: 2941480 **Registration Date:** Apr. 19, 2005
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: May 09, 2011
Publication Date: Jan. 25, 2005

Mark Information

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

Goods and Services

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

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

For: vitamins and nutritional supplements
International Class(es): 005 - Primary Class **U.S Class(es):** 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 1994 **Use in Commerce:** Jun. 1995

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Benard Industries, Inc.
Owner Address: 10860 N.W. 27 St.
Miami, FLORIDA 33172
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** FLORIDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John Cyril Malloy, III **Docket Number:** 8.696.11

Correspondent

Correspondent Name/Address: John Cyril Malloy, III
MALLOY & MALLOY, P.A.
2800 S.W. 3RD AVENUE
HISTORIC CORAL WAY
MIAMI, FLORIDA 33129

UNITED STATES

Phone: (305) 858-8000

Fax: (305) 858-0008

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 09, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
May 09, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Apr. 19, 2011	TEAS SECTION 8 & 15 RECEIVED	
Apr. 19, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Apr. 19, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 19, 2005	REGISTERED-PRINCIPAL REGISTER	
Jan. 25, 2005	PUBLISHED FOR OPPOSITION	
Jan. 05, 2005	NOTICE OF PUBLICATION	
Nov. 24, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
Nov. 19, 2004	ASSIGNED TO LIE	68658
Nov. 18, 2004	EXAMINERS AMENDMENT MAILED	
Nov. 17, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 17, 2004	EXAMINERS AMENDMENT -WRITTEN	76076
Nov. 15, 2004	EXAMINER'S AMENDMENT AND/OR PRIORITY ACTION MAILED	
Nov. 12, 2004	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	76076
Nov. 08, 2004	ASSIGNED TO EXAMINER	76076
Oct. 22, 2004	PAPER RECEIVED	
May 11, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 103

Date in Location: May 09, 2011

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Mark: 2-DAY FAST FORMULA

2-DAY FAST FORMULA

US Serial Number: 76617850

Application Filing Date: Oct. 26, 2004

US Registration Number: 3074833

Registration Date: Mar. 28, 2006

Register: Supplemental

Mark Type: Trademark

Date Amended to Current Register: Feb. 03, 2006

Register:

Status: A Section 8 declaration has been accepted.

Status Date: Mar. 30, 2011

Mark Information

Mark Literal Elements: 2-DAY FAST FORMULA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FORMULA"

Goods and Services

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

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

For: nutritional drink mix for use as meal replacement; powdered nutritional supplement drink mix; soy protein for use as a nutritional ingredient in various powdered and ready to drink beverages

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 09, 2004

Use in Commerce: Jul. 09, 2004

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: BEACHBODY, LLC

Owner Address: THIRD FLOOR 3301 EXPOSITION BLVD.
SANTA MONICA, CALIFORNIA 90404
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Camille M. Miller

Docket Number: PP0082/12716

Attorney Primary Email Address: cmiller@cozen.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: CAMILLE M. MILLER
COZEN O'CONNOR, P.C.
1900 MARKET STREET

PHILADELPHIA, PENNSYLVANIA 19103
UNITED STATES

Phone: (215) 665-2000

Correspondent e-mail: cmiller@cozen.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 30, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED	74886
Mar. 30, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Mar. 29, 2011	TEAS SECTION 8 RECEIVED	
Oct. 06, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 11, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 11, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 28, 2006	REGISTERED-SUPPLEMENTAL REGISTER	
Feb. 16, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Feb. 10, 2006	ASSIGNED TO LIE	71441
Feb. 07, 2006	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Feb. 06, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 03, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 03, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 31, 2006	FINAL REFUSAL MAILED	
Jan. 30, 2006	FINAL REFUSAL WRITTEN	76741
Dec. 21, 2005	AMENDMENT FROM APPLICANT ENTERED	71441
Dec. 05, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	71441
Dec. 05, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 10, 2005	NON-FINAL ACTION MAILED	
Jun. 09, 2005	NON-FINAL ACTION WRITTEN	76741
Jun. 01, 2005	ASSIGNED TO EXAMINER	76741
Nov. 05, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 114

Date in Location: Mar. 30, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Product Partners, LLC

Assignment 1 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [4288/0214](#)

Pages: 9

Date Recorded: Oct. 01, 2010

Supporting Documents: [assignment-tm-4288-0214.pdf](#)

Assignor

Name: [PRODUCT PARTNERS, LLC](#)

Execution Date: Sep. 23, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [BEACHBODY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 3301 EXPOSITION BOULEVARD
THIRD FLOOR
SANTA MONICA, CALIFORNIA 90404

Correspondent

Correspondent Name: CAMILLE M. MILLER

Correspondent Address: 1900 MARKET STREET
COZEN O'CONNOR, P.C.
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [4944/0976](#)

Pages: 13

Date Recorded: Jan. 18, 2013

Supporting Documents: [assignment-tm-4944-0976.pdf](#)

Assignor

Name: [BEACHBODY, LLC](#)

Execution Date: Nov. 29, 2012

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [BEACHBODY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: THIRD FLOOR 3301 EXPOSITION BLVD.
SANTA MONICA, CALIFORNIA 90404

Correspondent

Correspondent Name: CAMILLE M. MILLER

Correspondent Address: IP DEPARTMENT
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

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Mark: CELLULAR RESEARCH FORMULAS

CELLULAR RESEARCH FORMULAS

US Serial Number: 76620281
Application Filing Date: Nov. 12, 2004
US Registration Number: 3074837
Registration Date: Mar. 28, 2006
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Dec. 30, 2005
Status: A Section 8 declaration has been accepted.
Status Date: Apr. 11, 2012

Mark Information

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

Goods and Services

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

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

For: VITAMINS AND NUTRITIONAL SUPPLEMENTS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 15, 2004

Use in Commerce: Sep. 15, 2004

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Primary Investments Group Limited
Owner Address: P. O. Box 3444
c/o TrustNet Chambers
Road Town, Tortola
VIRGIN ISLANDS, BRITISH
Legal Entity Type: CORPORATION
State or Country Where Organized: VIRGIN ISLANDS, BRITISH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas W. Cook
Docket Number: PRIM-1/CELLU
Attorney Primary Email Address: tom@thomascooklaw.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Thomas W. Cook
Thomas Cook Intellectual Property Attorneys
P. O. Box 1989
SAUSALITO, CALIFORNIA 94966

UNITED STATES

Phone: 415-339-8550

Fax: 415-339-8555

Correspondent e-mail: tom@thomascooklaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative Name: THOMAS W. COOK

Phone: 415-339-8550

Prosecution History

Date	Description	Proceeding Number
Apr. 11, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Apr. 11, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED	68973
Apr. 11, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Mar. 20, 2012	TEAS SECTION 8 RECEIVED	
Mar. 28, 2006	REGISTERED-SUPPLEMENTAL REGISTER	
Feb. 11, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76985
Feb. 03, 2006	ASSIGNED TO LIE	76985
Jan. 26, 2006	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jan. 26, 2006	USE AMENDMENT ACCEPTED	68365
Jan. 19, 2006	AMENDMENT FROM APPLICANT ENTERED	67215
Dec. 30, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Jan. 17, 2006	AMENDMENT TO USE PROCESSING COMPLETE	77978
Dec. 20, 2005	USE AMENDMENT FILED	77978
Dec. 30, 2005	PAPER RECEIVED	
Dec. 20, 2005	TEAS AMENDMENT OF USE RECEIVED	
Jun. 22, 2005	NON-FINAL ACTION MAILED	
Jun. 22, 2005	NON-FINAL ACTION WRITTEN	68365
Jun. 18, 2005	ASSIGNED TO EXAMINER	68365
Nov. 24, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 109

Date in Location: Apr. 11, 2012

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Mark: AL'S FORMULA

AL'S FORMULA

US Serial Number: 76694794

Application Filing Date: Dec. 15, 2008

US Registration Number: 3649177

Registration Date: Jul. 07, 2009

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 07, 2009

Publication Date: Apr. 21, 2009

Mark Information

Mark Literal Elements: AL'S FORMULA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FORMULA"

Goods and Services

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

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

For: Dietary Supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 24, 1997

Use in Commerce: Jan. 24, 1997

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Thorne Research, Inc.

Owner Address: P. O. Box 25
Dover, IDAHO 83825
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kim R. Pearson

Attorney Primary Email Address: kpearson@thorne.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Kim R. Pearson
25820 Highway 2 West
Dover, IDAHO 83825
UNITED STATES

Phone: 208-263-1337

Fax: 208-265-2488

Correspondent e-mail: kpearson@thorne.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 09, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 09, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 07, 2009	REGISTERED-PRINCIPAL REGISTER	
Apr. 21, 2009	PUBLISHED FOR OPPOSITION	
Apr. 01, 2009	NOTICE OF PUBLICATION	
Mar. 18, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76985
Mar. 18, 2009	ASSIGNED TO LIE	76985
Mar. 16, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 16, 2009	EXAMINER'S AMENDMENT ENTERED	76985
Mar. 16, 2009	EXAMINER'S AMENDMENT MAILED	
Mar. 16, 2009	ASSIGNED TO LIE	65581
Mar. 16, 2009	EXAMINERS AMENDMENT -WRITTEN	81853
Mar. 11, 2009	ASSIGNED TO EXAMINER	81853
Dec. 23, 2008	APPLICATION FILING RECEIPT MAILED	
Dec. 19, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 07, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Thorne Research, Inc.

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [4230/0886](#)

Pages: 24

Date Recorded: Jun. 24, 2010

Supporting Documents: [assignment-tm-4230-0886.pdf](#)

Assignor

Name: [THORNE RESEARCH, INC.](#)

Execution Date: Jun. 23, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Name: [SOUND NUTRITION, INC.](#)

Execution Date: Jun. 23, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: IDAHO

Assignee

Name: [HIGHPOINT CAPITAL FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 24 FEDERAL STREET, 9TH FLOOR
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: CHRISTINE SLATTERY

Correspondent Address: PROSKAUER ROSE LLP
ONE INTERNATIONAL PLACE
BOSTON, MA 02110

Domestic Representative - Not Found

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Mark: OPTIC NERVE FORMULA

OPTIC NERVE FORMULA

US Serial Number: 76696177

Application Filing Date: Mar. 06, 2009

US Registration Number: 3703911

Registration Date: Nov. 03, 2009

Register: Principal

Mark Type: Trademark

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

Status Date: Nov. 03, 2009

Publication Date: Aug. 18, 2009

Mark Information

Mark Literal Elements: OPTIC NERVE FORMULA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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

Disclaimer: "FORMULA"

Acquired Distinctiveness Claim: In whole

Goods and Services

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

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

For: NUTRITIONAL SUPPLEMENTS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 29, 1998

Use in Commerce: Oct. 29, 1998

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: SBH Holdings LLC

Owner Address: 500 Century Plaza Drive, Suite 100
Houston, TEXAS 77073
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas M. Freiburger

Correspondent

Correspondent Name/Address: THOMAS M. FREIBURGER
LAW OFFICES OF THOMAS M. FREIBURGER
P.O. Box 1026

Tiburon, CALIFORNIA 94920
UNITED STATES

Phone: 415-435-0240

Fax: (415) 435-0242

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 03, 2009	REGISTERED-PRINCIPAL REGISTER	
Aug. 18, 2009	PUBLISHED FOR OPPOSITION	
Jul. 29, 2009	NOTICE OF PUBLICATION	
Jul. 13, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Jul. 06, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 06, 2009	AMENDMENT FROM APPLICANT ENTERED	70884
Jul. 06, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Jul. 06, 2009	ASSIGNED TO LIE	70884
Jun. 26, 2009	PAPER RECEIVED	
Jun. 01, 2009	NON-FINAL ACTION MAILED	
May 30, 2009	NON-FINAL ACTION WRITTEN	67659
May 29, 2009	ASSIGNED TO EXAMINER	67659
Mar. 20, 2009	APPLICATION FILING RECEIPT MAILED	
Mar. 16, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 03, 2009

Generated on: This page was generated by TSDR on 2014-02-14 18:22:02 EST

Mark: OXITRIM CELLULAR WEIGHT-REDUCTION FORMULA



US Serial Number: 77012888
US Registration Number: 3402398
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 25, 2008
Publication Date: Jun. 19, 2007

Application Filing Date: Oct. 03, 2006
Registration Date: Mar. 25, 2008
Currently TEAS Plus: Yes
Notice of Allowance Date: Dec. 18, 2007

Mark Information

Mark Literal Elements: OXITRIM CELLULAR WEIGHT-REDUCTION FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of an abstract design with a person and the stylized text of the wording "OXITRIM Cellular Weight-Reduction Formula".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Lining and Stippling Statement: The stippling is for shading purposes only.
Disclaimer: "CELLULAR WEIGHT REDUCTION FORMULA"
Design Search Code(s): 01.09.05 - Atomic models; Molecular models
02.01.02 - Silhouettes of men; Men depicted as shadows or silhouettes of men
02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures
26.03.21 - Ovals that are completely or partially shaded
26.11.26 - Oblongs as carriers for words, letters or designs

Goods and Services

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

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

For: Dietary supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 31, 2007
Use in Commerce: Mar. 31, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: TNB CENTURY

Owner Address: 90 CHURCH STREET
SUITE# 3376
NEW YORK, NEW YORK 10008
UNITED STATES

Legal Entity Type: INC. ASSOCIATION

State or Country Where Organized: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: THE SCIENTIFIC ADVANTAGE,LLC
24 Allan St.
Diego Martin
TRINIDAD AND TOBAGO

Phone: 1.868.789.8369

Fax: 1.868.632.9281

Correspondent e-mail: thescientificadvantage@yahoo.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 14, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 25, 2008	REGISTERED-PRINCIPAL REGISTER	
Feb. 19, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	76537
Feb. 19, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 15, 2008	STATEMENT OF USE PROCESSING COMPLETE	66154
Jan. 29, 2008	USE AMENDMENT FILED	66154
Jan. 29, 2008	TEAS STATEMENT OF USE RECEIVED	
Jan. 16, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 18, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 05, 2007	ASSIGNED TO EXAMINER	81861
Nov. 02, 2007	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jul. 19, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jun. 19, 2007	PUBLISHED FOR OPPOSITION	
May 30, 2007	NOTICE OF PUBLICATION	
Apr. 16, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76537
Apr. 16, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 04, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	76537
Apr. 04, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	76537
Apr. 04, 2007	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION ENTERED	76537
Apr. 04, 2007	ASSIGNED TO LIE	76537
Mar. 01, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 12, 2007	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Feb. 12, 2007	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	81101
Feb. 12, 2007	ASSIGNED TO EXAMINER	81101
Oct. 07, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 06, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 19, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: The Scientific Advantage, LLC

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4182/0933](#)

Pages: 3

Date Recorded: Apr. 09, 2010

Supporting Documents: [assignment-tm-4182-0933.pdf](#)**Assignor**Name: [THE SCIENTIFIC ADVANTAGE](#)

Execution Date: Apr. 06, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: UNITED STATES

AssigneeName: [TNB CENTURY](#)

Legal Entity Type: INC. ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 90 CHURCH STREET
SUITE# 3376
NEW YORK, NEW YORK 10008**Correspondent**

Correspondent Name: RICARDO MOREAU

Correspondent Address: 24 ALLAN ST.
DIEGO MARTIN, TRINIDAD/TOBAGO

Domestic Representative - Not Found

Proceedings**Summary**

Number of Proceedings: 1

Type of Proceeding: Extension of TimeProceeding Number: [77012888](#)

Filing Date: Jul 19, 2007

Status: Terminated

Status Date: Nov 02, 2007

Interlocutory Attorney:

Defendant

Name: The Scientific Advantage, LLC

Correspondent Address: THE SCIENTIFIC ADVANTAGE, LLC
2533 N CARSON ST STE 1719
CARSON CITY NV , 89706-0147
UNITED STATES**Associated marks**

Mark	Application Status	Serial Number	Registration Number
OXITRIM CELLULAR WEIGHT-REDUCTION FORMULA	Registered	77012888	3402398

Potential Opposer(s)

Name: Societe des Produits Nestle S.A.

Correspondent Address: Nancy Sabarra
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza
New York NY , 10017
UNITED STATESCorrespondent e-mail: nsabarra@frosszelnick.com , mengelmann@frosszelnick.com , fzlj@frosszelnick.com**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jul 19, 2007	
2	EXTENSION OF TIME GRANTED	Jul 19, 2007	

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Mark: ADVANCED LONGEVITY FORMULA

ADVANCED LONGEVITY FORMULA

US Serial Number: 77020587
Application Filing Date: Oct. 13, 2006
US Registration Number: 3294541
Registration Date: Sep. 18, 2007
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 18, 2007
Publication Date: Mar. 06, 2007
Notice of Allowance Date: May 29, 2007

Mark Information

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

Goods and Services

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

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

For: vitamins and dietary, mineral and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 12, 2007
Use in Commerce: Feb. 12, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Vitamin Shoppe Industries Inc.
Owner Address: 2101 91st Street
North Bergen, NEW JERSEY 07047
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Todd Braverman, Esq.
Attorney Primary Email Address: trademarks@poczlaw.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Todd Braverman, Esq.
Pearl Cohen Zedek Latzer LLP

1500 Broadway, 12th Floor
New York, NEW YORK 10036
UNITED STATES

Phone: (646) 878-0820

Fax: (646) 878-0801

Correspondent e-mail: trademarks@pczl.com

Correspondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative Name: Todd Braverman, Esq.

Phone: (646) 878-0820

Fax: (646) 878-0801

Domestic Representative e-mail: trademarks@pczl.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Mar. 02, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 21, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 21, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 18, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 18, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 28, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 21, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 18, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 10, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	70997
Aug. 09, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 09, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 09, 2007	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	
Aug. 09, 2007	EXAMINERS AMENDMENT E-MAILED	
Aug. 09, 2007	SU-EXAMINER'S AMENDMENT WRITTEN	76507
Aug. 08, 2007	STATEMENT OF USE PROCESSING COMPLETE	76985
Jun. 08, 2007	USE AMENDMENT FILED	76985
Jun. 08, 2007	TEAS STATEMENT OF USE RECEIVED	
May 29, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 06, 2007	PUBLISHED FOR OPPOSITION	
Feb. 14, 2007	NOTICE OF PUBLICATION	
Jan. 16, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Jan. 16, 2007	ASSIGNED TO LIE	70997
Dec. 19, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 2006	ASSIGNED TO EXAMINER	76507
Oct. 17, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 10, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Vitamin Shoppe Industries Inc.

Assignment 1 of 2

Conveyance: SECURITY AGREEMENT

Reel/Frame: [4078/0868](#)

Pages: 39

Date Recorded: Oct. 13, 2009

Supporting Documents: [assignment-tm-4078-0868.pdf](#)

Assignor

Name: [VITAMIN SHOPPE INDUSTRIES INC.](#) **Execution Date:** Sep. 25, 2009
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Assignee

Name: [JPMORGAN CHASE BANK, N.A., AS AGENT](#)
Legal Entity Type: NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** No Place Where Organized Found
Address: 270 PARK AVENUE, 44TH FLOOR
NEW YORK, NEW YORK 10017

Correspondent

Correspondent Name: JULIE H. COOPER
Correspondent Address: C/O VINSON & ELKINS LLP
2001 ROSS AVENUE, SUITE 3700
DALLAS, TEXAS 75201

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY AGREEMENT
Reel/Frame: [4485/0250](#) **Pages:** 12
Date Recorded: Feb. 18, 2011
Supporting Documents: [assignment-tm-4485-0250.pdf](#)

Assignor

Name: [VITAMIN SHOPPE INDUSTRIES INC.](#) **Execution Date:** Jan. 20, 2011
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Name: [VS DIRECT INC.](#) **Execution Date:** Jan. 20, 2011
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [VITAMIN SHOPPE, INC.](#) **Execution Date:** Jan. 20, 2011
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT](#)
Legal Entity Type: NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** DISTRICT OF COLUMBIA
Address: 270 PARK AVENUE, 44TH FLOOR
NEW YORK, NEW YORK 10017

Correspondent

Correspondent Name: JULIE H. COOPER
Correspondent Address: C/O VINSON & ELKINS LLP
2001 ROSS AVENUE, SUITE 3700
DALLAS, TEXAS 75201

Domestic Representative - Not Found

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Mark: CAT IN HEAT COOL FORMULA

CAT IN HEAT COOL FORMULA

US Serial Number: 77053320
Application Filing Date: Nov. 29, 2006
US Registration Number: 3338115
Registration Date: Nov. 20, 2007
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 20, 2007
Publication Date: Sep. 04, 2007

Mark Information

Mark Literal Elements: CAT IN HEAT COOL FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "CAT IN HEAT" and "FORMULA"

Goods and Services

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

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

For: Dietary supplement that calms cats in heat
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 12, 2006
Use in Commerce: Apr. 17, 2006

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Douglas, Herman
Owner Address: 1121 S. Divinity St. 2nd floor
Philadelphia, PENNSYLVANIA 19143
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: HERMAN DOUGLAS
1121 S DIVINITY ST FL 2
PHILADELPHIA, PENNSYLVANIA 19143-4301
UNITED STATES
Phone: 215-726-9219
Correspondent e-mail: hdhorrystown@aol.com
Correspondent e-mail: No

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 20, 2007	REGISTERED-PRINCIPAL REGISTER	
Sep. 04, 2007	PUBLISHED FOR OPPOSITION	
Aug. 15, 2007	NOTICE OF PUBLICATION	
Jul. 30, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
Jul. 27, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 27, 2007	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jul. 16, 2007	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
May 14, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
May 14, 2007	ASSIGNED TO LIE	76539
Apr. 26, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 26, 2007	EXAMINERS AMENDMENT MAILED	
Apr. 26, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 26, 2007	EXAMINERS AMENDMENT -WRITTEN	83706
Apr. 04, 2007	NON-FINAL ACTION MAILED	
Apr. 03, 2007	NON-FINAL ACTION WRITTEN	83706
Mar. 26, 2007	ASSIGNED TO EXAMINER	83706
Dec. 04, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 20, 2007

Correspondent Name/Address: Peter H. Smith
Law Office of Peter H. Smith
3436 Beckwith Road
Modesto, CALIFORNIA 95358
UNITED STATES

Phone: 209-579-9524

Fax: 209-579-9940

Correspondent e-mail: peterhsmith@sbcglobal.net

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 23, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 23, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 27, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 04, 2008	REGISTERED-PRINCIPAL REGISTER	
Sep. 29, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	76539
Sep. 18, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 27, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
Aug. 19, 2008	USE AMENDMENT FILED	70565
Aug. 27, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Aug. 19, 2008	TEAS STATEMENT OF USE RECEIVED	
Apr. 15, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 22, 2008	PUBLISHED FOR OPPOSITION	
Jan. 02, 2008	NOTICE OF PUBLICATION	
Dec. 19, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
Dec. 19, 2007	ASSIGNED TO LIE	76539
Nov. 09, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 06, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 05, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 05, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 11, 2007	NON-FINAL ACTION E-MAILED	6325
Apr. 11, 2007	NON-FINAL ACTION WRITTEN	68181
Apr. 06, 2007	ASSIGNED TO EXAMINER	68181
Dec. 21, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Dec. 20, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 29, 2008

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Mark: HEALTHY & SLIM DAILY GREENS FORMULA

HEALTHY & SLIM
DAILY GREENS FORMULA

US Serial Number: 77063803
Application Filing Date: Dec. 13, 2006
US Registration Number: 3333538
Registration Date: Nov. 13, 2007
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Nov. 19, 2013
Publication Date: Aug. 28, 2007

Mark Information

Mark Literal Elements: HEALTHY & SLIM DAILY GREENS FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "DAILY GREENS FORMULA"

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 05, 2004
Use in Commerce: Feb. 05, 2004

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Aloe Life International, Inc.
Owner Address: 11657 Riverside Dr. #169
Lakeside, CALIFORNIA 92040
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: ALOE LIFE INTERNATIONAL, INC.
11657 Riverside Dr. #169
Lakeside, CALIFORNIA 92040
UNITED STATES

Phone: 619-390-1100

Fax: 619-258-1373

Correspondent e-mail: info@aloelife.com lacie@aloelife.com karen@aloelife.com
life.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 19, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 19, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76985
Nov. 05, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	76985
Nov. 19, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Nov. 05, 2013	TEAS SECTION 8 & 15 RECEIVED	
Nov. 05, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 30, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 30, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 13, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 28, 2007	PUBLISHED FOR OPPOSITION	
Aug. 08, 2007	NOTICE OF PUBLICATION	
May 23, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
May 22, 2007	ASSIGNED TO LIE	70997
May 07, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 03, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 02, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 02, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 25, 2007	NON-FINAL ACTION E-MAILED	6325
Apr. 25, 2007	NON-FINAL ACTION WRITTEN	76151
Apr. 06, 2007	ASSIGNED TO EXAMINER	76151
Dec. 21, 2006	NOTICE OF PSEUDO MARK MAILED	
Dec. 20, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 106

Date in Location: Nov. 19, 2013

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Mark: INTEGRATIVE DIGESTIVE FORMULA

INTEGRATIVE DIGESTIVE
FORMULA

US Serial Number: 77091672
Application Filing Date: Jan. 26, 2007
US Registration Number: 3445977
Registration Date: Jun. 10, 2008
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jun. 10, 2008
Publication Date: Jul. 17, 2007
Notice of Allowance Date: Oct. 09, 2007

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 3085179, 3140497

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: May 31, 2007
Use in Commerce: May 31, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Econugenics, Inc.
Owner Address: 396 Tesconi Court
Santa Rosa, CALIFORNIA 95401
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Steven B. Kelber
Attorney Primary Email Address: Steve@Alchemy-Partners.com

Docket Number: 50011.32.040

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Steven B. Kelber
Alchemy-Partners, PC
5885 Trinity Parkway, Suite 370
Centreville, VIRGINIA 20120
UNITED STATES

Phone: 703-988-6370

Fax: 703-543-0710

Correspondent e-mail: Steve@Alchemy-Partners.com Docket@Alchemy-Partners.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 29, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 29, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 23, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 23, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 17, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 17, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 03, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 03, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 10, 2008	REGISTERED-PRINCIPAL REGISTER	
May 06, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	70633
May 06, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 29, 2008	STATEMENT OF USE PROCESSING COMPLETE	69302
Apr. 08, 2008	USE AMENDMENT FILED	69302
Apr. 08, 2008	TEAS STATEMENT OF USE RECEIVED	
Oct. 09, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 17, 2007	PUBLISHED FOR OPPOSITION	
Jun. 27, 2007	NOTICE OF PUBLICATION	
Jun. 11, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Jun. 09, 2007	ASSIGNED TO LIE	70633
Jun. 06, 2007	ASSIGNED TO LIE	78289
May 16, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 15, 2007	ASSIGNED TO EXAMINER	76076
Jan. 30, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 06, 2008

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Mark: FROM FIELD TO FORMULA

From Field to Formula

US Serial Number: 77103937
US Registration Number: 3375096
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 29, 2008
Publication Date: Nov. 13, 2007

Application Filing Date: Feb. 09, 2007
Registration Date: Jan. 29, 2008
Currently TEAS Plus: Yes

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements; Dietary food supplements; Dietary supplemental drinks; Dietary supplements; Dietary supplements for human consumption; Herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 2006

Use in Commerce: Oct. 2006

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: RFI, LLC
Owner Address: 300 Corporate Drive, Suite 14
Blauvelt, NEW YORK 10913
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Arianna Frankl
Attorney Primary Email Address: afrankl@coleschotz.com
Attorney Email Authorized: Yes

Correspondent

Correspondent: Arianna Frankl

Name/Address: Cole Schotz Meisel Forman & Leonard PA
900 3rd Ave., 16th Fl.
New York, NEW YORK 10022
UNITED STATES

Phone: 646-563-8943

Fax: 646-563-7943

Correspondent e-mail: afrankl@coleschotz.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 13, 2014	TEAS SECTION 8 & 15 RECEIVED	
Jan. 29, 2008	REGISTERED-PRINCIPAL REGISTER	
Nov. 13, 2007	PUBLISHED FOR OPPOSITION	
Oct. 24, 2007	NOTICE OF PUBLICATION	
Oct. 05, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Oct. 04, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 04, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 04, 2007	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 04, 2007	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 04, 2007	EXAMINERS AMENDMENT -WRITTEN	61700
Oct. 03, 2007	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Oct. 01, 2007	WITHDRAWN FROM ISSUE - TQR/NON-ATTY REQUEST	71359
Aug. 07, 2007	PUBLISHED FOR OPPOSITION	
Jul. 18, 2007	NOTICE OF PUBLICATION	
Jul. 05, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Jul. 03, 2007	ASSIGNED TO LIE	67215
May 30, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 30, 2007	ASSIGNED TO EXAMINER	61700
Feb. 15, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 29, 2008

ALEXANDRIA, VIRGINIA 22314-2700
UNITED STATES

Phone: (703)837-9600 Ext. 15

Fax: (703)837-0980

Correspondent e-mail: ddennison@dennisonlaw.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 05, 2008	REGISTERED-PRINCIPAL REGISTER	
Jul. 03, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	76985
Jul. 03, 2008	ASSIGNED TO LIE	76985
Jul. 02, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 01, 2008	STATEMENT OF USE PROCESSING COMPLETE	66230
Jun. 24, 2008	USE AMENDMENT FILED	66230
Jun. 24, 2008	TEAS STATEMENT OF USE RECEIVED	
Feb. 26, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 11, 2008	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Sep. 26, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 06, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 06, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 29, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 29, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 28, 2007	PUBLISHED FOR OPPOSITION	
Aug. 08, 2007	NOTICE OF PUBLICATION	
Jul. 24, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
Jul. 23, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 23, 2007	AMENDMENT FROM APPLICANT ENTERED	76539
Jul. 23, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	76539
Jul. 23, 2007	ASSIGNED TO LIE	76539
Jul. 05, 2007	PAPER RECEIVED	
Jun. 28, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 28, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 21, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 21, 2007	NON-FINAL ACTION E-MAILED	6325
Jun. 21, 2007	NON-FINAL ACTION WRITTEN	73363
Jun. 21, 2007	ASSIGNED TO EXAMINER	73363
Mar. 14, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 03, 2008

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [77127715](#)

Filing Date: Sep 26, 2007

Status: Terminated

Status Date: Jan 11, 2008

Interlocutory Attorney:

Defendant**Name:** Gavey, James E**Correspondent Address:** DONALD L. DENNISON
DENNISON, SCHULTZ & MACDONALD
1727 KING ST STE 105
ALEXANDRIA VA , 22314-2700
UNITED STATES**Associated marks**

Mark	Application Status	Serial Number	Registration Number
THE ULTIMATE DIET FORMULA	Registered	77127715	3481446

Potential Opposer(s)**Name:** Ultimate Nutrition, Inc.**Correspondent Address:** Sarah B. Kickham
Ullman, Shapiro & Ullman, LLP
299 Broadway, Suite 1700
New York NY , 10007
UNITED STATES**Correspondent e-mail:** tms@usulaw.com , sbk@usulaw.com**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Sep 26, 2007	
2	EXTENSION OF TIME GRANTED	Sep 26, 2007	
3	INCOMING - EXT TIME TO OPPOSE FILED	Oct 29, 2007	
4	EXTENSION OF TIME GRANTED	Oct 29, 2007	

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Mark: ESSENTIALS PRENATAL SUPPORT FORMULA FORWOMEN

ESSENTIALS PRENATAL
SUPPORT FORMULA FOR WOMEN

US Serial Number: 77141438
Application Filing Date: Mar. 27, 2007
US Registration Number: 3292428
Registration Date: Sep. 11, 2007
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Jun. 21, 2007
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 11, 2007

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 2657320

Goods and Services

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

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

For: Dietary supplements; Multi-vitamin preparations; Vitamin supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 27, 2007

Use in Commerce: Mar. 27, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Roex, Inc.
Owner Address: 16841 Armstrong Avenue
Irvine, CALIFORNIA 92626
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lindsay J. Hulley

Attorney Primary Email ipdocket@gordonrees.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Lindsay J. Hulley
Gordon & Rees LLP
2211 Michelson Drive
Suite 400
Irvine, CALIFORNIA 92612
UNITED STATES

Phone: (949) 255-6950

Fax: (949) 474-2060

Correspondent e-mail: ipdocket@gordonrees.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 17, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 03, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 03, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 11, 2007	REGISTERED-SUPPLEMENTAL REGISTER	
Aug. 03, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Jul. 23, 2007	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jul. 23, 2007	DATA MODIFICATION COMPLETED	66121
Jun. 29, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Jun. 29, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Jun. 29, 2007	ASSIGNED TO LIE	66121
Jun. 21, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 20, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2007	NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2007	NON-FINAL ACTION WRITTEN	69812
Jun. 13, 2007	ASSIGNED TO EXAMINER	69812
Mar. 30, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 11, 2007

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Mark: SZM FORMULA



US Serial Number: 77154901

Application Filing Date: Apr. 12, 2007

US Registration Number: 3452151

Registration Date: Jun. 24, 2008

Register: Principal

Mark Type: Trademark

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

Status Date: Jun. 24, 2008

Publication Date: Apr. 08, 2008

Mark Information

Mark Literal Elements: SZM FORMULA

Standard Character Claim: No

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

Description of Mark: The mark consists of Stylized letters "SZM FORMULA" and Design.

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

Disclaimer: "FORMULA"

Design Search Code(s): 26.01.13 - Circles, two (not concentric); Two circles
26.01.21 - Circles that are totally or partially shaded.
26.11.21 - Rectangles that are completely or partially shaded
26.17.01 - Bands, straight; Bars, straight; Straight line(s), band(s) or bar(s); Lines, straight
26.17.04 - Bands, vertical; Lines, vertical; Bars, vertical; Vertical line(s), band(s) or bar(s)

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 757285

Foreign Application Filing Date: Oct. 18, 2006

Foreign Registration Number: 757285

Foreign Registration Date: Oct. 18, 2006

Foreign Application/Registration Country: NEW ZEALAND

Foreign Expiration Date: Oct. 18, 2016

Goods and Services

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

- Brackets [...] indicate deleted goods/services;

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

For: Dietary herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: SZM Formula NZ Limited

Owner Address: Kumeu Professional Centre
2 Shamrock Drive, Kumeu
Auckland
NEW ZEALAND

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW ZEALAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carole F. Barrett

Attorney Primary Email Address: trademark@howardrice.com

Docket Number: 40365.0003

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: CAROLE F. BARRETT
HOWARD RICE NEMEROVSKI CANADY FALK & RABKIN
3 EMBARCADERO CTR FL 7
SAN FRANCISCO, CALIFORNIA 94111-4078
UNITED STATES

Phone: 415.434.1600

Fax: 415.765.6094

Correspondent e-mail Authorized: trademark@howardrice.com No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 24, 2008	REGISTERED-PRINCIPAL REGISTER	
Apr. 08, 2008	PUBLISHED FOR OPPOSITION	
Mar. 19, 2008	NOTICE OF PUBLICATION	
Mar. 03, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Mar. 01, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 28, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	67287
Feb. 28, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
Feb. 28, 2008	ASSIGNED TO LIE	67287
Jan. 25, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 27, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 27, 2007	NON-FINAL ACTION E-MAILED	6325
Jul. 27, 2007	NON-FINAL ACTION WRITTEN	76584
Jul. 26, 2007	ASSIGNED TO EXAMINER	76584

Apr. 18, 2007

NOTICE OF DESIGN SEARCH CODE MAILED

Apr. 17, 2007

NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 24, 2008

PO BOX 2567
GRAND RAPIDS, MICHIGAN 49501-2567
UNITED STATES

Phone: 616-949-9610

Fax: 616-957-8196

Correspondent e-mail: ptomail@priceheneveld.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 01, 2008	REGISTERED-PRINCIPAL REGISTER	
Feb. 27, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Feb. 27, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 25, 2008	STATEMENT OF USE PROCESSING COMPLETE	64657
Jan. 30, 2008	USE AMENDMENT FILED	64657
Jan. 30, 2008	PAPER RECEIVED	
Jan. 07, 2008	ASSIGNED TO EXAMINER	81861
Dec. 11, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 18, 2007	PUBLISHED FOR OPPOSITION	
Aug. 29, 2007	NOTICE OF PUBLICATION	
Aug. 14, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Aug. 14, 2007	ASSIGNED TO LIE	68123
Jun. 28, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 28, 2007	EXAMINER'S AMENDMENT MAILED	
Jun. 28, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 28, 2007	EXAMINERS AMENDMENT -WRITTEN	73375
Jun. 24, 2007	ASSIGNED TO EXAMINER	73375
Apr. 30, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 27, 2008

Correspondent

Correspondent Name/Address: Thomas W. Cook
 Thomas Cook IP Attorneys
 3030 BRIDGEWAY
 Suite 425
 SAUSALITO, CALIFORNIA 94965
 UNITED STATES

Phone: 415-339-8550

Fax: 415-339-8555

Correspondent e-mail: thomascoklaw@pacbell.net

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 06, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 31, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	78413
Mar. 31, 2008	ASSIGNED TO LIE	78413
Mar. 19, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 19, 2008	STATEMENT OF USE PROCESSING COMPLETE	76874
Feb. 26, 2008	USE AMENDMENT FILED	76874
Feb. 26, 2008	TEAS STATEMENT OF USE RECEIVED	
Jan. 29, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 06, 2007	PUBLISHED FOR OPPOSITION	
Oct. 17, 2007	NOTICE OF PUBLICATION	
Oct. 02, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76538
Oct. 02, 2007	ASSIGNED TO LIE	76538
Aug. 31, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 31, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 31, 2007	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 31, 2007	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 31, 2007	EXAMINERS AMENDMENT -WRITTEN	80813
Aug. 28, 2007	ASSIGNED TO EXAMINER	80813
Jun. 13, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 31, 2008

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Mark: VITALITY VITAMIN FORMULA

VITALITY VITAMIN FORMULA

US Serial Number: 77213455
Application Filing Date: Jun. 22, 2007
US Registration Number: 3388283
Registration Date: Feb. 26, 2008
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 26, 2008
Publication Date: Dec. 11, 2007

Mark Information

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

Goods and Services

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

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

For: Nutritional supplements; Powdered nutritional supplement drink mix

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 2003

Use in Commerce: Jul. 01, 2003

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Kramer, Dennis Mark
Owner Address: 2308 Camino Vado
Sante Fe, NEW MEXICO 87507
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark Falkin
Attorney Primary Email Address: mark@trademarkfalkin.com
Attorney Email Authorized: No

Correspondent

Correspondent: MARK FALKIN

Name/Address: FALKIN+SACHSE PLLC
4101 MEDICAL PKWY STE 203
AUSTIN, TEXAS 78756-3724
UNITED STATES

Phone: 512-560-4950

Fax: 512-532-6063

Correspondent e-mail: mark@trademarkfalkin.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 26, 2008	REGISTERED-PRINCIPAL REGISTER	
Dec. 11, 2007	PUBLISHED FOR OPPOSITION	
Nov. 21, 2007	NOTICE OF PUBLICATION	
Nov. 02, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Oct. 24, 2007	ASSIGNED TO LIE	70629
Sep. 24, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2007	ASSIGNED TO EXAMINER	76147
Jun. 26, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 26, 2008

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Mark: MOJO ENERGY FORMULA

MOJO ENERGY FORMULA

US Serial Number: 77213472
Application Filing Date: Jun. 22, 2007
US Registration Number: 3388285
Registration Date: Feb. 26, 2008
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 26, 2008
Publication Date: Dec. 11, 2007

Mark Information

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

Goods and Services

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

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

For: Nutritional supplements; Powdered nutritional supplement drink mix

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 05, 2003

Use in Commerce: Jul. 05, 2003

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Kramer, Dennis Mark
Owner Address: 2308 Camino Vado
Santa Fe, NEW MEXICO 87507
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark Falkin
Attorney Primary Email Address: mark@trademarkfalkin.com
Attorney Email Authorized: No

Correspondent

Correspondent: MARK FALKIN

Name/Address: FALKIN+SACHSE PLLC
4101 MEDICAL PKWY STE 203
AUSTIN, TEXAS 78756-3724
UNITED STATES

Phone: 512-560-4950

Fax: 512-532-6063

Correspondent e-mail: mark@trademarkfalkin.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 26, 2008	REGISTERED-PRINCIPAL REGISTER	
Dec. 11, 2007	PUBLISHED FOR OPPOSITION	
Nov. 21, 2007	NOTICE OF PUBLICATION	
Nov. 02, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Oct. 24, 2007	ASSIGNED TO LIE	70629
Sep. 24, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2007	ASSIGNED TO EXAMINER	76147
Jun. 26, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 26, 2008

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Mark: AQUATHIN WEIGHT LOSS/ DRINK FORMULA



US Serial Number: 77233871
Application Filing Date: Jul. 19, 2007
US Registration Number: 3463789
Registration Date: Jul. 08, 2008
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 08, 2008
Publication Date: Feb. 19, 2008
Notice of Allowance Date: May 13, 2008

Mark Information

Mark Literal Elements: AQUATHIN WEIGHT LOSS/ DRINK FORMULA
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM
Description of Mark: The mark consists of the 'aqua' (designed in Md condensed), proceeded by the all upper case 'thin' (designed in light condensed w/ custom character spacing, proceeded by 'weight loss/' (designed in futura bold) and drink formula (designed in futura Md), specially designed/positioned to rest flush with the leg of the 'q' in aqua undeneath the above design.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Lining and Stippling Statement: The stippling is a feature of the mark and does not indicate color.
Disclaimer: "WEIGHT LOSS/DRINK FORMULA"

Goods and Services

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

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

For: Dietary and nutritional supplements; Dietary supplements; Food supplements; Nutraceuticals for use as a dietary supplement; Nutritional supplements; Powdered nutritional supplement drink mix; Vitamin and mineral supplements; Vitamin supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 06, 2007

Use in Commerce: May 19, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: JGG Enterprises, LLC
Owner Address: 228 Rivermist Dr
Buffalo, NEW YORK 14202
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Clifford D. Hyra

Attorney Primary Email Address: CliffordHyra@HyrailP.com

Attorney Email Authorized: Yes

CorrespondentCorrespondent Name/Address: Clifford D. Hyra
HYRA IP, PLC
11710 PLAZA AMERICA DRIVE, SUITE 2000
RESTON, VIRGINIA 20190
UNITED STATES

Phone: 866-913-3499

Fax: 866-913-3501

Correspondent e-mail: CliffordHyra@HyrailP.com
kflanagan@symbus.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Apr. 23, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 01, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 28, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 28, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 08, 2008	REGISTERED-PRINCIPAL REGISTER	
Jun. 02, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	78413
May 31, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 28, 2008	STATEMENT OF USE PROCESSING COMPLETE	76538
May 19, 2008	USE AMENDMENT FILED	76538
May 19, 2008	TEAS STATEMENT OF USE RECEIVED	
May 13, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 19, 2008	PUBLISHED FOR OPPOSITION	
Jan. 30, 2008	NOTICE OF PUBLICATION	
Jan. 14, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78413
Jan. 13, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 21, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	78413
Dec. 21, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	78413
Dec. 21, 2007	ASSIGNED TO LIE	78413
Nov. 10, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 10, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 24, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 24, 2007	NON-FINAL ACTION E-MAILED	6325
Oct. 24, 2007	NON-FINAL ACTION WRITTEN	78484
Oct. 24, 2007	ASSIGNED TO EXAMINER	78484
Jul. 27, 2007	NOTICE OF PSEUDO MARK MAILED	
Jul. 26, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 02, 2008

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Mark: HERBAL ADRENAL SUPPORT FORMULA

Herbal Adrenal Support
Formula

US Serial Number: 77257490

Application Filing Date: Aug. 16, 2007

US Registration Number: 3464750

Registration Date: Jul. 08, 2008

Register: Supplemental

Mark Type: Trademark

Date Amended to Current Register: Aug. 16, 2007

Register:

Status: A Section 8 declaration has been accepted.

Status Date: Jul. 24, 2013

Mark Information

Mark Literal Elements: HERBAL ADRENAL SUPPORT FORMULA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FORMULA"

Goods and Services

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

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

For: Animal feed additive for use as a nutritional supplement for medical purposes; Animal feed supplements; Biscuits, bread, bread rolls, cakes, cereal products, confectionery, crackers, noodles, fish sauce, relish, sauces, cereal-based snack-foods and prepared dietary items that are gluten-free to accommodate special medical and health conditions; Dietary and nutritional supplements; Dietary and nutritionally fortified food products adapted for medical use; Dietary drink mix for use as a meal replacement; Dietary food supplements; Dietary supplements; Dietary supplements for animals; Dietary supplements for human consumption; Feed supplements for household pets; Fish, pickles, preserved olives and dietary foods and food-items that are gluten-free to accommodate special medical and health conditions; Food supplements; Food supplements, namely, anti-oxidants; Herbal supplements; Homeopathic supplements; Mineral nutritional supplements; Mineral supplements; Nutraceuticals for use as a dietary supplement; Nutritional additives for medical purposes for use in foods and dietary supplements for human consumption; Nutritional supplements; Nutritional supplements in lotion form sold as a component of nutritional skin care products; Powdered fruit-flavored dietary supplement drink mix; Powdered nutritional supplement drink mix; Vitamin and mineral supplements; Vitamin supplement in tablet form for use in making an effervescent beverage when added to water; Vitamin supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 29, 2002

Use in Commerce: Aug. 29, 2002

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Mind Mine

Owner Address: 4142 E. 5th Street
Tucson, ARIZONA 85711
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Mind Mine, LLC
4142 E. 5th Street
TUCSON, ARIZONA 85711
UNITED STATES

Phone: 520 748-0388

Fax: 520 514-1917

Correspondent e-mail: jessica@drwilsons.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 24, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Jul. 24, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED	76874
Jul. 24, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874
Jul. 09, 2013	TEAS SECTION 8 RECEIVED	
Jul. 09, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 11, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 11, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 08, 2008	REGISTERED-SUPPLEMENTAL REGISTER	
May 30, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
May 30, 2008	EXAMINERS AMENDMENT MAILED	
May 29, 2008	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
May 29, 2008	EXAMINER'S AMENDMENT ENTERED	88888
May 29, 2008	EXAMINERS AMENDMENT -WRITTEN	81899
May 29, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 04, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Mar. 24, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Mar. 24, 2008	ASSIGNED TO LIE	77075
Mar. 08, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 07, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 07, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 16, 2007	NON-FINAL ACTION MAILED	
Oct. 15, 2007	NON-FINAL ACTION WRITTEN	81899
Oct. 12, 2007	ASSIGNED TO EXAMINER	81899
Aug. 21, 2007	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 104

Date in Location: Jul. 24, 2013

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Mark: SUPER ADRENAL STRESS FORMULA

Super Adrenal Stress Formula

US Serial Number: 77258506

Application Filing Date: Aug. 17, 2007

US Registration Number: 3464752

Registration Date: Jul. 08, 2008

Register: Supplemental

Mark Type: Trademark

Date Amended to Current Register: Aug. 17, 2007

Register:

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

Status Date: Jul. 08, 2008

Mark Information

Mark Literal Elements: SUPER ADRENAL STRESS FORMULA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FORMULA"

Goods and Services

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

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

For: Animal feed additive for use as a nutritional supplement for medical purposes; Animal feed supplements; Biscuits, bread, bread rolls, cakes, cereal products, confectionery, crackers, noodles, fish sauce, relish, sauces, cereal-based snack-foods and prepared dietary items that are gluten-free to accommodate special medical and health conditions; Dietary and nutritional supplements; Dietary and nutritionally fortified food products adapted for medical use; Dietary drink mix for use as a meal replacement; Dietary food supplements; Dietary supplemental drinks; Dietary supplements; Dietary supplements for animals; Dietary supplements for human consumption; Feed supplements for pets; Fish, pickles, preserved olives and dietary foods and food-items that are gluten-free to accommodate special medical and health conditions; Food supplements; Food supplements, namely, anti-oxidants; Herbal supplements; Homeopathic supplements; Meal replacement and dietary supplement drink mixes; Mineral nutritional supplements; Mineral supplements; Nutraceuticals for use as a dietary supplement; Nutritional additives for medical purposes for use in foods and dietary supplements for human consumption; Nutritional supplements; Nutritional supplements in lotion form sold as a component of nutritional skin care products; Powdered fruit-flavored dietary supplement drink mix; Powdered nutritional supplement drink mix; Vitamin and mineral supplements; Vitamin supplement in tablet form for use in making an effervescent beverage when added to water; Vitamin supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 20, 2002

Use in Commerce: Dec. 20, 2002

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Mind Mine

Owner Address: 4142 E. 5th Street
Tucson, ARIZONA 85711
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: Mind Mine
4142 E. 5th Street
TUCSON, ARIZONA 85711
UNITED STATES

Phone: 520 748-0388

Fax: 520 514-1917

Correspondent e-mail: jessica@drwilsons.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 13, 2014	TEAS SECTION 8 RECEIVED	
Feb. 13, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 11, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 11, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 08, 2008	REGISTERED-SUPPLEMENTAL REGISTER	
May 30, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
May 30, 2008	EXAMINERS AMENDMENT MAILED	
May 29, 2008	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
May 29, 2008	EXAMINER'S AMENDMENT ENTERED	88888
May 29, 2008	EXAMINERS AMENDMENT -WRITTEN	81899
May 29, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 04, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Mar. 25, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Mar. 24, 2008	ASSIGNED TO LIE	70468
Mar. 10, 2008	EXAMINERS AMENDMENT MAILED	
Mar. 07, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 07, 2008	EXAMINERS AMENDMENT -WRITTEN	81899
Feb. 19, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 19, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 19, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 16, 2007	NON-FINAL ACTION MAILED	
Oct. 15, 2007	NON-FINAL ACTION WRITTEN	81899
Oct. 12, 2007	ASSIGNED TO EXAMINER	81899
Aug. 22, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 08, 2008

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Mark: JF7 JOINTFORMULA

JF7 JOINTFORMULA

US Serial Number: 77286362
US Registration Number: 3435364
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 27, 2008
Publication Date: Mar. 11, 2008

Application Filing Date: Sep. 21, 2007
Registration Date: May 27, 2008
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: JF7 JOINTFORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "JOINT FORMULA"

Goods and Services

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

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

For: Vitamin supplements; Vitamins; Dietary supplements; Herbal supplements; Mineral supplements; Nutritional supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Aug. 01, 2006

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Aug. 01, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PT Berkart Setia Tunggal
Owner Address: Jalan Kamal Raya no. 89C
Jakarta 11730
INDONESIA
Legal Entity Type: CORPORATION
State or Country Where Organized: INDONESIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Darren S. Rimer
Attorney Primary Email Address: trademarks@rimermath.com
Docket Number: PBEST-001T
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: DARREN S. RIMER
RIMER & MATHEWSON LLP
30021 Tomas, Suite 300
Rancho Santa Margarita, CALIFORNIA 92688
UNITED STATES

Phone: (949) 367-1541

Fax: (949) 265-9010

Correspondent e-mail: trademarks@rimermath.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 24, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 09, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 09, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 27, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 11, 2008	PUBLISHED FOR OPPOSITION	
Feb. 20, 2008	NOTICE OF PUBLICATION	
Feb. 05, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Feb. 05, 2008	ASSIGNED TO LIE	67287
Dec. 27, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 26, 2007	ASSIGNED TO EXAMINER	76151
Nov. 23, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 28, 2007	NOTICE OF PSEUDO MARK MAILED	
Sep. 27, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 27, 2008

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Mark: NATURAL FORMULAS FOR LIFE



US Serial Number: 77321492
US Registration Number: 3530109
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Dec. 06, 2013
Publication Date: May 20, 2008

Application Filing Date: Nov. 05, 2007
Registration Date: Nov. 11, 2008
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: NATURAL FORMULAS FOR LIFE
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a single black circle with the wording "NATURAL FORMULAS FOR LIFE" appearing in black within the circle and the depiction of a green plant in the center. The color white is not claimed as a feature of the mark and constitutes the background.
Color Drawing: Yes
Color(s) Claimed: The color(s) green and black is/are claimed as a feature of the mark.
Disclaimer: "NATURAL FORMULAS"
Design Search Code(s): 05.13.25 - Bales of hay or straw; Hay in bales; Other plants including bales of hay or straw; Straw in bales
26.01.21 - Circles that are totally or partially shaded.

Goods and Services

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

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

For: Body and beauty care cosmetics

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 2007

Use in Commerce: Nov. 01, 2007

For: dietary supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 05, 2008

Use in Commerce: Jan. 05, 2008

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Healthy Habits LLC

Owner Address: 7114 E Dreyfus
Scottsdale, ARIZONA 85254
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Healthy Habits LLC
7114 E DREYFUS
SCOTTSDALE, ARIZONA 85254
UNITED STATES

Phone: 480-948-6766

Fax: 530-463-8744

Correspondent e-mail: DrMartin@HealthyHabitsWeb.com DrMartin@longevity-formulas.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 06, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Dec. 06, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76873
Dec. 06, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	76873
Dec. 05, 2013	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Dec. 05, 2013	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	76873
Nov. 29, 2013	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Nov. 29, 2013	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	76873
Nov. 29, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76873
Nov. 14, 2013	TEAS SECTION 8 & 15 RECEIVED	
Nov. 14, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 11, 2008	REGISTERED-PRINCIPAL REGISTER	
Oct. 03, 2008	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jun. 19, 2008	EXTENSION OF TIME TO OPPOSE RECEIVED	
May 20, 2008	PUBLISHED FOR OPPOSITION	
Apr. 30, 2008	NOTICE OF PUBLICATION	
Apr. 15, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Apr. 14, 2008	ASSIGNED TO LIE	76568
Apr. 07, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 05, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 04, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 04, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 21, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 21, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 21, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 21, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 21, 2008	NON-FINAL ACTION E-MAILED	6325
Mar. 21, 2008	NON-FINAL ACTION WRITTEN	78328
Feb. 28, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 28, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889

Feb. 28, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 26, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 26, 2008	NON-FINAL ACTION E-MAILED	6325
Feb. 26, 2008	NON-FINAL ACTION WRITTEN	78328
Feb. 18, 2008	ASSIGNED TO EXAMINER	78328
Nov. 09, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 08, 2007	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Dec. 06, 2013

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [77321492](#)

Filing Date: Jun 19, 2008

Status: Terminated

Status Date: Aug 28, 2009

Interlocutory Attorney:

Defendant

Name: Healthy Habits LLC

Correspondent Address: HEALTHY HABITS LLC
7114 E DREYFUS
SCOTTSDALE AZ , 85254
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
NATURAL FORMULAS FOR LIFE	Section 8 and 15 - Accepted and Acknowledged	77321492	3530109

Potential Opposer(s)

Name: 4Life Trademarks, LLC

Correspondent Address: Glenn Spencer Bacal
Holme Roberts & Owen LLP
16427 North Scottsdale Road, Suite 300
Scottsdale AZ , 85254-1597
UNITED STATES

Correspondent e-mail: glenn.bacal@hro.com , jamie.tuccio@hro.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jun 19, 2008	
2	EXTENSION OF TIME GRANTED	Jun 19, 2008	
3	TERMINATED	Aug 28, 2009	
4	TERMINATED	Aug 28, 2009	

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Mark: INTEGRATIVE METABOLIC FORMULA

INTEGRATIVE METABOLIC
FORMULA

US Serial Number: 77368540
US Registration Number: 3522317
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 21, 2008
Publication Date: Jun. 03, 2008

Application Filing Date: Jan. 10, 2008
Registration Date: Oct. 21, 2008
Currently TEAS Plus: Yes
Notice of Allowance Date: Aug. 26, 2008

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 3085179, 3140497

Goods and Services

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

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

For: Dietary supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: May 2008
Use in Commerce: Jun. 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Econugenics, Inc.
Owner Address: 396 Tesconi Court
Santa Rosa, CALIFORNIA 95401
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Steven B. Kelber
Attorney Primary Email Address: Steve@Alchemy-Partners.com

Docket Number: 50011.30.040

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Steven B. Kelber
Alchemy-Partners, PC
5885 Trinity Parkway, Suite 370
Centreville, VIRGINIA 20120
UNITED STATES

Phone: 703-988-6370

Fax: 703-543-0710

Correspondent e-mail: Steve@Alchemy-Partners.com Docket@Alchemy-Partners.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 29, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 29, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 15, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 15, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 17, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 17, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 03, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 03, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 21, 2008	REGISTERED-PRINCIPAL REGISTER	
Sep. 15, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	78289
Sep. 12, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 11, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
Sep. 05, 2008	USE AMENDMENT FILED	70565
Sep. 11, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Sep. 05, 2008	TEAS STATEMENT OF USE RECEIVED	
Aug. 26, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 03, 2008	PUBLISHED FOR OPPOSITION	
May 14, 2008	NOTICE OF PUBLICATION	
Apr. 28, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Apr. 25, 2008	ASSIGNED TO LIE	78289
Apr. 24, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 14, 2008	ASSIGNED TO EXAMINER	83285
Jan. 14, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 15, 2008

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Mark: EYESCIENCE MACULAR HEALTH FORMULA

EYESCIENCE MACULAR HEALTH
FORMULA

US Serial Number: 77387428
Application Filing Date: Feb. 04, 2008
US Registration Number: 3605043
Registration Date: Apr. 14, 2009
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Apr. 14, 2009
Publication Date: Jan. 27, 2009

Mark Information

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

Goods and Services

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

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

For: Vitamins and vitamin preparations, dietary and nutritional supplements based on combinations of vitamins, minerals, mineral nutrients, herbal extracts, herbs in dried or preserved forms, nutritional oils, fatty acids, and amino acids for the prevention and treatment of ocular disorders or diseases and not for cosmetic purposes

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 04, 2008

Use in Commerce: Jan. 04, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: EyeScience Labs, LLC
Owner Address: 493 Village Park Drive
Powell, OHIO 43065
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: OHIO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Meredith M. Wilkes
Docket Number: 067627605004
Attorney Primary Email Address: mwilkes@jonesday.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Meredith M. Wilkes
JONES DAY
901 Lakeside Avenue
North Point
Cleveland, OHIO 44114-1190
UNITED STATES

Phone: (216) 586-3939

Fax: (216) 579-0212

Correspondent e-mail: mwilkes@jonesday.com tastitt@jonesday.com skoston@jonesday.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 15, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
May 15, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 14, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 14, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 13, 2010	REVIEW OF CORRESPONDENCE COMPLETE	67657
May 13, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67657
Mar. 02, 2010	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Apr. 14, 2009	REGISTERED-PRINCIPAL REGISTER	
Jan. 27, 2009	PUBLISHED FOR OPPOSITION	
Jan. 07, 2009	NOTICE OF PUBLICATION	
Dec. 19, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
Dec. 19, 2008	ASSIGNED TO LIE	78145
Dec. 11, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 10, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 10, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 10, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 10, 2008	EXAMINERS AMENDMENT -WRITTEN	74673
Nov. 13, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 12, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 12, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 12, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 15, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 15, 2008	NON-FINAL ACTION E-MAILED	6325
May 15, 2008	NON-FINAL ACTION WRITTEN	74673
May 14, 2008	ASSIGNED TO EXAMINER	74673
Feb. 08, 2008	NOTICE OF PSEUDO MARK MAILED	
Feb. 07, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 14, 2009

Attorney Primary Email jim@delaneyip.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: JP Delaney
Delaney IP
Post Office Box 9542
Rancho Santa Fe, CALIFORNIA 92067
UNITED STATES

Phone: 858.342.4465

Fax: 858.342.4726

Correspondent e-mail: jim@delaneyip.com

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 09, 2010	REGISTERED-SUPPLEMENTAL REGISTER	
Jan. 05, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	76529
Dec. 28, 2009	ALLOWED SUPPLEMENTAL REGISTER - SOU ACCEPTED	
Dec. 24, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	76529
Dec. 24, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	76529
Dec. 23, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 21, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 21, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 02, 2009	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jul. 02, 2009	FINAL REFUSAL E-MAILED	
Jul. 02, 2009	SU - FINAL REFUSAL - WRITTEN	83705
Jun. 10, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 09, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 09, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 08, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jun. 08, 2009	NON-FINAL ACTION E-MAILED	
Jun. 08, 2009	SU - NON-FINAL ACTION - WRITTEN	83705
May 27, 2009	PETITION TO REVIVE-GRANTED	88889
May 27, 2009	TEAS PETITION TO REVIVE RECEIVED	
May 21, 2009	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
May 21, 2009	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 14, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Oct. 14, 2008	NON-FINAL ACTION E-MAILED	
Oct. 14, 2008	SU - NON-FINAL ACTION - WRITTEN	83705
Sep. 23, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
Sep. 19, 2008	USE AMENDMENT FILED	70565
Sep. 23, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Sep. 19, 2008	TEAS STATEMENT OF USE RECEIVED	
Sep. 16, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 24, 2008	PUBLISHED FOR OPPOSITION	
Jun. 04, 2008	NOTICE OF PUBLICATION	
May 22, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76529
May 22, 2008	ASSIGNED TO LIE	76529
May 22, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 21, 2008	EXAMINER'S AMENDMENT ENTERED	88888
May 21, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 21, 2008	EXAMINERS AMENDMENT E-MAILED	6328

May 21, 2008	EXAMINERS AMENDMENT -WRITTEN	83705
May 21, 2008	ASSIGNED TO EXAMINER	83705
Feb. 14, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 09, 2010

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Mark: DOCTOR'S OPTIMAL FORMULA



US Serial Number: 77399238
Application Filing Date: Feb. 18, 2008
US Registration Number: 3611089
Registration Date: Apr. 28, 2009
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Apr. 28, 2009
Publication Date: Feb. 10, 2009

Mark Information

Mark Literal Elements: DOCTOR'S OPTIMAL FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of partial word--"Docto" to connect with "Rx's" within Burgundy Square located on Right side of Mark, with smaller "Optimal" wording beneath "Docto" and smaller "Formula" wording in lower portion of Burgundy Square, which is located on right side of Mark.
Color Drawing: Yes
Color(s) Claimed: The color(s) burgundy and gray is/are claimed as a feature of the mark.
Disclaimer: "OPTIMAL FORMULA"
Design Search Code(s): 24.17.17 - Prescription symbol (Rx)
26.11.21 - Rectangles that are completely or partially shaded

Goods and Services

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

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

For: Herbal supplements; Homeopathic supplements; Mineral food supplements; Mineral nutritional supplements; Nutraceuticals for use as a dietary supplement; Nutritional supplements; Nutritional supplements in lotion form sold as a component of nutritional skin care products; Vitamin and mineral supplements; Vitamin supplements; Dietary and nutritional supplements; Food supplements, namely, anti-oxidants

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 15, 2007

Use in Commerce: Dec. 15, 2007

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Loff, Howard J
Owner Address: 1057 Beach Ave

Atlantic Beach, FLORIDA 32233
UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: LOFF, HOWARD J
1057 BEACH AVE
ATLANTIC BEACH, FLORIDA 32233-5753
UNITED STATES

Phone: 9048919177

Correspondent e-mail: hloffmd@doctorsoptimalformula.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 28, 2009	REGISTERED-PRINCIPAL REGISTER	
Feb. 10, 2009	PUBLISHED FOR OPPOSITION	
Jan. 21, 2009	NOTICE OF PUBLICATION	
Jan. 06, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76985
Jan. 06, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 06, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 06, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 06, 2009	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 06, 2009	EXAMINERS AMENDMENT -WRITTEN	74662
Jan. 06, 2009	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jan. 06, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 18, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	76985
Dec. 18, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	76985
Dec. 18, 2008	ASSIGNED TO LIE	76985
Dec. 05, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 09, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 09, 2008	NON-FINAL ACTION E-MAILED	6325
Jun. 09, 2008	NON-FINAL ACTION WRITTEN	74662
May 30, 2008	ASSIGNED TO EXAMINER	74662
Feb. 23, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Feb. 22, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 28, 2009

Correspondent Name/Address: JAMES WILSON
MIND MINE
P. O. Box 26021
TUCSON, ARIZONA 85726
UNITED STATES

Phone: 520 748-0388

Fax: 520 514-1917

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 11, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 11, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 20, 2009	REGISTERED-PRINCIPAL REGISTER	
Dec. 17, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Dec. 16, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 18, 2008	STATEMENT OF USE PROCESSING COMPLETE	66530
Nov. 14, 2008	USE AMENDMENT FILED	66530
Nov. 18, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Nov. 14, 2008	TEAS STATEMENT OF USE RECEIVED	
Oct. 14, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 22, 2008	PUBLISHED FOR OPPOSITION	
Jul. 02, 2008	NOTICE OF PUBLICATION	
Jun. 18, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jun. 18, 2008	ASSIGNED TO LIE	66213
Jun. 18, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 13, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 13, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 13, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 04, 2008	NON-FINAL ACTION MAILED	
Jun. 04, 2008	NON-FINAL ACTION WRITTEN	76840
Jun. 03, 2008	ASSIGNED TO EXAMINER	76840
Feb. 27, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 17, 2008

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Mark: STALLOP FORMULAS

STALLOP FORMULAS

US Serial Number: 77507018
Application Filing Date: Jun. 24, 2008
US Registration Number: 3640997
Registration Date: Jun. 16, 2009
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jun. 16, 2009
Publication Date: Nov. 25, 2008
Notice of Allowance Date: Feb. 17, 2009

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 20, 2008
Use in Commerce: Nov. 20, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: JTS Enterprises, LLC
Owner Address: 181 Main Street
Manasquan, NEW JERSEY 08736
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Peter Nussbaum
Docket Number: 12229/3/1
Attorney Primary Email Address: pnussbaum@wolffsamson.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: PETER NUSSBAUM
WOLFF & SAMSON PC
1 BOLAND DR
WEST ORANGE, NEW JERSEY 07052-3686
UNITED STATES

Phone: 973-530-2025

Fax: 973-530-2225

Correspondent e-mail: pnussbaum@wolffsamson.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 16, 2009	REGISTERED-PRINCIPAL REGISTER	
May 11, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	77075
May 08, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 14, 2009	STATEMENT OF USE PROCESSING COMPLETE	69302
Mar. 26, 2009	USE AMENDMENT FILED	69302
Apr. 14, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Mar. 26, 2009	TEAS STATEMENT OF USE RECEIVED	
Feb. 17, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 25, 2008	PUBLISHED FOR OPPOSITION	
Nov. 05, 2008	NOTICE OF PUBLICATION	
Oct. 21, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Oct. 16, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 15, 2008	EXAMINER'S AMENDMENT ENTERED	77075
Oct. 14, 2008	ASSIGNED TO LIE	77075
Oct. 13, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 13, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 13, 2008	EXAMINERS AMENDMENT -WRITTEN	77657
Oct. 08, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 08, 2008	NON-FINAL ACTION E-MAILED	6325
Oct. 08, 2008	NON-FINAL ACTION WRITTEN	77657
Sep. 27, 2008	ASSIGNED TO EXAMINER	77657
Jun. 27, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 11, 2009

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Mark: COQ10 ENERGIZER FORMULA

COQ10 ENERGIZER FORMULA

US Serial Number: 77590425
Application Filing Date: Oct. 10, 2008
US Registration Number: 3764502
Registration Date: Mar. 23, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 23, 2010
Publication Date: Jun. 23, 2009
Notice of Allowance Date: Sep. 15, 2009

Mark Information

Mark Literal Elements: COQ10 ENERGIZER FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "COQ10" AND "FORMULA"

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 01, 2009
Use in Commerce: Jan. 01, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Vitacost.com Inc.
Owner Address: Suite 500
5400 Broken Sound Blvd. N.W.
Boca Raton, FLORIDA 33487
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stewart L. Gitler
Docket Number: T-11170
Attorney Primary Email Address: sgitler@hwglaw.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Stewart L. Gitler
 WELSH FLAXMAN & GITLER LLC
 2000 Duke Street
 Suite 100
 Alexandria, VIRGINIA 22314
 UNITED STATES

Phone: 7039201122

Fax: 7039203399

Correspondent e-mail: gitler@jplawsolutions.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 10, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 23, 2010	REGISTERED-PRINCIPAL REGISTER	
Feb. 12, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	68658
Feb. 06, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 29, 2010	STATEMENT OF USE PROCESSING COMPLETE	61813
Dec. 16, 2009	USE AMENDMENT FILED	61813
Jan. 27, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Dec. 16, 2009	TEAS STATEMENT OF USE RECEIVED	
Sep. 15, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 23, 2009	PUBLISHED FOR OPPOSITION	
Jun. 03, 2009	NOTICE OF PUBLICATION	
May 15, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
May 15, 2009	ASSIGNED TO LIE	68658
May 15, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 14, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 14, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 14, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 01, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 01, 2008	NON-FINAL ACTION E-MAILED	6325
Dec. 01, 2008	NON-FINAL ACTION WRITTEN	82430
Nov. 24, 2008	ASSIGNED TO EXAMINER	82430
Oct. 16, 2008	NOTICE OF PSEUDO MARK MAILED	
Oct. 15, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 12, 2010

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Mark: BBB ENHANCEMENT FORMULA



US Serial Number: 77622725
US Registration Number: 3646671
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jun. 30, 2009
Publication Date: Apr. 14, 2009

Application Filing Date: Nov. 26, 2008
Registration Date: Jun. 30, 2009
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: BBB ENHANCEMENT FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a pink woman's silhouette in the shape of the letter "B" next to two other pink letter "B"s; all above the green words "Enhancement Formula".
Color Drawing: Yes
Color(s) Claimed: The color(s) pink and green is/are claimed as a feature of the mark.
Disclaimer: "ENHANCEMENT FORMULA"
Design Search Code(s): 02.03.02 - Women depicted as shadows or silhouettes of women; Silhouettes of women
02.03.19 - Nude women, women wearing underclothes, bathing suits or brief attire; Underclothes (women wearing); Lingerie (women wearing); Bathing suits (women wearing); Underwear (women wearing)
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
27.01.01 - Humans composed of letters or numerals; Letters forming human beings; Numbers forming human beings; Punctuation forming human beings

Goods and Services

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

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

For: Herbal supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 14, 2008
U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Oct. 24, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Cervantes, Jose Antonio
Owner Address: 7924 Easton St.
Houston, TEXAS 77017

UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: CERVANTES, JOSE ANTONIO
7924 EASTON ST.
HOUSTON, TEXAS 77017
UNITED STATES

Phone: 832-858-7722

Correspondent e-mail: sehouljay@aim.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 30, 2009	REGISTERED-PRINCIPAL REGISTER	
Apr. 14, 2009	PUBLISHED FOR OPPOSITION	
Mar. 25, 2009	NOTICE OF PUBLICATION	
Mar. 10, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Mar. 10, 2009	ASSIGNED TO LIE	68552
Mar. 10, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 10, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 10, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 10, 2009	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 10, 2009	EXAMINERS AMENDMENT -WRITTEN	73711
Feb. 26, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 26, 2009	NON-FINAL ACTION E-MAILED	6325
Feb. 26, 2009	NON-FINAL ACTION WRITTEN	73711
Feb. 25, 2009	ASSIGNED TO EXAMINER	73711
Dec. 02, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Dec. 01, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 30, 2009

Generated on: This page was generated by TSDR on 2014-02-14 18:26:33 EST

Mark: WOMEN'S EMPOWERMENT FORMULA

Women's Empowerment Formula

US Serial Number: 77633304

Application Filing Date: Dec. 15, 2008

US Registration Number: 3788242

Registration Date: May 11, 2010

Register: Principal

Mark Type: Trademark

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

Status Date: May 11, 2010

Publication Date: Nov. 03, 2009

Notice of Allowance Date: Jan. 26, 2010

Mark Information

Mark Literal Elements: WOMEN'S EMPOWERMENT FORMULA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "WOMEN'S" AND "FORMULA"

Goods and Services

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

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

For: Dietary and nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2009

Use in Commerce: May 01, 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Vibrant Way Inc.

Owner Address: 509 Vista Ridge Trail
Taos, NEW MEXICO 87571
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: GINA T. CONSTANT

Correspondent

Correspondent Name/Address: GINA T. CONSTANT
RODEY LAW FIRM
201 3RD ST. NW
SUITE 2200

ALBUQUERQUE, NEW MEXICO 87102
UNITED STATES

Correspondent e-mail: gconstant@rodey.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 11, 2010	REGISTERED-PRINCIPAL REGISTER	
Apr. 03, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 02, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	70633
Apr. 01, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 30, 2010	STATEMENT OF USE PROCESSING COMPLETE	76538
Mar. 03, 2010	USE AMENDMENT FILED	76538
Mar. 30, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Mar. 03, 2010	TEAS STATEMENT OF USE RECEIVED	
Jan. 26, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 03, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 03, 2009	PUBLISHED FOR OPPOSITION	
Sep. 28, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Sep. 28, 2009	ASSIGNED TO LIE	70633
Sep. 17, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 11, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 12, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 11, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 11, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 12, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 12, 2009	NON-FINAL ACTION E-MAILED	6325
Mar. 12, 2009	NON-FINAL ACTION WRITTEN	76625
Mar. 11, 2009	ASSIGNED TO EXAMINER	76625
Dec. 19, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 02, 2010

Generated on: This page was generated by TSDR on 2014-02-14 18:26:09 EST

Mark: WOMEN'S EMPOWERMENT FORMULA

Women's Empowerment Formula

US Serial Number: 77633304 Application Filing Date: Dec. 15, 2008
US Registration Number: 3788242 Registration Date: May 11, 2010
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 11, 2010
Publication Date: Nov. 03, 2009 Notice of Allowance Date: Jan. 26, 2010

Mark Information

Mark Literal Elements: WOMEN'S EMPOWERMENT FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "WOMEN'S" AND "FORMULA"

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: May 01, 2009 Use in Commerce: May 01, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Vibrant Way Inc.
Owner Address: 509 Vista Ridge Trail
Taos, NEW MEXICO 87571
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: NEW MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: GINA T. CONSTANT

Correspondent

Correspondent Name/Address: GINA T. CONSTANT
RODEY LAW FIRM
201 3RD ST. NW
SUITE 2200

ALBUQUERQUE, NEW MEXICO 87102
UNITED STATES

Correspondent e-mail: gconstant@rodey.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 11, 2010	REGISTERED-PRINCIPAL REGISTER	
Apr. 03, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 02, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	70633
Apr. 01, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 30, 2010	STATEMENT OF USE PROCESSING COMPLETE	76538
Mar. 03, 2010	USE AMENDMENT FILED	76538
Mar. 30, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Mar. 03, 2010	TEAS STATEMENT OF USE RECEIVED	
Jan. 26, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 03, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 03, 2009	PUBLISHED FOR OPPOSITION	
Sep. 28, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Sep. 28, 2009	ASSIGNED TO LIE	70633
Sep. 17, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 11, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 12, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 11, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 11, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 12, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 12, 2009	NON-FINAL ACTION E-MAILED	6325
Mar. 12, 2009	NON-FINAL ACTION WRITTEN	76625
Mar. 11, 2009	ASSIGNED TO EXAMINER	76625
Dec. 19, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 02, 2010

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Mark: LONGEVITY ENHANCEMENT FORMULA

LONGEVITY ENHANCEMENT
FORMULA

US Serial Number: 77642626
Application Filing Date: Jan. 02, 2009
US Registration Number: 3755906
Registration Date: Mar. 02, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 02, 2010
Publication Date: Mar. 31, 2009
Notice of Allowance Date: Jun. 23, 2009

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 2674924

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 08, 2009
Use in Commerce: Dec. 08, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Vitacost.com Inc.
Owner Address: Suite 500
5400 Broken Sound Blvd. N.W.
Boca Raton, FLORIDA 33487
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stewart L. Gitler **Docket Number:** T-11263
Attorney Primary Email Address: sgitler@hwglaw.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: Stewart L. Gitler
WELSH FLAXMAN & GITLER LLC
2000 Duke Street
Suite 100
Alexandria, VIRGINIA 22314
UNITED STATES
Phone: 7039201122 **Fax:** 7039203399
Correspondent e-mail: gitler@iplawsolutions.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 07, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 02, 2010	REGISTERED-PRINCIPAL REGISTER	
Jan. 26, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	68658
Jan. 25, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 23, 2010	STATEMENT OF USE PROCESSING COMPLETE	76538
Dec. 09, 2009	USE AMENDMENT FILED	76538
Jan. 22, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Dec. 09, 2009	TEAS STATEMENT OF USE RECEIVED	
Jun. 23, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 31, 2009	PUBLISHED FOR OPPOSITION	
Mar. 11, 2009	NOTICE OF PUBLICATION	
Feb. 20, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
Feb. 20, 2009	ASSIGNED TO LIE	68658
Feb. 12, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 12, 2009	ASSIGNED TO EXAMINER	77875
Jan. 06, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Jan. 26, 2010

Correspondent

Correspondent Name/Address: LEE GROSSKREUZ HECHTEL
 NBTY, INC.
 2100 SMITHTOWN AVE
 RONKONKOMA, NEW YORK 11779-7347
 UNITED STATES

Phone: 631 218 7335

Fax: 631 218 7341

Correspondent e-mail: lhechtel@nbt.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 26, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 10, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 10, 2009	PUBLISHED FOR OPPOSITION	
Oct. 07, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Oct. 07, 2009	ASSIGNED TO LIE	66213
Sep. 23, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 17, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 17, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 17, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 16, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 16, 2009	NON-FINAL ACTION E-MAILED	6325
Sep. 16, 2009	NON-FINAL ACTION WRITTEN	83172
Aug. 26, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 25, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 25, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 27, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 27, 2009	NON-FINAL ACTION E-MAILED	6325
Apr. 27, 2009	NON-FINAL ACTION WRITTEN	83172
Apr. 24, 2009	ASSIGNED TO EXAMINER	83172
Feb. 09, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 09, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 26, 2010

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Mark: FORMULA 707 HOOF ESSENTIALS

Formula 707 Hoof Essentials

US Serial Number: 77680603
Application Filing Date: Feb. 27, 2009
US Registration Number: 3735192
Registration Date: Jan. 05, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 05, 2010
Publication Date: Jun. 30, 2009
Notice of Allowance Date: Sep. 22, 2009

Mark Information

Mark Literal Elements: FORMULA 707 HOOF ESSENTIALS
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "HOOF ESSENTIALS"

Goods and Services

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

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

For: Nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 01, 2009
Use in Commerce: Jun. 01, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Nutrapro Inc.
Owner Address: 401 North 1st Street
Lasalle, COLORADO 80645
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: COLORADO

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: NUTRAPRO INC.
401 N 1ST ST
LA SALLE, COLORADO 80645-3304
UNITED STATES

Phone: (970) 284-5575

Fax: (970) 284-6833

Correspondent e-mail: cshaver@formula707.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 05, 2010	REGISTERED-PRINCIPAL REGISTER	
Dec. 03, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	76984
Dec. 01, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 19, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	76984
Nov. 19, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	76984
Nov. 17, 2009	ASSIGNED TO LIE	76984
Nov. 09, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 23, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Oct. 23, 2009	NON-FINAL ACTION E-MAILED	
Oct. 23, 2009	SU - NON-FINAL ACTION - WRITTEN	76464
Oct. 15, 2009	STATEMENT OF USE PROCESSING COMPLETE	66230
Sep. 29, 2009	USE AMENDMENT FILED	66230
Oct. 15, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Sep. 29, 2009	TEAS STATEMENT OF USE RECEIVED	
Sep. 22, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 30, 2009	PUBLISHED FOR OPPOSITION	
Jun. 10, 2009	NOTICE OF PUBLICATION	
May 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
May 22, 2009	ASSIGNED TO LIE	69712
May 21, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 21, 2009	EXAMINER'S AMENDMENT ENTERED	88888
May 21, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 21, 2009	EXAMINERS AMENDMENT E-MAILED	6328
May 21, 2009	EXAMINERS AMENDMENT -WRITTEN	76464
May 21, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 21, 2009	NON-FINAL ACTION E-MAILED	6325
May 21, 2009	NON-FINAL ACTION WRITTEN	76464
May 20, 2009	ASSIGNED TO EXAMINER	76464
Mar. 03, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 03, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 03, 2009

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Mark: WOMEN'S FORMULA PLUS

WOMEN'S FORMULA PLUS

US Serial Number: 77682653
Application Filing Date: Mar. 03, 2009
US Registration Number: 3685695
Registration Date: Sep. 22, 2009
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 22, 2009
Publication Date: Jul. 07, 2009

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 2423717

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 15, 1998
Use in Commerce: Aug. 05, 1998

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Unicity Properties, Inc.
Owner Address: 1201 N. 800 E.
Orem, UTAH 84097
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Catherine Larsen

Attorney Primary Email catherine.larsen@unicity.net
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: CATHERINE LARSEN
1201 N 800 E
OREM, UTAH 84097-2742
UNITED STATES

Phone: (801) 226-2600

Fax: (801) 226-6637

Correspondent e-mail: catherine.larsen@unicity.net

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 22, 2009	REGISTERED-PRINCIPAL REGISTER	
Jul. 07, 2009	PUBLISHED FOR OPPOSITION	
Jun. 17, 2009	NOTICE OF PUBLICATION	
May 30, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
May 30, 2009	ASSIGNED TO LIE	68658
May 29, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 29, 2009	EXAMINER'S AMENDMENT ENTERED	88888
May 29, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 29, 2009	EXAMINERS AMENDMENT E-MAILED	6328
May 29, 2009	EXAMINERS AMENDMENT -WRITTEN	73713
May 22, 2009	ASSIGNED TO EXAMINER	73713
Mar. 06, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 06, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 22, 2009

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Mark: KING'S FORMULA

KING'S FORMULA

US Serial Number: 77704063
US Registration Number: 3929119
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 08, 2011
Publication Date: Aug. 24, 2010
Application Filing Date: Apr. 01, 2009
Registration Date: Mar. 08, 2011
Currently TEAS Plus: Yes
Notice of Allowance Date: Oct. 19, 2010

Mark Information

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

Goods and Services

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

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

For: Dietary supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 05, 2010
U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Sep. 05, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PSPICE, LLC
Owner Address: 4161 S. Maryland Parkway
Las Vegas, NEVADA 89119
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michael J. McCue
Docket Number: 47527.00006
Attorney Primary Email Address: TRADEMARKS-LASVEGAS@LRLAW.COM
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MICHAEL J. MCCUE
LEWIS AND ROCA LLP
3993 HOWARD HUGHES PKWY STE 600
LAS VEGAS, NEVADA 89169-5996
UNITED STATES

Phone: (702) 949-8200

Fax: (702) 949-8376

Correspondent e-mail: TRADEMARKS-LASVEGAS@LRLAW.COM

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 08, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 03, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 02, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Feb. 02, 2011	ASSIGNED TO LIE	68171
Jan. 31, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 12, 2010	STATEMENT OF USE PROCESSING COMPLETE	76873
Oct. 25, 2010	USE AMENDMENT FILED	76873
Nov. 08, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Oct. 25, 2010	TEAS STATEMENT OF USE RECEIVED	
Oct. 19, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 24, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 24, 2010	PUBLISHED FOR OPPOSITION	
Jul. 19, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Jul. 19, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 19, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 19, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 19, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 19, 2010	EXAMINERS AMENDMENT -WRITTEN	74301
Jun. 25, 2010	LIE CHECKED SUSP - TO ATTY FOR ACTION	68552
Jun. 25, 2010	ASSIGNED TO LIE	68552
Dec. 13, 2009	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Dec. 13, 2009	LETTER OF SUSPENSION E-MAILED	6332
Dec. 13, 2009	SUSPENSION LETTER WRITTEN	74301
Dec. 10, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 09, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 09, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 20, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2009	NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2009	NON-FINAL ACTION WRITTEN	74301
Jun. 20, 2009	ASSIGNED TO EXAMINER	74301
Apr. 06, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 04, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 02, 2011

Generated on: This page was generated by TSDR on 2014-02-14 18:27:08 EST

Mark: FORMULA 707 GASTRO ESSENTIALS

FORMULA 707 GASTRO
ESSENTIALS

US Serial Number: 77714219
US Registration Number: 3683185
Register: Principal
Mark Type: Trademark
Application Filing Date: Apr. 15, 2009
Registration Date: Sep. 15, 2009
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 15, 2009
Publication Date: Jun. 30, 2009

Mark Information

Mark Literal Elements: FORMULA 707 GASTRO ESSENTIALS
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "GASTRO ESSENTIALS"

Goods and Services

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

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

For: A nutritional feed supplement for horses
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 01, 2008
Use in Commerce: Dec. 01, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Nutrapro Inc.
Owner Address: 2500 North 1st Street
LaSalle, COLORADO 80645
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: COLORADO

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: NUTRAPRO INC.
NUTRAPRO INC.
2500 N 1ST ST
LASALLE, COLORADO 80645
UNITED STATES

Phone: (970) 284-5575

Fax: (970) 284-6833

Correspondent e-mail: cshaver@formula707.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 15, 2009	REGISTERED-PRINCIPAL REGISTER	
Jun. 30, 2009	PUBLISHED FOR OPPOSITION	
Jun. 24, 2009	UNDELIVERABLE MAIL - NO ACTION TAKEN	99888
Jun. 10, 2009	NOTICE OF PUBLICATION	
May 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
May 22, 2009	ASSIGNED TO LIE	76243
May 21, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 21, 2009	EXAMINER'S AMENDMENT ENTERED	88888
May 21, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 21, 2009	EXAMINERS AMENDMENT E-MAILED	6328
May 21, 2009	EXAMINERS AMENDMENT -WRITTEN	76464
May 21, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 21, 2009	NON-FINAL ACTION E-MAILED	6325
May 21, 2009	NON-FINAL ACTION WRITTEN	76464
May 20, 2009	ASSIGNED TO EXAMINER	76464
Apr. 20, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 15, 2009

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Mark: STRONG YELLOW FORMULA

Strong Yellow Formula

US Serial Number: 77745052 Application Filing Date: May 27, 2009
US Registration Number: 3905881 Registration Date: Jan. 11, 2011
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Sep. 29, 2010
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 11, 2011

Mark Information

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

Related Properties Information

Claimed Ownership of US Registrations: 77979202
Parent Of: 77979202

Foreign Information

Foreign Registration Number: 007313018 Foreign Registration Date: May 14, 2009
Foreign Application/Registration Country: EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM) Foreign Expiration Date: Oct. 18, 2018

Goods and Services

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

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of use; Vitamin and mineral preparations for use as ingredients in the food and pharmaceutical industry; vitamin and mineral food supplements; food supplements
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Herbal preparations for medical purposes, namely, herbal supplements and herbal extracts; vitamins, vitamin preparations; minerals, namely, mineral food supplements, mineral supplements, mineral nutritional supplements, vitamin and mineral preparations for medical use; Vitamin and mineral preparations for use as ingredients in the food and pharmaceutical industry; vitamin and mineral food supplements; food supplements

International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 44(e)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Healing The Person Limited

Owner Address: Station Road
Salisbury House
Cambridge CB12LA
UNITED KINGDOM

Legal Entity Type: private limited company

State or Country Where Organized: UNITED KINGDOM

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Waheedan Jariwalla

Attorney Primary Email Address: waheedan.jariwalla@lawdit.co.uk

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: WAHEEDAN JARIWALLA
1 BRUNSWICK PLACE
SOUTHAMPTON SO152AN
UNITED KINGDOM

Correspondent e-mail: waheedan.jariwalla@lawdit.co.uk

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 11, 2011	REGISTERED-SUPPLEMENTAL REGISTER	
Dec. 06, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Dec. 06, 2010	ASSIGNED TO LIE	70884
Nov. 12, 2010	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Nov. 11, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 11, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 11, 2010	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Oct. 06, 2010	NOTIFICATION OF SUBSEQUENT FINAL EMAILED	
Oct. 06, 2010	CONTINUATION OF FINAL REFUSAL E-MAILED	
Oct. 06, 2010	ACTION CONTINUING A FINAL - COMPLETED	82088
Sep. 29, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 29, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 29, 2010	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Mar. 29, 2010	NOTIFICATION OF FINAL REFUSAL EMAILED	
Mar. 29, 2010	FINAL REFUSAL E-MAILED	
Mar. 29, 2010	FINAL REFUSAL WRITTEN	82088
Mar. 29, 2010	NOTIFICATION OF FINAL REFUSAL EMAILED	
Mar. 29, 2010	FINAL REFUSAL E-MAILED	
Mar. 29, 2010	FINAL REFUSAL WRITTEN	82088
Mar. 29, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 29, 2010	LETTER OF SUSPENSION E-MAILED	6332
Mar. 29, 2010	SUSPENSION LETTER WRITTEN	82088
Mar. 29, 2010	DIVISIONAL PROCESSING COMPLETE	
Feb. 17, 2010	DIVISIONAL REQUEST RECEIVED	
Mar. 23, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Feb. 26, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 26, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 26, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 17, 2010	TEAS REQUEST TO DIVIDE RECEIVED	
Aug. 28, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 28, 2009	NON-FINAL ACTION E-MAILED	6325

Aug. 28, 2009	NON-FINAL ACTION WRITTEN	82088
Aug. 26, 2009	ASSIGNED TO EXAMINER	82088
Jun. 01, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 30, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 11, 2011

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Mark: HARMONY FORMULAS

HARMONY FORMULAS

US Serial Number: 77771232
Application Filing Date: Jun. 30, 2009
US Registration Number: 3725567
Registration Date: Dec. 15, 2009
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 15, 2009
Publication Date: Sep. 29, 2009

Mark Information

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

Goods and Services

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

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

For: dietary supplements; food supplements; herbal supplements; nutritional supplements; vitamin supplements; mineral supplements; multi-vitamin and mineral supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 1993

Use in Commerce: Aug. 01, 1993

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Primary Investments Group Limited
Owner Address: c/o TrustNet Chambers
P. O. Box 3444
Road Town, Tortola
VIRGIN ISLANDS, BRITISH
Legal Entity Type: CORPORATION
State or Country Where Organized: VIRGIN ISLANDS, BRITISH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas W. Cook
Docket Number: PRIM-1/HARMO
Attorney Primary Email Address: thomascooklaw@pacbell.net
Attorney Email Authorized: No

Correspondent

Correspondent THOMAS W. COOK
Name/Address: THOMAS COOK INTELLECTUAL PROPERTY ATTORNEYS
PO BOX 1989
SAUSALITO, CALIFORNIA 94966-1989
UNITED STATES

Phone: 415-339-8550

Fax: 415-339-8555

Correspondent e-mail: thomascooklaw@pacbell.net

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 15, 2009	REGISTERED-PRINCIPAL REGISTER	
Sep. 29, 2009	PUBLISHED FOR OPPOSITION	
Sep. 09, 2009	NOTICE OF PUBLICATION	
Aug. 26, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Aug. 25, 2009	ASSIGNED TO LIE	71441
Aug. 20, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 20, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 20, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 20, 2009	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 20, 2009	EXAMINERS AMENDMENT -WRITTEN	63031
Aug. 12, 2009	ASSIGNED TO EXAMINER	63031
Jul. 06, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 03, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 15, 2009

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Mark: EAF

EAF

US Serial Number: 77779449
US Registration Number: 3749646
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 16, 2010
Publication Date: Dec. 01, 2009

Application Filing Date: Jul. 13, 2009
Registration Date: Feb. 16, 2010
Currently TEAS Plus: Yes

Mark Information

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

Goods and Services

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

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

For: Nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 01, 2009
Use in Commerce: Jun. 01, 2009

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Tishcon Corp.
Owner Address: 30 New York Ave
Westbury, NEW YORK 11590
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: Raj Chopra
Tishcon Corp
30 New York Ave
Westbury, NEW YORK 11590
UNITED STATES

Correspondent e-mail: james@tishcon.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 04, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 04, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 16, 2010	REGISTERED-PRINCIPAL REGISTER	
Dec. 01, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 01, 2009	PUBLISHED FOR OPPOSITION	
Oct. 29, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Oct. 29, 2009	ASSIGNED TO LIE	70138
Oct. 13, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 13, 2009	ASSIGNED TO EXAMINER	76487
Jul. 16, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 16, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 16, 2010

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Mark: JARROW FORMULAS PUTS THE PRO IN PROBIOTICS

JARROW FORMULAS PUTS THE
PRO IN PROBIOTICS

US Serial Number: 77786276
US Registration Number: 3911837
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 25, 2011
Publication Date: Dec. 08, 2009

Application Filing Date: Jul. 21, 2009
Registration Date: Jan. 25, 2011
Currently TEAS Plus: Yes
Notice of Allowance Date: Mar. 02, 2010

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 09, 2010
Use in Commerce: Sep. 09, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Jarrow Formulas, Inc.
Owner Address: 1824 South Robertson Blvd.
Los Angeles, CALIFORNIA 900354317
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark D. Giarratana, Docket Number: 97728.00373
Attorney Primary Email: mgiarratana@mccarter.com Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MARK D. GIARRATANA
MCCARTER & ENGLISH, LLP

185 ASYLUM ST
HARTFORD, CONNECTICUT 06103-3408
UNITED STATES

Phone: 860-275-6700

Fax: 860-724-3397

Correspondent e-mail: mgiarratana@mccarter.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 25, 2011	REGISTERED-PRINCIPAL REGISTER	
Dec. 23, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 22, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Dec. 21, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 06, 2010	STATEMENT OF USE PROCESSING COMPLETE	76538
Sep. 15, 2010	USE AMENDMENT FILED	76538
Oct. 06, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Sep. 15, 2010	TEAS STATEMENT OF USE RECEIVED	
Sep. 04, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 02, 2010	EXTENSION 1 GRANTED	98765
Sep. 02, 2010	EXTENSION 1 FILED	98765
Sep. 02, 2010	TEAS EXTENSION RECEIVED	
Mar. 02, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 08, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 08, 2009	PUBLISHED FOR OPPOSITION	
Nov. 05, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Nov. 05, 2009	ASSIGNED TO LIE	74221
Oct. 22, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 22, 2009	ASSIGNED TO EXAMINER	76433
Jul. 24, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 24, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 22, 2010

Attorney of Record - None**Correspondent**

Correspondent Name/Address: LOFF, HOWARD
1057 BEACH AVE
ATLANTIC BEACH, FLORIDA 32233-5753
UNITED STATES

Phone: 9048919177

Correspondent e-mail: hloffmd@mddevelopedformulas.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Dec. 21, 2010	REGISTERED-SUPPLEMENTAL REGISTER	
Nov. 18, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Nov. 18, 2010	ASSIGNED TO LIE	70884
Nov. 03, 2010	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Nov. 02, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 02, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 02, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 04, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 04, 2010	NON-FINAL ACTION E-MAILED	6325
May 04, 2010	NON-FINAL ACTION WRITTEN	76625
Apr. 26, 2010	ASSIGNED TO EXAMINER	76625
Jan. 29, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 29, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 21, 2010

Generated on: This page was generated by TSDR on 2014-02-14 19:06:23 EST

Mark: ORIGINAL FORMULA CH-OSA



US Serial Number: 77930425
US Registration Number: 3859705
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 12, 2010
Publication Date: Jul. 27, 2010

Application Filing Date: Feb. 08, 2010
Registration Date: Oct. 12, 2010
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: ORIGINAL FORMULA CH-OSA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of two circles, between the two circles are the words "original" and "formula", in the inner circle are three stars above the letter "O" and three stars below the letter and across the middle of the design is the term "ch-OSA".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "ORIGINAL FORMULA"
Design Search Code(s): 01.01.10 - Three or more stars; Stars, three or more
01.01.13 - Stars - multiple stars with five points
26.01.17 - Concentric circles, two; Circles, two concentric; Two concentric circles

Related Properties Information

Claimed Ownership of US Registrations: 3109513

Goods and Services

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

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

For: Dietary supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 01, 2008

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Feb. 20, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Bio Minerals Naamloze Vennootschap
Owner Address: Zenderstraat 12
Destelbergen 9070
BELGIUM
Legal Entity Type: CORPORATION
State or Country Where Organized: BELGIUM

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jay H. Geller
Attorney Primary Email Address: jhgeller@aol.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JAY H. GELLER
12100 WILSHIRE BLVD STE 500
LOS ANGELES, CALIFORNIA 90025-7121
UNITED STATES
Phone: 3109799966
Fax: 3109430430
Correspondent e-mail: jhgeller@aol.com
Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 12, 2010	REGISTERED-PRINCIPAL REGISTER	
Jul. 27, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 27, 2010	PUBLISHED FOR OPPOSITION	
Jun. 19, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jun. 19, 2010	ASSIGNED TO LIE	66213
Jun. 03, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 02, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 02, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 02, 2010	EXAMINERS AMENDMENT -WRITTEN	82085
May 17, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 16, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 16, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 13, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 13, 2010	NON-FINAL ACTION E-MAILED	6325
May 13, 2010	NON-FINAL ACTION WRITTEN	82085
May 06, 2010	ASSIGNED TO EXAMINER	82085
Feb. 18, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 17, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 11, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 12, 2010

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Mark: FORMULA 707 CALMING ESSENTIALS

Formula 707 Calming
Essentials

US Serial Number: 77942517
US Registration Number: 3892403
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 21, 2010
Publication Date: Oct. 05, 2010

Application Filing Date: Feb. 23, 2010
Registration Date: Dec. 21, 2010
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: FORMULA 707 CALMING ESSENTIALS
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA" AND "CALMING ESSENTIALS"

Related Properties Information

Claimed Ownership of US Registrations: 3683185, 3735192

Goods and Services

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

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

For: Animal feed supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 01, 2010
Use in Commerce: Jan. 01, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Nutra Pro, Inc.
Owner Address: 401 North First Street
La Salle, COLORADO 80645
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: COLORADO

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: LUARK, MELANIE
NUTRA PRO, INC.
401 N 1ST ST
LA SALLE, COLORADO 80645-3304
UNITED STATES

Phone: (970) 284-5575

Fax: (970) 284-6833

Correspondent e-mail: Muark@Formula707.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Dec. 21, 2010	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 05, 2010	PUBLISHED FOR OPPOSITION	
Sep. 01, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Sep. 01, 2010	ASSIGNED TO LIE	70138
Aug. 18, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 18, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 18, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 18, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 18, 2010	EXAMINERS AMENDMENT -WRITTEN	85334
Jul. 21, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 21, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 21, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 02, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 02, 2010	NON-FINAL ACTION E-MAILED	6325
Jun. 02, 2010	NON-FINAL ACTION WRITTEN	85334
May 26, 2010	ASSIGNED TO EXAMINER	85334
Mar. 01, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 26, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 21, 2010

Name/Address: KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN ST FL 14
IRVINE, CALIFORNIA 92614-8214
UNITED STATES

Phone: 310-551-3450

Fax: 949-760-9502

Correspondent e-mail: efiling@kmob.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 07, 2012	REGISTERED-PRINCIPAL REGISTER	
Jan. 05, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 04, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	73787
Dec. 14, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 22, 2011	STATEMENT OF USE PROCESSING COMPLETE	71034
Nov. 16, 2011	USE AMENDMENT FILED	71034
Nov. 22, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Nov. 16, 2011	TEAS STATEMENT OF USE RECEIVED	
May 17, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 13, 2011	EXTENSION 1 GRANTED	98765
May 13, 2011	EXTENSION 1 FILED	98765
May 13, 2011	TEAS EXTENSION RECEIVED	
Nov. 16, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 21, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 21, 2010	PUBLISHED FOR OPPOSITION	
Aug. 17, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Aug. 17, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 21, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 21, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 21, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 14, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 14, 2010	NON-FINAL ACTION E-MAILED	6325
Jul. 14, 2010	NON-FINAL ACTION WRITTEN	63031
Jul. 06, 2010	ASSIGNED TO EXAMINER	63031
Apr. 30, 2010	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	73787
Apr. 30, 2010	ASSIGNED TO LIE	73787
Apr. 13, 2010	TEAS VOLUNTARY AMENDMENT RECEIVED	
Apr. 07, 2010	NOTICE OF PSEUDO MARK MAILED	
Apr. 06, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 06, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 04, 2012

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Mark: LEVRONE FORMULA

Levrone Formula

US Serial Number: 85017660
Application Filing Date: Apr. 19, 2010
US Registration Number: 3886040
Registration Date: Dec. 07, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 07, 2010
Publication Date: Sep. 21, 2010

Mark Information

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

Goods and Services

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

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

For: Amino acids for nutritional purposes; Dietary and nutritional supplements; Dietary beverage supplements for human consumption in liquid and dry mix form for therapeutic purposes; Dietary food supplements; Dietary supplemental drinks; Dietary supplemental drinks in the nature of vitamin and mineral beverages; Dietary supplements; Dietary supplements for human consumption; Dietary supplements in the nature of weight loss powders; Food supplements; Nutritional drinks used for meal replacement; Nutritional energy bars for use as a meal substitute; Nutritional food bars for use as a meal replacement; Nutritional shakes for use as a meal substitute; Nutritional supplements; Protein supplements; Vitamin and mineral supplements; Vitamin supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2010

Use in Commerce: Apr. 01, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Levrone, Inc.
Owner Address: 5062 Lankershim Blvd.
#2030
North Hollywood, CALIFORNIA 91601
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua Fine

Attorney Primary Email joshua@jmfinelaw.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: JOSHUA FINE
LAW OFFICES OF JOSHUA M. FINE
9107 WILSHIRE BLVD STE 450
BEVERLY HILLS, CALIFORNIA 90210-5535
UNITED STATES

Phone: 310 6234505

Fax: 310 9330303

Correspondent e-mail: joshua@jmfinelaw.com

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 07, 2010	REGISTERED-PRINCIPAL REGISTER	
Sep. 21, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 21, 2010	PUBLISHED FOR OPPOSITION	
Aug. 13, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Aug. 11, 2010	ASSIGNED TO LIE	74221
Jul. 26, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 26, 2010	ASSIGNED TO EXAMINER	81899
Apr. 23, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 22, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

**TM Staff Information - None
File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 07, 2010

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Mark: FORMULA #45

Formula #45

US Serial Number: 85057940
Application Filing Date: Jun. 08, 2010
US Registration Number: 3894014
Registration Date: Dec. 21, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 21, 2010
Publication Date: Oct. 05, 2010

Mark Information

Mark Literal Elements: FORMULA #45
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

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

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

For: Herbal supplements; Medicinal herbal extracts for medical purposes; Medicinal herbal preparations; Natural herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2005

Use in Commerce: Jan. 01, 2005

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Far Horizon Trading Corp.
DBA, AKA, Formerly: DBA Splendid Health Kissimmee
Owner Address: 602 E. Vine St.
Kissimmee, FLORIDA 34744
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: FAR HORIZON TRADING CORP.
FAR HORIZON TRADING CORP.
602 E VINE ST
KISSIMMEE, FLORIDA 34744-4291

UNITED STATES

Phone: 407-390-9343

Fax: 407-809-0022

Correspondent e-mail: info@splendidhealthkissimmee.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 21, 2010	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 05, 2010	PUBLISHED FOR OPPOSITION	
Sep. 02, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Sep. 02, 2010	ASSIGNED TO LIE	70884
Aug. 20, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 19, 2010	ASSIGNED TO EXAMINER	76487
Jun. 17, 2010	NOTICE OF PSEUDO MARK MAILED	
Jun. 16, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 11, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 21, 2010

Generated on: This page was generated by TSDR on 2014-02-14 14:21:49 EST

Mark: AMAZON MAXIMUM POWER FORMULA #1

AMAZON MAXIMUM POWER
FORMULA #1

US Serial Number: 85058770
Application Filing Date: Jun. 09, 2010
US Registration Number: 3907957
Registration Date: Jan. 18, 2011
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 18, 2011
Publication Date: Nov. 02, 2010

Mark Information

Mark Literal Elements: AMAZON MAXIMUM POWER FORMULA #1
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA #1"

Goods and Services

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

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

For: Dietary and nutritional supplements; Nutraceuticals for use as a dietary supplement

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 2004

Use in Commerce: Oct. 2004

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: MIRACLE BREAKTHROUGH LABS, INC.
Owner Address: 7296 SW 48TH STREET
MIAMI, FLORIDA 33155
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: RICHARD L MORRIS JR ESQ
Attorney Primary Email Address: Richard@4trademark.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: RICHARD L MORRIS JR ESQ
TrademarkRenewals.com
PO BOX 398538
c/o 1-800-4-TRADEMARK
MIAMI BEACH, FLORIDA 33239-8538
UNITED STATES

Phone: 305.673.6686

Fax: 305.673.6872

Correspondent e-mail: richard@4trademark.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 11, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 18, 2011	REGISTERED-PRINCIPAL REGISTER	
Nov. 02, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 02, 2010	PUBLISHED FOR OPPOSITION	
Sep. 28, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Sep. 28, 2010	ASSIGNED TO LIE	66213
Sep. 20, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 20, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 20, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 20, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 20, 2010	EXAMINERS AMENDMENT -WRITTEN	73360
Sep. 19, 2010	ASSIGNED TO EXAMINER	73360
Jun. 16, 2010	NOTICE OF PSEUDO MARK MAILED	
Jun. 15, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 12, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 18, 2011

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Mark: M-1 FORMULA

M-1 FORMULA

US Serial Number: 85069884
Application Filing Date: Jun. 23, 2010
US Registration Number: 3890346
Registration Date: Dec. 14, 2010
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 14, 2010
Publication Date: Sep. 28, 2010

Mark Information

Mark Literal Elements: M-1 FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

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

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

For: Vitamin supplements; Vitamins and vitamin preparations
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 01, 2010
Use in Commerce: Jun. 01, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: DEJORIA, JOHN PAUL
Owner Address: P. O. BOX 34540
LAS VEGAS, NEVADA 89133
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MICHAELINE A. RE
Attorney Primary Email Address: michaeliner@earthlink.net
Attorney Email Authorized: No

Correspondent

Correspondent: MICHAELINE A. RE

Name/Address: LAW OFFICES OF MICHAELINE A. RE
350 W COLORADO BLVD STE 200
PASADENA, CALIFORNIA 91105-1855
UNITED STATES

Phone: 626 396-9230

Fax: 626 396-9430

Correspondent e-mail: michaeliner@earthlink.net

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 14, 2010	REGISTERED-PRINCIPAL REGISTER	
Sep. 28, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 28, 2010	PUBLISHED FOR OPPOSITION	
Aug. 23, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Aug. 23, 2010	ASSIGNED TO LIE	68171
Aug. 04, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 28, 2010	ASSIGNED TO EXAMINER	80815
Jun. 29, 2010	NOTICE OF PSEUDO MARK MAILED	
Jun. 28, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 26, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 14, 2010

Generated on: This page was generated by TSDR on 2014-02-14 12:55:07 EST

Mark: ESSENTIAL FORMULAS

ESSENTIAL FORMULAS

US Serial Number: 85077327
Application Filing Date: Jul. 02, 2010
US Registration Number: 4027792
Registration Date: Sep. 20, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 20, 2011
Publication Date: Jul. 05, 2011

Mark Information

Mark Literal Elements: ESSENTIAL FORMULAS
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULAS"
Acquired Distinctiveness Claim: In whole

Goods and Services

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

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

For: Non-medicated beauty products, namely, skin lotion and soap

International Class(es): 003 - Primary Class
U.S Class(es): 001, 004, 006, 050, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 23, 2002
Use in Commerce: Jul. 23, 2002

For: Dietary supplements

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 01, 2000
Use in Commerce: Mar. 01, 2000

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Essential Formulas Incorporated
Owner Address: 1861 Valley View Lane
Suite 180
Farmers Branch, TEXAS 75234
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: William H. Dietrich

Docket Number: 8228.17

Correspondent

Correspondent Name/Address: WILLIAM H. DIETRICH
MUNSCH HARDT KOPF & HARR, P.C.
500 N AKARD ST
DALLAS, TEXAS 75201-3302
UNITED STATES

Correspondent e-mail: docketing@munsch.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 20, 2011	REGISTERED-PRINCIPAL REGISTER	
Jul. 05, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 05, 2011	PUBLISHED FOR OPPOSITION	
May 27, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
May 26, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 26, 2011	EXAMINER'S AMENDMENT ENTERED	88888
May 26, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 26, 2011	EXAMINERS AMENDMENT E-MAILED	6328
May 26, 2011	EXAMINERS AMENDMENT -WRITTEN	76076
May 20, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 20, 2011	NON-FINAL ACTION E-MAILED	6325
May 20, 2011	NON-FINAL ACTION WRITTEN	76076
May 13, 2011	ASSIGNED TO EXAMINER	76076
Apr. 19, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 19, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 19, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 17, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 17, 2010	NON-FINAL ACTION E-MAILED	6325
Nov. 17, 2010	NON-FINAL ACTION WRITTEN	77765
Nov. 04, 2010	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Oct. 08, 2010	WITHDRAWN FROM PUB - OG REVIEW QUERY	60756
Sep. 25, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Sep. 25, 2010	ASSIGNED TO LIE	74221
Sep. 16, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 15, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 15, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 15, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 14, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 14, 2010	NON-FINAL ACTION E-MAILED	6325
Sep. 14, 2010	NON-FINAL ACTION WRITTEN	77765
Sep. 03, 2010	ASSIGNED TO EXAMINER	77765
Jul. 07, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 06, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 20, 2011

Generated on: This page was generated by TSDR on 2014-02-14 12:54:02 EST

Mark: UNIVERSAL FOUNDATION FORMULA N-1

Universal Foundation
Formula N-1

US Serial Number: 85081441 Application Filing Date: Jul. 09, 2010
US Registration Number: 3946319 Registration Date: Apr. 12, 2011
Filed as TEAS Plus: Yes Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Apr. 12, 2011
Publication Date: Dec. 21, 2010 Notice of Allowance Date: Feb. 15, 2011

Mark Information

Mark Literal Elements: UNIVERSAL FOUNDATION FORMULA N-1
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA N-1"

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 15, 2011 Use in Commerce: Jan. 24, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: T & J Biomediacal
Owner Address: 136 N. Tamiami Tr
Osprey, FLORIDA 34229
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: T & J BIOMEDIACAL
T & J BIOMEDIACAL
136 N TAMAMIAM TRL
OSPREY, FLORIDA 34229-9089

UNITED STATES

Phone: 9419669727

Fax: 9419663813

Correspondent e-mail: everett@vpnutrition.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Mar. 10, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 09, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Mar. 09, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 09, 2011	STATEMENT OF USE PROCESSING COMPLETE	76538
Feb. 16, 2011	USE AMENDMENT FILED	76538
Mar. 09, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Feb. 16, 2011	TEAS STATEMENT OF USE RECEIVED	
Feb. 15, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 21, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 21, 2010	PUBLISHED FOR OPPOSITION	
Nov. 12, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Nov. 12, 2010	ASSIGNED TO LIE	66213
Oct. 29, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 29, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 29, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 29, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 29, 2010	EXAMINERS AMENDMENT -WRITTEN	81840
Oct. 21, 2010	ASSIGNED TO EXAMINER	81840
Jul. 14, 2010	NOTICE OF PSEUDO MARK MAILED	
Jul. 13, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 13, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 09, 2011

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Mark: UNIVERSAL FOUNDATION FORMULA N-2

Universal Foundation
Formula N-2

US Serial Number: 85081468
US Registration Number: 3963632
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 17, 2011
Publication Date: Nov. 30, 2010

Application Filing Date: Jul. 09, 2010
Registration Date: May 17, 2011
Currently TEAS Plus: Yes
Notice of Allowance Date: Jan. 25, 2011

Mark Information

Mark Literal Elements: UNIVERSAL FOUNDATION FORMULA N-2
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA N-2"

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 27, 2010

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Sep. 27, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: T & J Biomedical
Owner Address: 136 N. Tamiami Trail
Osprey, FLORIDA 34229
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: T & J BIOMEDICAL
T & J BIOMEDICAL
136 N TAMIAMI TRL
OSPREY, FLORIDA 34229-9089

UNITED STATES

Phone: 9419669727

Fax: 9419663813

Correspondent e-mail: everett@vpnutrition.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 17, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 12, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 11, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552
Apr. 05, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 09, 2011	STATEMENT OF USE PROCESSING COMPLETE	76538
Feb. 16, 2011	USE AMENDMENT FILED	76538
Mar. 09, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Feb. 16, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 25, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 30, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 30, 2010	PUBLISHED FOR OPPOSITION	
Oct. 26, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Oct. 25, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 22, 2010	EXAMINER'S AMENDMENT ENTERED	68552
Oct. 21, 2010	ASSIGNED TO LIE	68552
Oct. 21, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 21, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 21, 2010	EXAMINERS AMENDMENT -WRITTEN	81856
Oct. 21, 2010	ASSIGNED TO EXAMINER	81856
Jul. 14, 2010	NOTICE OF PSEUDO MARK MAILED	
Jul. 13, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 13, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 11, 2011

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Mark: UNIVERSAL FOUNDATION FORMULA N-3

Universal Foundation
Formula N-3

US Serial Number: 85081490
US Registration Number: 3963634
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 17, 2011
Publication Date: Nov. 30, 2010

Application Filing Date: Jul. 09, 2010
Registration Date: May 17, 2011
Currently TEAS Plus: Yes
Notice of Allowance Date: Jan. 25, 2011

Mark Information

Mark Literal Elements: UNIVERSAL FOUNDATION FORMULA N-3
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA N-3"

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 15, 2011
Use in Commerce: Jan. 24, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: T & J Biomedical
Owner Address: 136. N. Tamiami Trail
Osprey, FLORIDA 34229
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: T & J BIOMEDICAL
T & J BIOMEDICAL
136 N TAMAMI TRL
OSPREY, FLORIDA 34229-9089

UNITED STATES

Phone: 9419669727

Fax: 9419663813

Correspondent e-mail: everett@vpnutrition.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 17, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 12, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 11, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552
Apr. 05, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 09, 2011	STATEMENT OF USE PROCESSING COMPLETE	76538
Feb. 16, 2011	USE AMENDMENT FILED	76538
Mar. 09, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Feb. 16, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 25, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 30, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 30, 2010	PUBLISHED FOR OPPOSITION	
Oct. 26, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Oct. 25, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 22, 2010	EXAMINER'S AMENDMENT ENTERED	68552
Oct. 21, 2010	ASSIGNED TO LIE	68552
Oct. 21, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 21, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 21, 2010	EXAMINERS AMENDMENT -WRITTEN	81856
Oct. 21, 2010	ASSIGNED TO EXAMINER	81856
Jul. 14, 2010	NOTICE OF PSEUDO MARK MAILED	
Jul. 13, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 13, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 11, 2011

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Mark: UNIVERSAL FOUNDATION FORMULA N-ACTIVATOR

Universal Foundation
Formula N-Activator

US Serial Number: 85081500 Application Filing Date: Jul. 09, 2010
US Registration Number: 3946320 Registration Date: Apr. 12, 2011
Filed as TEAS Plus: Yes Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Apr. 12, 2011
Publication Date: Dec. 21, 2010 Notice of Allowance Date: Feb. 15, 2011

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 15, 2011 Use in Commerce: Jan. 24, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: T & J Bionmedical
Owner Address: 136 N. Tamiami Tr
Osprey, FLORIDA 34229
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: T & J BIONMEDICAL
T & J BIONMEDICAL
136 N TAMIAMI TRL
OSPREY, FLORIDA 34229-9089

UNITED STATES

Phone: 9419669727

Fax: 9419663813

Correspondent e-mail: everett@vpnutrition.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Mar. 11, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 10, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Mar. 10, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 09, 2011	STATEMENT OF USE PROCESSING COMPLETE	76538
Feb. 16, 2011	USE AMENDMENT FILED	76538
Mar. 09, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Feb. 16, 2011	TEAS STATEMENT OF USE RECEIVED	
Feb. 15, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 21, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 21, 2010	PUBLISHED FOR OPPOSITION	
Nov. 12, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Nov. 12, 2010	ASSIGNED TO LIE	66213
Oct. 29, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 29, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 29, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 29, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 29, 2010	EXAMINERS AMENDMENT -WRITTEN	74662
Oct. 29, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 29, 2010	NON-FINAL ACTION E-MAILED	6325
Oct. 29, 2010	NON-FINAL ACTION WRITTEN	74662
Oct. 21, 2010	ASSIGNED TO EXAMINER	74662
Jul. 14, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 13, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 10, 2011

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Mark: PHYSICIAN'S COMFORT FORMULA

PHYSICIAN'S COMFORT FORMULA

US Serial Number: 85099855
Application Filing Date: Aug. 04, 2010
US Registration Number: 4084657
Registration Date: Jan. 10, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 10, 2012
Publication Date: Mar. 22, 2011
Notice of Allowance Date: May 17, 2011

Mark Information

Mark Literal Elements: PHYSICIAN'S COMFORT FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "PHYSICIAN'S" AND "FORMULA"

Goods and Services

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

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

For: Dietary supplements; Nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Oct. 02, 2010
Use in Commerce: Oct. 02, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Nutri-Health Supplements, LLC
Owner Address: 260 Justin Drive
Cottonwood, ARIZONA 86326
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carrie Webb Olson
Attorney Primary Email Address: nytrademark@daypitney.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Carrie Webb Olson
Day Pitney LLP
7 Times Square
New York, NEW YORK 10036
UNITED STATES

Phone: 617-345-4767

Fax: 212-916-2940

Correspondent e-mail: nytrademark@daypitney.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 15, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
May 15, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 10, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 07, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 06, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Dec. 04, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 23, 2011	STATEMENT OF USE PROCESSING COMPLETE	70565
Nov. 15, 2011	USE AMENDMENT FILED	70565
Nov. 21, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Nov. 15, 2011	TEAS STATEMENT OF USE RECEIVED	
May 17, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 22, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 22, 2011	PUBLISHED FOR OPPOSITION	
Feb. 11, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Feb. 11, 2011	ASSIGNED TO LIE	66213
Jan. 14, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 23, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 23, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 23, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 23, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 23, 2010	NON-FINAL ACTION E-MAILED	6325
Nov. 23, 2010	NON-FINAL ACTION WRITTEN	76986
Nov. 18, 2010	ASSIGNED TO EXAMINER	76986
Aug. 09, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 07, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 06, 2011

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Mark: PRE-WORKOUT ENERGY FORMULA

PRE-WORKOUT ENERGY FORMULA

US Serial Number: 85130806
Application Filing Date: Sep. 16, 2010
US Registration Number: 3982884
Registration Date: Jun. 21, 2011
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: May 02, 2011
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jun. 21, 2011

Mark Information

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

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 21, 2010
Use in Commerce: Jul. 21, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Country Life, LLC
Owner Address: 180 Vanderbilt Motor Parkway
Hauppauge, NEW YORK 11788
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: William H. Cox
Attorney Primary Email Address: wcox@gordonherlands.com
Attorney Email Authorized: No

Correspondent

Correspondent WILLIAM H. COX

Name/Address: GORDON, HERLANDS, RANDOLPH & COX LLP
355 LEXINGTON AVE FL 10
NEW YORK, NEW YORK 10017-6603
UNITED STATES

Phone: 212-986-1200

Fax: 212-983-0772

Correspondent e-mail: wcox@gordonherlands.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 21, 2011	REGISTERED-SUPPLEMENTAL REGISTER	
May 19, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
May 18, 2011	ASSIGNED TO LIE	73797
May 05, 2011	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
May 04, 2011	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
May 04, 2011	USE AMENDMENT ACCEPTED	76833
May 03, 2011	AMENDMENT TO USE PROCESSING COMPLETE	88889
May 03, 2011	USE AMENDMENT FILED	88889
May 02, 2011	TEAS AMENDMENT OF USE RECEIVED	
May 02, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 02, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 02, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 04, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 04, 2010	NON-FINAL ACTION E-MAILED	6325
Nov. 04, 2010	NON-FINAL ACTION WRITTEN	76833
Nov. 02, 2010	ASSIGNED TO EXAMINER	76833
Sep. 21, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 20, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 21, 2011

Generated on: This page was generated by TSDR on 2014-02-14 12:54:48 EST

Mark: CEL-VITALIZATION FORMULA

CEL-VITALIZATION FORMULA

US Serial Number: 85153046 Application Filing Date: Oct. 14, 2010
US Registration Number: 3988947 Registration Date: Jul. 05, 2011
Filed as TEAS Plus: Yes Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 05, 2011
Publication Date: Apr. 19, 2011

Mark Information

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

Goods and Services

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

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

For: Dietary supplements for human consumption
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 12, 2001 Use in Commerce: Jun. 12, 2001

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Starlight International, LTD, L.P.
Composed of: Natural Dietary Products, Inc., a California corporation
Owner Address: 80 Garden Court Suite 100
Monterey, CALIFORNIA 93940
UNITED STATES
Legal Entity Type: LIMITED PARTNERSHIP State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: LEGAL DEPARTMENT
STARLIGHT INTERNATIONAL, LTD, L.P.
80 GARDEN CT STE 100

MONTEREY, CALIFORNIA 93940-5368
UNITED STATES

Phone: 831-373-4800

Correspondent e-mail: trademark@teamstarlight.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 19, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 19, 2011	PUBLISHED FOR OPPOSITION	
Mar. 11, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Mar. 11, 2011	ASSIGNED TO LIE	77312
Feb. 17, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 27, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 27, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 27, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 27, 2011	EXAMINERS AMENDMENT -WRITTEN	86336
Jan. 24, 2011	ASSIGNED TO EXAMINER	86336
Oct. 20, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 18, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 05, 2011

Attorney Primary Email emirabel@comcast.net
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: ERIC P. MIRABEL
ERIC P. MIRABEL
3783 DARBUS ST
HOUSTON, TEXAS 77005-3703
UNITED STATES

Phone: 281 772 3794

Correspondent e-mail: emirabel@comcast.net

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 03, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 15, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 15, 2011	PUBLISHED FOR OPPOSITION	
Jan. 12, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Jan. 12, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 12, 2011	EXAMINER'S AMENDMENT ENTERED	70884
Jan. 11, 2011	ASSIGNED TO LIE	70884
Jan. 11, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 11, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 11, 2011	EXAMINERS AMENDMENT -WRITTEN	76134
Jan. 10, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 10, 2011	NON-FINAL ACTION E-MAILED	6325
Jan. 10, 2011	NON-FINAL ACTION WRITTEN	76134
Jan. 05, 2011	ASSIGNED TO EXAMINER	76134
Nov. 05, 2010	NOTICE OF PSEUDO MARK MAILED	
Nov. 04, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 04, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 03, 2011

Generated on: This page was generated by TSDR on 2014-02-14 12:54:41 EST

Mark: ARCHES TINNITUS STRESS FORMULA

Arches Tinnitus Stress
Formula

US Serial Number: 85184608

Application Filing Date: Nov. 24, 2010

US Registration Number: 3985644

Registration Date: Jun. 28, 2011

Register: Principal

Mark Type: Trademark

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

Status Date: Jun. 28, 2011

Publication Date: Apr. 12, 2011

Mark Information

Mark Literal Elements: ARCHES TINNITUS STRESS FORMULA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "TINNITUS STRESS FORMULA"

Related Properties Information

Claimed Ownership of US Registrations: 2853303

Goods and Services

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

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

For: Vitamin supplement for tinnitus and for stress management

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 31, 2001

Use in Commerce: Mar. 31, 2001

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Arches Natural Products, Inc.

Owner Address: 341 South Main Street, Ste. 201
Salt Lake City, UTAH 84111
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Gretta Spendlove

Docket Number: 20880.0 Arch

Attorney Primary Email trademarks@djplaw.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: GRETTA SPENDLOVE
DURHAM JONES & PINEGAR, IP LAW GROUP
111 E BROADWAY STE 900
SALT LAKE CITY, UTAH 84111-5235
UNITED STATES

Phone: 801-415-3000

Fax: 8014153500

Correspondent e-mail: trademarks@djplaw.com

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 28, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 12, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 12, 2011	PUBLISHED FOR OPPOSITION	
Mar. 07, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 04, 2011	ASSIGNED TO EXAMINER	78328
Nov. 30, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 27, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 28, 2011

Attorney Primary Email trademarks@djplaw.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: GRETTA SPENDLOVE
DURHAM JONES & PINEGAR, IP LAW GROUP
111 E BROADWAY STE 900
SALT LAKE CITY, UTAH 84111-5235
UNITED STATES

Phone: 801-415-3000

Fax: 8014153500

Correspondent e-mail: trademarks@djplaw.com

**Correspondent e-mail No
Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 26, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 26, 2011	PUBLISHED FOR OPPOSITION	
Mar. 24, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Mar. 24, 2011	ASSIGNED TO LIE	66213
Mar. 07, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 07, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 07, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 07, 2011	EXAMINERS AMENDMENT -WRITTEN	78328
Mar. 04, 2011	ASSIGNED TO EXAMINER	78328
Dec. 01, 2010	NOTICE OF PSEUDO MARK MAILED	
Nov. 30, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 27, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 12, 2011

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Mark: FORMULA CANDIDA

FORMULA CANDIDA

US Serial Number: 85205550
Application Filing Date: Dec. 24, 2010
US Registration Number: 4219652
Registration Date: Oct. 02, 2012
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Aug. 21, 2012
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 02, 2012

Mark Information

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

Foreign Information

Priority Claimed: Yes
Foreign Application Number: 1,509,313
Foreign Application Filing Date: Dec. 23, 2010
Foreign Registration Number: TMA821,178
Foreign Registration Date: Mar. 30, 2012
Foreign Application/Registration Country: CANADA
Foreign Expiration Date: Mar. 30, 2027

Goods and Services

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

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

For: Vitamins and mineral supplements; herbal supplements for the treatment of yeast infections
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 44(e)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Organika Health Products Inc.
Owner Address: 11871 Hammersmith Way
Richmond, B.C. V7A5E5
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tanya M. Reitzel **Docket Number:** 2659-201
Attorney Primary Email Address: coastal@trademarkable.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: Tanya M. Reitzel
Coastal Trademark Services
1081 Cambie Street
VANCOUVER, BC V6B5L7
CANADA
Phone: 604-687-7432 **Fax:** 604-687-3478
Correspondent e-mail: info@coastalip.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 15, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 02, 2012	REGISTERED-SUPPLEMENTAL REGISTER	
Aug. 27, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Aug. 27, 2012	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Aug. 21, 2012	EXAMINER'S AMENDMENT ENTERED	77312
Aug. 21, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 21, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 21, 2012	EXAMINERS AMENDMENT -WRITTEN	80804
Jul. 23, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jul. 23, 2012	FINAL REFUSAL E-MAILED	
Jul. 23, 2012	FINAL REFUSAL WRITTEN	80804
Jul. 12, 2012	DATA MODIFICATION COMPLETED	77312
Jul. 12, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	77312
Jul. 12, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	77312
Jul. 06, 2012	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Feb. 01, 2012	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Feb. 01, 2012	INQUIRY TO SUSPENSION E-MAILED	
Feb. 01, 2012	SUSPENSION INQUIRY WRITTEN	80804
Feb. 01, 2012	LIE CHECKED SUSP - TO ATTY FOR ACTION	77312
Feb. 01, 2012	ASSIGNED TO LIE	77312
Aug. 01, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 01, 2011	LETTER OF SUSPENSION E-MAILED	6332
Aug. 01, 2011	SUSPENSION LETTER WRITTEN	80804
Jul. 30, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 29, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 29, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 15, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 15, 2011	NON-FINAL ACTION E-MAILED	6325
Feb. 15, 2011	NON-FINAL ACTION WRITTEN	80804
Feb. 15, 2011	ASSIGNED TO EXAMINER	80804
Jan. 04, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 28, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 02, 2012

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Mark: BYRON WHITE FORMULAS

Byron White Formulas

US Serial Number: 85213339
Application Filing Date: Jan. 07, 2011
US Registration Number: 4011707
Registration Date: Aug. 16, 2011
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 16, 2011
Publication Date: May 31, 2011

Mark Information

Mark Literal Elements: BYRON WHITE FORMULAS
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULAS"
Name Portrait Consent: The name "BYRON WHITE" identifies a living individual whose consent is of record.

Goods and Services

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

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

For: Dietary supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 15, 2010
Use in Commerce: Jun. 15, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: White, Byron
Owner Address: 824 Peggy Lee Court
Windsor, CALIFORNIA 95492
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: WHITE, BYRON
824 PEGGY LEE CT
WINDSOR, CALIFORNIA 95492-7534
UNITED STATES

Phone: (707) 820-0861

Correspondent e-mail: bioresource2@prodigy.net

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 16, 2011	REGISTERED-PRINCIPAL REGISTER	
May 31, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 31, 2011	PUBLISHED FOR OPPOSITION	
Apr. 26, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Apr. 18, 2011	ASSIGNED TO LIE	73797
Apr. 01, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 01, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 01, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Apr. 01, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 01, 2011	EXAMINERS AMENDMENT -WRITTEN	75571
Mar. 29, 2011	ASSIGNED TO EXAMINER	75571
Jan. 12, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 11, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 16, 2011

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Mark: 2-DAY FAST FORMULA

2-DAY FAST FORMULA

US Serial Number: 85280249
Application Filing Date: Mar. 29, 2011
US Registration Number: 4045113
Registration Date: Oct. 25, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 25, 2011
Publication Date: Aug. 09, 2011

Mark Information

Mark Literal Elements: 2-DAY FAST FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Acquired Distinctiveness: In whole
Claim:

Goods and Services

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

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

For: nutritional drink mix for use as meal replacement; powdered nutritional supplement drink mix; soy protein for use as a nutritional ingredient in various powdered and ready to drink beverages

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 09, 2004

Use in Commerce: Jul. 09, 2004

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: BEACHBODY, LLC
Owner Address: THIRD FLOOR 3301 EXPOSITION BLVD.
SANTA MONICA, CALIFORNIA 90404
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Camille M. Miller
Docket Number: PP0082US2/12
Attorney Primary Email Address: cmiller@cozen.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: CAMILLE M. MILLER
COZEN O'CONNOR
1900 MARKET ST
PHILADELPHIA, PENNSYLVANIA 19103-3527
UNITED STATES

Phone: 2156657273

Fax: 2157012273

Correspondent e-mail: cmiller@cozen.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 25, 2011	REGISTERED-PRINCIPAL REGISTER	
Aug. 09, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 09, 2011	PUBLISHED FOR OPPOSITION	
Jul. 06, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Jul. 04, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 29, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	67287
Jun. 29, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
Jun. 29, 2011	ASSIGNED TO LIE	67287
Jun. 18, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 18, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 18, 2011	NON-FINAL ACTION E-MAILED	6325
Jun. 18, 2011	NON-FINAL ACTION WRITTEN	73708
Jun. 14, 2011	ASSIGNED TO EXAMINER	73708
Apr. 05, 2011	NOTICE OF PSEUDO MARK MAILED	
Apr. 03, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 03, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 25, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Beachbody, LLC

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [4944/0976](#)

Pages: 13

Date Recorded: Jan. 18, 2013

Supporting Documents: [assignment-tm-4944-0976.pdf](#)

Assignor

Name: [BEACHBODY, LLC](#)

Execution Date: Nov. 29, 2012

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [BEACHBODY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: THIRD FLOOR 3301 EXPOSITION BLVD.
SANTA MONICA, CALIFORNIA 90404

Correspondent

Correspondent Name: CAMILLE M. MILLER

Correspondent Address: IP DEPARTMENT
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

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Mark: SPEICHER'S FORMULA #717

SPEICHER'S FORMULA #717

US Serial Number: 85282981
US Registration Number: 4048745
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 01, 2011
Publication Date: Aug. 16, 2011

Application Filing Date: Mar. 31, 2011
Registration Date: Nov. 01, 2011
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: SPEICHER'S FORMULA #717
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

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

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

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 2010
U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Mar. 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Spicher, Samuel C.
Owner Address: 2761 Greenway Court
Harrisonburg, VIRGINIA 22802
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Randall B. Bateman
Attorney Primary Email Address: mail@batemanip.com
Docket Number: 5002.SSPI.TM
Attorney Email Authorized: No

Correspondent

Correspondent: RANDALL B. BATEMAN

Name/Address: BATEMAN IP LAW GROUP
PO BOX 1319
SALT LAKE CITY, UTAH 84110-1319
UNITED STATES

Phone: 801-533-0320

Fax: 801-533-0323

Correspondent e-mail: mail@batemanip.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 01, 2011	REGISTERED-PRINCIPAL REGISTER	
Aug. 16, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 16, 2011	PUBLISHED FOR OPPOSITION	
Jul. 09, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Jul. 07, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 06, 2011	EXAMINER'S AMENDMENT ENTERED	77312
Jul. 06, 2011	ASSIGNED TO LIE	77312
Jul. 06, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 06, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 06, 2011	EXAMINERS AMENDMENT -WRITTEN	76079
Jun. 27, 2011	ASSIGNED TO EXAMINER	76079
Apr. 05, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 04, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 01, 2011

IP DEPT
1900 MARKET ST
PHILADELPHIA, PENNSYLVANIA 19103
UNITED STATES

Phone: 2156657273

Fax: 2157012273

Correspondent e-mail: cmiller@cozen.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 13, 2011	REGISTERED-PRINCIPAL REGISTER	
Sep. 27, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 27, 2011	PUBLISHED FOR OPPOSITION	
Aug. 25, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Aug. 25, 2011	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
Aug. 24, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 24, 2011	USE AMENDMENT ACCEPTED	77966
Aug. 20, 2011	AMENDMENT TO USE PROCESSING COMPLETE	88889
Aug. 20, 2011	USE AMENDMENT FILED	88889
Aug. 19, 2011	TEAS AMENDMENT OF USE RECEIVED	
Aug. 16, 2011	EXAMINER'S AMENDMENT ENTERED	76568
Aug. 15, 2011	ASSIGNED TO LIE	76568
Aug. 15, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 15, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 15, 2011	EXAMINERS AMENDMENT -WRITTEN	77966
Aug. 12, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 12, 2011	NON-FINAL ACTION E-MAILED	6325
Aug. 12, 2011	NON-FINAL ACTION WRITTEN	77966
Aug. 12, 2011	ASSIGNED TO EXAMINER	77966
May 05, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 05, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 13, 2011

Generated on: This page was generated by TSDR on 2014-02-14 14:21:42 EST

Mark: ENERGY AND ENDURANCE FORMULA

ENERGY AND ENDURANCE
FORMULA

US Serial Number: 85327275
Application Filing Date: May 23, 2011
US Registration Number: 4177252
Registration Date: Jul. 17, 2012
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: May 15, 2012
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 17, 2012

Mark Information

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

Goods and Services

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

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

For: meal replacement and dietary supplement drinks, powdered nutritional supplement drinks; nutritional and dietary supplements; meal replacement shakes; meal replacement bars

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 10, 2012

Use in Commerce: Jan. 10, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: BEACHBODY, LLC
Owner Address: THIRD FLOOR 3301 EXPOSITION BLVD.
SANTA MONICA, CALIFORNIA 90404
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Camille M. Miller
Docket Number: PP0632/12716
Attorney Primary Email Address: cmiller@cozen.com
Attorney Email Authorized: No

Correspondent

Correspondent CAMILLE M. MILLER

Name/Address: COZEN O'CONNOR
1900 MARKET ST
PHILADELPHIA, PENNSYLVANIA 19103
UNITED STATES

Phone: 2156657273

Fax: 2157012273

Correspondent e-mail: cmiller@cozen.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 23, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 17, 2012	REGISTERED-SUPPLEMENTAL REGISTER	
Jun. 09, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Jun. 04, 2012	ASSIGNED TO LIE	76568
May 17, 2012	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
May 16, 2012	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
May 16, 2012	USE AMENDMENT ACCEPTED	73708
May 16, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 15, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 15, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
May 11, 2012	AMENDMENT TO USE PROCESSING COMPLETE	88889
May 11, 2012	USE AMENDMENT FILED	88889
May 10, 2012	TEAS AMENDMENT OF USE RECEIVED	
Dec. 15, 2011	NOTIFICATION OF FINAL REFUSAL EMAILED	
Dec. 15, 2011	FINAL REFUSAL E-MAILED	
Dec. 15, 2011	FINAL REFUSAL WRITTEN	73708
Dec. 02, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 01, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 01, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 17, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2011	NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2011	NON-FINAL ACTION WRITTEN	73708
Jun. 16, 2011	ASSIGNED TO EXAMINER	73708
May 26, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 26, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 17, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Beachbody, LLC

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [4944/0976](#)

Pages: 13

Date Recorded: Jan. 18, 2013

Supporting Documents: [assignment-tm-4944-0976.pdf](#)

Assignor

Name: [BEACHBODY, LLC](#)

Execution Date: Nov. 29, 2012

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [BEACHBODY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: THIRD FLOOR 3301 EXPOSITION BLVD.
SANTA MONICA, CALIFORNIA 90404

Correspondent

Correspondent Name: CAMILLE M. MILLER

Correspondent Address: IP DEPARTMENT
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Vienna, VIRGINIA 22180
UNITED STATES

Phone: 800-906-8626 ext 100

Fax: 919-861-5278

Correspondent e-mail: mswyers@thetrademarkcompany.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 31, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 25, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
Jun. 21, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	77312
Jun. 19, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	77312
Jun. 13, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 01, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
May 01, 2012	NON-FINAL ACTION E-MAILED	
May 01, 2012	SU - NON-FINAL ACTION - WRITTEN	78447
Apr. 10, 2012	STATEMENT OF USE PROCESSING COMPLETE	69302
Mar. 20, 2012	USE AMENDMENT FILED	69302
Apr. 10, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Mar. 20, 2012	TEAS STATEMENT OF USE RECEIVED	
Mar. 20, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 20, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 31, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 06, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 06, 2011	PUBLISHED FOR OPPOSITION	
Nov. 16, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 03, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Nov. 03, 2011	ASSIGNED TO LIE	77312
Oct. 07, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 07, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 07, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 07, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 07, 2011	EXAMINERS AMENDMENT -WRITTEN	78447
Oct. 05, 2011	ASSIGNED TO EXAMINER	78447
Jun. 29, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 27, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 25, 2012

Generated on: This page was generated by TSDR on 2014-02-14 14:22:08 EST

Mark: MASTER LU'S HAIR FORMULA TRADITIONAL CHINESE HERBAL FORMULA



US Serial Number: 85371435

Application Filing Date: Jul. 14, 2011

US Registration Number: 4307469

Registration Date: Mar. 26, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 26, 2013

Publication Date: Jan. 08, 2013

Mark Information

Mark Literal Elements: MASTER LU'S HAIR FORMULA TRADITIONAL CHINESE HERBAL FORMULA

Standard Character Claim: No

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

Description of Mark: The mark consists of the wording "MASTER LU'S HAIR FORMULA" in white on a red banner like design with the words "TRADITIONAL CHINESE HERBAL FORMULA" in black underneath, along with a black and white portrait of a man above and Chinese characters in black to the right and left of the portrait all on a beige background with red borders.

Color Drawing: Yes

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

Disclaimer: THE NON-LATIN CHARACTERS THAT TRANSLITERATE TO "TOU CHANG MAO SHENG AND JIAN KANG JIA YIN" AND THE WORDING "HAIR FORMULA"

Translation: The English translation of Chinese characters in the mark is "FLOURISHING HAIR GROWTH" AND "GOOD HEALTH".

Transliteration: The non-Latin characters in the mark transliterate to "Tou Chang Mao Sheng, Jian Kang Jia Yin" and this means "Flourish Hair Grow and Good Health" in English.

Design Search Code(s): 02.01.01 - Men - heads, portraiture, or busts facing forward; Portraiture of men facing forward; Heads of men facing forward; Busts of men facing forward
02.01.11 - Asian-Pacific men; Japanese men; Chinese men; Men, Asian-Pacific men; Korean men
19.09.03 - Bottles, jars or flasks with straight, vertical sides; Jars with straight or vertical sides; Flasks with straight or vertical sides
24.09.07 - Advertising, banners; Banners
26.03.21 - Ovals that are completely or partially shaded
28.01.03 - Asian characters; Chinese characters; Japanese characters

Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark identifies Master Cheng Tsang Lu, whose consent(s) to register is made of record.

Goods and Services

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

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

For: Natural herbal supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 14, 2011

Use in Commerce: Jul. 14, 2011

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Master Lu's Formulas

Owner Address: 3220 South State Street
Salt Lake City, UTAH 84115
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: MASTER LU'S FORMULAS
MASTER LU'S FORMULAS
3220 S STATE ST
SALT LAKE CITY, UTAH 84115-3836
UNITED STATES

Phone: 801-463-1101

Fax: 801-463-1197

Correspondent e-mail: tyehao@luhealthcenter.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 08, 2013	PUBLISHED FOR OPPOSITION	
Dec. 19, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 01, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Nov. 28, 2012	ASSIGNED TO LIE	74221
Nov. 14, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 14, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 14, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 14, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 14, 2012	EXAMINERS AMENDMENT -WRITTEN	68788
Oct. 23, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 22, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 22, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 24, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 24, 2012	NON-FINAL ACTION E-MAILED	6325
May 24, 2012	NON-FINAL ACTION WRITTEN	68788
May 11, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 11, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 11, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 08, 2011	NOTIFICATION OF FINAL REFUSAL EMAILED	
Dec. 08, 2011	FINAL REFUSAL E-MAILED	
Dec. 08, 2011	FINAL REFUSAL WRITTEN	68788
Dec. 05, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 05, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 05, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	

Nov. 10, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 10, 2011	NON-FINAL ACTION E-MAILED	6325
Nov. 10, 2011	NON-FINAL ACTION WRITTEN	68788
Nov. 03, 2011	ASSIGNED TO EXAMINER	68788
Jul. 20, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Jul. 19, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 18, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 26, 2013

Generated on: This page was generated by TSDR on 2014-02-14 12:58:27 EST

Mark: FOCUS EYE HEALTH FORMULA

FOCUS EYE HEALTH FORMULA

US Serial Number: 85381785
Application Filing Date: Jul. 26, 2011
US Registration Number: 4151726
Registration Date: May 29, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 29, 2012
Publication Date: Jan. 17, 2012
Notice of Allowance Date: Mar. 13, 2012

Mark Information

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

Goods and Services

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

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

For: Vitamin and mineral supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 19, 2012
Use in Commerce: Mar. 19, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: COVALENT MEDICAL, LLC
Owner Address: 7501 GREENWAY CENTER DRIVE
GREENBELT, MARYLAND 207703514
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Andrew S. Neely
Docket Number: 67308.M1
Attorney Primary Email Address: AndyNeely@LNG-patent.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: ANDREW S. NEELY
LUEDEKA, NEELY & GRAHAM, P.C.
PO BOX 1871
KNOXVILLE, TENNESSEE 37901-1871
UNITED STATES

Phone: 865-546-4305

Fax: 865-523-4478

Correspondent e-mail: AndyNeely@LNG-patent.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 29, 2012	REGISTERED-PRINCIPAL REGISTER	
Apr. 21, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 20, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
Apr. 19, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 19, 2012	STATEMENT OF USE PROCESSING COMPLETE	76538
Mar. 27, 2012	USE AMENDMENT FILED	76538
Apr. 18, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Mar. 27, 2012	TEAS STATEMENT OF USE RECEIVED	
Mar. 13, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 01, 2012	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 17, 2012	PUBLISHED FOR OPPOSITION	
Dec. 28, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 10, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 09, 2011	ASSIGNED TO LIE	77312
Nov. 17, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 17, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 17, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 17, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 17, 2011	EXAMINERS AMENDMENT -WRITTEN	66508
Nov. 16, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 16, 2011	NON-FINAL ACTION E-MAILED	6325
Nov. 16, 2011	NON-FINAL ACTION WRITTEN	66508
Nov. 14, 2011	ASSIGNED TO EXAMINER	66508
Aug. 01, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 29, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 20, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: COVALENT MEDICAL, LLC

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [4705/0863](#)

Pages: 4

Date Recorded: Jan. 27, 2012

Supporting Documents: [assignment-tm-4705-0863.pdf](#)

Assignor

Name: [DOCTORS NUTRITIONAL ASSOCIATES, LLC](#)

Execution Date: Nov. 18, 2011

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

DBA, AKA, TA, Formerly: FORMERLY DOCTORS NUTRITIONAL ASSOCIATES, LLC

Assignee

Name: [COVALENT MEDICAL, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 7501 GREENWAY CENTER DRIVE
GREENBELT, MARYLAND 20770-3514

Correspondent

Correspondent Name: STEPHEN D. ADAMS

Correspondent Address: 900 S GAY STREET, P.O. BOX 1871
KNOXVILLE, TN 37901

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-02-14 12:59:09 EST

Mark: FOCUS MACULA HEALTH FORMULA

FOCUS MACULA HEALTH FORMULA

US Serial Number: 85381789
Application Filing Date: Jul. 26, 2011
US Registration Number: 4227118
Registration Date: Oct. 16, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 16, 2012
Publication Date: Jan. 17, 2012
Notice of Allowance Date: Mar. 13, 2012

Mark Information

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

Goods and Services

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

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

For: Vitamin and mineral supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 01, 2012
Use in Commerce: Mar. 01, 2012

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: COVALENT MEDICAL, LLC
Owner Address: 7501 GREENWAY CENTER DRIVE, SUITE 300
GREENBELT, MARYLAND 207703514
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Andrew S. Neely
Docket Number: 67309.M1
Attorney Primary Email Address: AndyNeely@LNG-patent.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: ANDREW S. NEELY
LUEDKEKA, NEELY & GRAHAM, P.C.
PO BOX 1871
KNOXVILLE, TENNESSEE 37901-1871
UNITED STATES

Phone: 865-546-4305

Fax: 865-523-4478

Correspondent e-mail: AndyNeely@LNG-patent.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 16, 2012	REGISTERED-PRINCIPAL REGISTER	
Sep. 08, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 07, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
Sep. 07, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 29, 2012	STATEMENT OF USE PROCESSING COMPLETE	76874
Aug. 17, 2012	USE AMENDMENT FILED	76874
Aug. 29, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Aug. 17, 2012	TEAS STATEMENT OF USE RECEIVED	
Mar. 13, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 01, 2012	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 17, 2012	PUBLISHED FOR OPPOSITION	
Dec. 28, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 10, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 09, 2011	ASSIGNED TO LIE	77312
Nov. 17, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 17, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 17, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 17, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 17, 2011	EXAMINERS AMENDMENT -WRITTEN	66508
Nov. 16, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 16, 2011	NON-FINAL ACTION E-MAILED	6325
Nov. 16, 2011	NON-FINAL ACTION WRITTEN	66508
Nov. 14, 2011	ASSIGNED TO EXAMINER	66508
Aug. 01, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 29, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 07, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: COVALENT MEDICAL, LLC

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [4705/0863](#)

Pages: 4

Date Recorded: Jan. 27, 2012

Supporting Documents: [assignment-tm-4705-0863.pdf](#)

Assignor

Name: [DOCTORS NUTRITIONAL ASSOCIATES, LLC](#)

Execution Date: Nov. 18, 2011

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

DBA, AKA, TA, Formerly: FORMERLY DOCTORS NUTRITIONAL ASSOCIATES, LLC

Assignee

Name: [COVALENT MEDICAL, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 7501 GREENWAY CENTER DRIVE
GREENBELT, MARYLAND 20770-3514

Correspondent

Correspondent Name: STEPHEN D. ADAMS

Correspondent Address: 900 S GAY STREET, P.O. BOX 1871
KNOXVILLE, TN 37901

Domestic Representative - Not Found

Attorney of Record - None**Correspondent**

Correspondent Name/Address: MIND MINE, LLC
MIND MINE, LLC
PO BOX 12242
TUCSON, ARIZONA 85732-2242
UNITED STATES

Phone: 520-748-0388

Fax: 520-514-1917

Correspondent e-mail: jessica@futureformulations.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 24, 2012	REGISTERED-PRINCIPAL REGISTER	
Nov. 08, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 08, 2011	PUBLISHED FOR OPPOSITION	
Oct. 04, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Sep. 29, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 29, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Sep. 29, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Sep. 28, 2011	ASSIGNED TO LIE	68171
Sep. 26, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 27, 2011	NOTIFICATION OF FINAL REFUSAL EMAILED	
Sep. 27, 2011	FINAL REFUSAL E-MAILED	
Sep. 27, 2011	FINAL REFUSAL WRITTEN	67659
Sep. 26, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 26, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 26, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 26, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 26, 2011	NON-FINAL ACTION E-MAILED	6325
Sep. 26, 2011	NON-FINAL ACTION WRITTEN	67659
Sep. 21, 2011	ASSIGNED TO EXAMINER	67659
Aug. 16, 2011	NOTICE OF PSEUDO MARK MAILED	
Aug. 15, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 12, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 24, 2012

Generated on: This page was generated by TSDR on 2014-02-14 12:58:33 EST

Mark: FORMULA SF722

Formula SF722

US Serial Number: 85419804
Application Filing Date: Sep. 11, 2011
US Registration Number: 4149386
Registration Date: May 29, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 29, 2012
Publication Date: Mar. 13, 2012

Mark Information

Mark Literal Elements: FORMULA SF722
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

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

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

For: Nutritional supplements for support of healthy gut and vaginal flora

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2000

Use in Commerce: Jan. 01, 2000

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Thorne Research, Inc.
Owner Address: 25820 Highway 2 West
Dover, IDAHO 83864
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: IDAHO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kim R. Pearson
Attorney Primary Email Address: kpearson@thorne.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: KIM R. PEARSON
25820 HIGHWAY 2 W
SANDPOINT, IDAHO 83864-7364
UNITED STATES

Phone: 208-263-1337

Fax: 208-265-2488

Correspondent e-mail: kpearson@thorne.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 29, 2012	REGISTERED-PRINCIPAL REGISTER	
Mar. 13, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 13, 2012	PUBLISHED FOR OPPOSITION	
Feb. 22, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 06, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Feb. 02, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 30, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 30, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 30, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 30, 2012	EXAMINERS AMENDMENT -WRITTEN	83172
Jan. 30, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Jan. 30, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Jan. 20, 2012	ASSIGNED TO LIE	68552
Jan. 10, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 29, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 29, 2011	NON-FINAL ACTION E-MAILED	6325
Dec. 29, 2011	NON-FINAL ACTION WRITTEN	83172
Dec. 28, 2011	ASSIGNED TO EXAMINER	83172
Sep. 16, 2011	NOTICE OF PSEUDO MARK MAILED	
Sep. 15, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 14, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 29, 2012

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Mark: FORMULA SF734

Formula SF734

US Serial Number: 85419805
Application Filing Date: Sep. 11, 2011
US Registration Number: 4149387
Registration Date: May 29, 2012
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 29, 2012
Publication Date: Mar. 13, 2012

Mark Information

Mark Literal Elements: FORMULA SF734
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

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

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

For: Nutritional supplements for gastrointestinal support
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 01, 2000
Use in Commerce: Jan. 01, 2000

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Thorne Research, Inc.
Owner Address: 25820 Highway 2 West
Dover, IDAHO 83864
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: IDAHO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kim R. Pearson
Attorney Primary Email Address: kpearson@thorne.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: KIM R. PEARSON
25820 HIGHWAY 2 W
SANDPOINT, IDAHO 83864-7364
UNITED STATES

Phone: 208-263-1337

Fax: 208-265-2488

Correspondent e-mail: kpearson@thorne.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 29, 2012	REGISTERED-PRINCIPAL REGISTER	
Mar. 13, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 13, 2012	PUBLISHED FOR OPPOSITION	
Feb. 22, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 06, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Feb. 02, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 30, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Jan. 30, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Jan. 20, 2012	ASSIGNED TO LIE	68552
Jan. 10, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 29, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 29, 2011	NON-FINAL ACTION E-MAILED	6325
Dec. 29, 2011	NON-FINAL ACTION WRITTEN	83172
Dec. 28, 2011	ASSIGNED TO EXAMINER	83172
Sep. 16, 2011	NOTICE OF PSEUDO MARK MAILED	
Sep. 15, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 14, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 29, 2012

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Mark: FORMULA 8

Formula 8

US Serial Number: 85420759 Application Filing Date: Sep. 12, 2011
US Registration Number: 4142114 Registration Date: May 15, 2012
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 15, 2012
Publication Date: Feb. 28, 2012

Mark Information

Mark Literal Elements: FORMULA 8
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 01, 2011 Use in Commerce: Sep. 01, 2011

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Murray Clarke
Owner Address: 20485 Callon Drive
Topanga, CALIFORNIA 90290
UNITED STATES
Legal Entity Type: INDIVIDUAL Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: MURRAY CLARKE
20485 CALLON DR
TOPANGA, CALIFORNIA 90290-3709
UNITED STATES
Correspondent e-mail: drmurrayc@yahoo.com Correspondent e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
May 15, 2012	REGISTERED-PRINCIPAL REGISTER	
Feb. 28, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 28, 2012	PUBLISHED FOR OPPOSITION	
Feb. 08, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 25, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jan. 23, 2012	ASSIGNED TO LIE	66213
Jan. 04, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 04, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 03, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 03, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 28, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 28, 2011	NON-FINAL ACTION E-MAILED	6325
Dec. 28, 2011	NON-FINAL ACTION WRITTEN	73699
Dec. 28, 2011	ASSIGNED TO EXAMINER	73699
Sep. 16, 2011	NOTICE OF PSEUDO MARK MAILED	
Sep. 15, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 15, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 15, 2012

Correspondent e-mail: lcw@usnaturalgroup.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 31, 2012	REGISTERED-PRINCIPAL REGISTER	
May 15, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 15, 2012	PUBLISHED FOR OPPOSITION	
Apr. 25, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 09, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Apr. 09, 2012	ASSIGNED TO LIE	66121
Mar. 19, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 19, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 19, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 15, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 15, 2012	NON-FINAL ACTION E-MAILED	6325
Mar. 15, 2012	NON-FINAL ACTION WRITTEN	65720
Mar. 13, 2012	ASSIGNED TO EXAMINER	65720
Dec. 05, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 03, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 31, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: TRB Health, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5135/0014](#)

Pages: 2

Date Recorded: Oct. 22, 2013

Supporting Documents: [assignment-tm-5135-0014.pdf](#)

Assignor

Name: [TRB HEALTH INC.](#)

Execution Date: Oct. 21, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [HARPER, JIM](#)

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Address: 231 HOWARD DRIVE
BELLEAIR BEACH, FLORIDA 33786

Correspondent

Correspondent Name: LIZ WHITTER

Correspondent Address: 2180 CALUMET STREET
CLEARWATER, FL 33765

Domestic Representative - Not Found

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Mark: CHRISTOPHER'S ORIGINAL FORMULAS



US Serial Number: 85500731
US Registration Number: 4190078
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 14, 2012
Publication Date: May 29, 2012

Application Filing Date: Dec. 21, 2011
Registration Date: Aug. 14, 2012

Mark Information

Mark Literal Elements: CHRISTOPHER'S ORIGINAL FORMULAS
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a picture of Dr. John R. Christopher's upper body with the word "Christopher's" above the head, the word "Original" on the left side of the picture, and the word "Formulas" on the right side of the picture.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "ORIGINAL FORMULAS"
Design Search Code(s): 02.01.01 - Busts of men facing forward; Portraiture of men facing forward; Men - heads, portraiture, or busts facing forward; Heads of men facing forward
Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 2001
Use in Commerce: Jul. 2001

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: R & D, LLC
Owner Address: 2696 North University Ave., Suite 200
Provo, UTAH 84604
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Travis Larsen**Attorney Primary Email Address:** tlarsen@hmho-law.com**Attorney Email Authorized:** No**Correspondent****Correspondent Name/Address:** TRAVIS LARSEN
HEIDEMAN, MCKAY, HEUGLY & OLSEN, LLC
397 N MAIN ST
SPANISH FORK, UTAH 84660-1734
UNITED STATES**Phone:** 801-812-1000**Fax:** 801-798-1670**Correspondent e-mail:** tlarsen@hmho-law.com ccope@hmho-law.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Sep. 19, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 19, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 14, 2012	REGISTERED-PRINCIPAL REGISTER	
May 29, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 29, 2012	PUBLISHED FOR OPPOSITION	
May 09, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 24, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Apr. 23, 2012	ASSIGNED TO LIE	68123
Mar. 30, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 29, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 29, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 29, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 29, 2012	EXAMINERS AMENDMENT -WRITTEN	76745
Mar. 24, 2012	ASSIGNED TO EXAMINER	76745
Jan. 04, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 03, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 24, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None**
File Location**Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Aug. 14, 2012

Generated on: This page was generated by TSDR on 2014-02-14 14:25:02 EST

Mark: LIPO-XR POWERFUL WEIGHT LOSS FORMULA



US Serial Number: 85532210
Application Filing Date: Feb. 02, 2012
US Registration Number: 4471406
Registration Date: Jan. 21, 2014
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 21, 2014
Publication Date: Oct. 02, 2012
Notice of Allowance Date: Nov. 27, 2012

Mark Information

Mark Literal Elements: LIPO-XR POWERFUL WEIGHT LOSS FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a solid square on the left side of the mark featured in blue, and the text "Lipo-XR Powerful Weight Loss Formula" featured in black on the right side of the mark.
Color Drawing: Yes
Color(s) Claimed: The color(s) blue and black is/are claimed as a feature of the mark.
Disclaimer: "LIPO XR AND POWERFUL WEIGHT LOSS FORMULA"
Design Search Code(s): 26.09.21 - Squares that are completely or partially shaded

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements used for weight loss
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 27, 2013
Use in Commerce: Nov. 27, 2013

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Ecopharma, LLC
Owner Address: 26th Floor
405 Lexington Avenue
New York, NEW YORK 10174
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Moshe D. Lapin

Attorney Primary Email Moshe@LanternLegal.com
Address:Attorney Email Yes
Authorized:**Correspondent**Correspondent Name/Address: MOSHE D. LAPIN
NATOLI-LAPIN, LLC
304 PARK AVE S FL 11
NEW YORK, NEW YORK 10010-4305
UNITED STATES

Phone: 212-537-4436

Fax: 212-537-4436

Correspondent e-mail: Moshe@LanternLegal.comCorrespondent e-mail Yes
Authorized:**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Jan. 21, 2014	REGISTERED-PRINCIPAL REGISTER	
Dec. 14, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 13, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Dec. 11, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 04, 2013	STATEMENT OF USE PROCESSING COMPLETE	66530
Nov. 27, 2013	USE AMENDMENT FILED	66530
Nov. 27, 2013	TEAS STATEMENT OF USE RECEIVED	
Jul. 19, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 18, 2013	EXTENSION 1 GRANTED	66530
May 27, 2013	EXTENSION 1 FILED	66530
Jul. 12, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Jun. 11, 2013	NOTICE OF REVIVAL - E-MAILED	
Jun. 11, 2013	EXTENSION RECEIVED WITH TEAS PETITION	
Jun. 11, 2013	PETITION TO REVIVE-GRANTED	88889
Jun. 11, 2013	TEAS PETITION TO REVIVE RECEIVED	
Nov. 27, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 02, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 02, 2012	PUBLISHED FOR OPPOSITION	
Sep. 12, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 29, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Aug. 28, 2012	ASSIGNED TO LIE	73797
Aug. 16, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 15, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 15, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 15, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 21, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 21, 2012	NON-FINAL ACTION E-MAILED	6325
May 21, 2012	NON-FINAL ACTION WRITTEN	74887
May 14, 2012	ASSIGNED TO EXAMINER	74887
Feb. 08, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 07, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 06, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 13, 2013

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Mark: BRAIN BOOSTER MEMORY FORMULA

BRAIN BOOSTER MEMORY
FORMULA

US Serial Number: 85557881
US Registration Number: 4269753
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 01, 2013
Publication Date: Aug. 07, 2012

Application Filing Date: Mar. 01, 2012
Registration Date: Jan. 01, 2013
Currently TEAS Plus: Yes
Notice of Allowance Date: Oct. 02, 2012

Mark Information

Mark Literal Elements: BRAIN BOOSTER MEMORY FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "MEMORY FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 06, 2012
Use in Commerce: Mar. 06, 2012

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: NaturMed, Inc.
Owner Address: PO Box 3840
Camp Verde, ARIZONA 86322
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: INDIANA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Clinton J. Cusick
Docket Number: 1228-141.1
Attorney Primary Email Address: ccusick@patentstrademarks.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Clinton J. Cusick
Cusick IP, PLLC
623 North Broad Street
LANSDALE, PENNSYLVANIA 19446
UNITED STATES

Phone: 215 853 8255

Fax: 215 647 4884

Correspondent e-mail: ccusick@cusickip.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 14, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 01, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 27, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 26, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Nov. 20, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 05, 2012	STATEMENT OF USE PROCESSING COMPLETE	69302
Nov. 01, 2012	USE AMENDMENT FILED	69302
Nov. 05, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Nov. 01, 2012	TEAS STATEMENT OF USE RECEIVED	
Oct. 02, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 07, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 07, 2012	PUBLISHED FOR OPPOSITION	
Jul. 18, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 02, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Jul. 02, 2012	ASSIGNED TO LIE	68123
Jun. 11, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 11, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 11, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 11, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 11, 2012	EXAMINERS AMENDMENT -WRITTEN	85327
Jun. 07, 2012	ASSIGNED TO EXAMINER	85327
Mar. 09, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 05, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 26, 2012

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Mark: AGE DEFYING ENERGY FORMULA

AGE DEFYING ENERGY FORMULA

US Serial Number: 85573307
Application Filing Date: Mar. 19, 2012
US Registration Number: 4345201
Registration Date: Jun. 04, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jun. 04, 2013
Publication Date: Mar. 19, 2013

Mark Information

Mark Literal Elements: AGE DEFYING ENERGY FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "ENERGY FORMULA"
Acquired Distinctiveness Claim: In whole

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 15, 2000
Use in Commerce: Dec. 15, 2000

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Bronson Nutritionals, LLC
Owner Address: 70 Commerce Drive
Hauppauge, NEW YORK 11788
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jay Geller
Attorney Primary Email: jhgeller@aol.com
Attorney Email: No

Address:

Authorized:

Correspondent

Correspondent Name/Address: JAY GELLER
12100 WILSHIRE BLVD STE 500
LOS ANGELES, CALIFORNIA 90025-7121
UNITED STATES

Phone: 3109799966

Fax: 3109430430

Correspondent e-mail: jhgeller@aol.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 04, 2013	REGISTERED-PRINCIPAL REGISTER	
Mar. 19, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 19, 2013	PUBLISHED FOR OPPOSITION	
Feb. 27, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 09, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Feb. 06, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 01, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 01, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 01, 2013	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jan. 31, 2013	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jan. 31, 2013	FINAL REFUSAL E-MAILED	
Jan. 31, 2013	FINAL REFUSAL WRITTEN	74671
Jan. 11, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 10, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 10, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 13, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 13, 2012	NON-FINAL ACTION E-MAILED	6325
Sep. 13, 2012	NON-FINAL ACTION WRITTEN	74671
Sep. 06, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Sep. 02, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Aug. 18, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Aug. 17, 2012	ASSIGNED TO LIE	73797
Aug. 09, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 18, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 17, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 17, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 17, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 26, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 26, 2012	NON-FINAL ACTION E-MAILED	6325
Jun. 26, 2012	NON-FINAL ACTION WRITTEN	74671
Jun. 25, 2012	ASSIGNED TO EXAMINER	74671
Mar. 27, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 22, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 04, 2013

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: [92056572](#)

Filing Date: Dec 11, 2012

Status: Terminated

Status Date: Feb 07, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: One World Networks Integrated Technologies, Inc.

Correspondent Address: MARIANA PAULA NOLI
LADAS & PARRY LLP
224 SOUTH MICHIGAN AVENUE, SUITE 1600
CHICAGO IL , 60604
UNITED STATES

Correspondent e-mail: mnoli@ladas.net , chiustm@ladas.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGE DEFY	Renewed	76127770	2583566

Plaintiff(s)

Name: Bronson Nutritionals, LLC

Correspondent Address: JAY GELLER
12100 WILSHIRE BOULEVARD, SUITE 500
LOS ANGELES CA , 90025
UNITED STATES

Correspondent e-mail: jhgeller@aol.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGE DEFYING ENERGY FORMULA	Registered	85573307	4345201

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 11, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 17, 2012	Jan 26, 2013
3	PENDING, INSTITUTED	Dec 17, 2012	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jan 08, 2013	
5	SUSPENDED	Jan 08, 2013	
6	UNDELIVERABLE MAIL	Jan 07, 2013	
7	WITHDRAWAL OF PETITION FOR CANCELLATION	Feb 05, 2013	
8	BOARD'S DECISION: DISMISSED W/O PREJ	Feb 07, 2013	
9	TERMINATED	Feb 07, 2013	

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Mark: NATURE NATURALS PREMIUM FORMULA



US Serial Number: 85580166
US Registration Number: 4241666
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 13, 2012
Publication Date: Aug. 28, 2012

Application Filing Date: Mar. 26, 2012
Registration Date: Nov. 13, 2012
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: NATURE NATURALS PREMIUM FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a blue heart with the words "Nature Naturals" in white is centered on an orange ribbon, on the left portion of the ribbon is the word "PREMIUM" in all caps and white lettering and on the right portion of the ribbon is the word "FORMULA" in all white capital letters.
Color Drawing: Yes
Color(s) Claimed: The color(s) blue, orange and white is/are claimed as a feature of the mark.
Disclaimer: "NATURALS" OR "PREMIUM FORMULA"
Design Search Code(s): 02.11.13 - Hearts used as backgrounds or carriers
09.01.04 - Bows, decorative; Ribbons, hair; Ribbons, giftwrap (gift wrap)
24.09.07 - Advertising, banners; Banners

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 15, 2011
Use in Commerce: Dec. 15, 2011

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: My Healthy Groove, LLC
Owner Address: 134 Three Degree Road
Pittsburgh, PENNSYLVANIA 15101
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: PENNSYLVANIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carl A. Ronald

Attorney Primary Email Address: carl@ronaldiplay.com

Attorney Email Authorized: No

CorrespondentCorrespondent Name/Address: CARL A. RONALD
RONALD LAW GROUP, LLC
STE 6 PMB 308
4960 WILLIAM FLYNN HWY
ALLISON PARK, PENNSYLVANIA 15101
UNITED STATES

Phone: (412) 680-5802

Fax: (412) 202-9554

Correspondent e-mail: carl@ronaldiplay.com carl.ronald@gmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Nov. 13, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 28, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 28, 2012	PUBLISHED FOR OPPOSITION	
Aug. 08, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 24, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Jul. 24, 2012	ASSIGNED TO LIE	76568
Jul. 05, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 04, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 30, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 30, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 29, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 29, 2012	NON-FINAL ACTION E-MAILED	6325
Jun. 29, 2012	NON-FINAL ACTION WRITTEN	72508
Jun. 29, 2012	ASSIGNED TO EXAMINER	72508
Apr. 03, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 02, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 29, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 13, 2012

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Mark: NATURAL MEDICINE FORMULAS



US Serial Number: 85597387

Application Filing Date: Apr. 13, 2012

US Registration Number: 4294846

Registration Date: Feb. 26, 2013

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 26, 2013

Publication Date: Dec. 11, 2012

Mark Information

Mark Literal Elements: NATURAL MEDICINE FORMULAS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the wording "NATURAL MEDICINE FORMULAS", with the wording "NATURAL MEDICINE" shown in blue, the word "FORMULAS" in green and underlined in green, and a stylized test-tube design show in green with white calibrations contained within the first "U", with a leaf and bubbles coming from the top of the test-tube all shown in green.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue, green, and white is/are claimed as a feature of the mark.

Disclaimer: "NATURAL MEDICINE FORMULAS"

Design Search Code(s): 01.15.11 - Foamy mass; Suds, soap; Soap suds; Foam (bubbles); Bubbles
05.03.25 - Other leaves; Leaf, single
19.13.02 - Test tubes
26.17.13 - Overlined words or letters; Letters or words underlined and/or overlined by one or more strokes or lines; Underlined words or letters
27.03.05 - Objects forming letters or numerals

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements; Food supplements; Homeopathic supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 12, 2012

Use in Commerce: Apr. 12, 2012

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Natural Medicine Formulas, LLC

Owner Address: Suite 132
2401 PGA Blvd
Palm Beach Gardens, FLORIDA 33410
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where: FLORIDA

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Brian Gibbons

Attorney Primary Email Address: trademarks@briangibbons.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Brian Gibbons
3936 S. Semoran Blvd., Suite 330
Orlando, FLORIDA 32822
UNITED STATES

Phone: 407-384-6156

Fax: 407-384-2601

Correspondent e-mail: trademarks@briangibbons.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Dec. 11, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 11, 2012	PUBLISHED FOR OPPOSITION	
Nov. 21, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 08, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Nov. 07, 2012	ASSIGNED TO LIE	70468
Oct. 23, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 16, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 15, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 15, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 02, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 02, 2012	NON-FINAL ACTION E-MAILED	6325
Aug. 02, 2012	NON-FINAL ACTION WRITTEN	82110
Jul. 30, 2012	ASSIGNED TO EXAMINER	82110
Apr. 21, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 20, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 17, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 26, 2013

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Mark: CHRISTIAN WILDE'S ENHANCED TURMERIC + FORMULA

Christian Wilde's Enhanced
Turmeric + Formula

US Serial Number: 85599087
Application Filing Date: Apr. 16, 2012
US Registration Number: 4267491
Registration Date: Jan. 01, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 01, 2013
Publication Date: Oct. 16, 2012

Mark Information

Mark Literal Elements: CHRISTIAN WILDE'S ENHANCED TURMERIC + FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "ENHANCED TURMERIC + FORMULA"
Name Portrait Consent: The name "CHRISTIAN WILDE" identifies a living individual whose consent is of record.

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary supplements containing turmeric
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 15, 2011
Use in Commerce: Nov. 15, 2011

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: Wilde, Christian
Owner Address: 12135 Valley Spring LN
Studio City, CALIFORNIA 91604
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: WILDE, CHRISTIAN
12135 VALLEY SPRING LN
STUDIO CITY, CALIFORNIA 91604-1697
UNITED STATES

Phone: 818 506-7889

Correspondent e-mail: ascap@pacbell.net

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 01, 2013	REGISTERED-PRINCIPAL REGISTER	
Oct. 16, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 16, 2012	PUBLISHED FOR OPPOSITION	
Sep. 26, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 07, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Aug. 31, 2012	ASSIGNED TO LIE	73296
Aug. 21, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 21, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 21, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 21, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 21, 2012	EXAMINERS AMENDMENT -WRITTEN	82104
Jul. 31, 2012	ASSIGNED TO EXAMINER	82104
Apr. 24, 2012	NOTICE OF PSEUDO MARK MAILED	
Apr. 23, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 19, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 01, 2013

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Mark: FORMULAMD

FORMULAMD

US Serial Number: 85654876
US Registration Number: 4397409
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 03, 2013
Publication Date: Nov. 13, 2012
Application Filing Date: Jun. 18, 2012
Registration Date: Sep. 03, 2013
Currently TEAS Plus: Yes
Notice of Allowance Date: Jan. 08, 2013

Mark Information

Mark Literal Elements: FORMULAMD
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary supplements; Food supplements; Herbal supplements; Mineral supplements; Nutritional supplements; Nutritional supplements for energy

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 19, 2013

Use in Commerce: Apr. 19, 2013

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Advanced Formulas, LLC
Owner Address: Post Office Box 680
Soperton, GEORGIA 30457
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: GEORGIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JONATHAN A. FALLON
Attorney Primary Email Address: jp@msgld.com
Docket Number: AF002
Attorney Email Authorized: No

Correspondent

Correspondent JONATHAN A. FALLON

Name/Address: MANDELBAUM SALSBURG
155 PROSPECT AVENUE
WEST ORANGE, NEW JERSEY 07052
UNITED STATES

Phone: 732.637.9733

Fax: 732.549.0464

Correspondent e-mail: jp@msgld.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 03, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 30, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jul. 29, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Jul. 26, 2013	ASSIGNED TO LIE	68171
Jul. 11, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 04, 2013	STATEMENT OF USE PROCESSING COMPLETE	66530
May 01, 2013	USE AMENDMENT FILED	66530
May 24, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
May 13, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
May 13, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 01, 2013	TEAS STATEMENT OF USE RECEIVED	
Jan. 08, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 13, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 13, 2012	PUBLISHED FOR OPPOSITION	
Oct. 24, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 30, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 30, 2012	ASSIGNED TO EXAMINER	78305
Jun. 28, 2012	NOTICE OF PSEUDO MARK MAILED	
Jun. 27, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 21, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 29, 2013

Generated on: This page was generated by TSDR on 2014-02-14 14:22:02 EST

Mark: FORMULAT10

FormulaT10

US Serial Number: 85686837

Application Filing Date: Jul. 25, 2012

US Registration Number: 4305112

Registration Date: Mar. 19, 2013

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 19, 2013

Publication Date: Jan. 01, 2013

Mark Information

Mark Literal Elements: FORMULAT10

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements; Dietary supplements; Dietary supplements for human consumption; Herbal supplements; Hormone replacement therapy preparations; Mineral food supplements; Mineral nutritional supplements; Mineral supplements; Natural herbal supplements; Natural supplements for treating erectile dysfunction; Nutraceuticals for use as a dietary supplement; Nutraceuticals for use as a dietary supplement for supporting testosterone production; Nutritional supplements; Vitamin supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 2012

Use in Commerce: Jul. 01, 2012

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Longhorn Marketing

Owner Address: #104
4545 Spring Mountain
Las Vegas, NEVADA 89102
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: LONGHORN MARKETING
LONGHORN MARKETING
4545 SPRING MOUNTAIN RD STE 104
LAS VEGAS, NEVADA 89102-8752

UNITED STATES

Correspondent e-mail: methodedirect@hotmail.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 19, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 01, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 01, 2013	PUBLISHED FOR OPPOSITION	
Dec. 12, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 20, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 20, 2012	ASSIGNED TO EXAMINER	76433
Aug. 02, 2012	NOTICE OF PSEUDO MARK MAILED	
Aug. 01, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 28, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 19, 2013

Generated on: This page was generated by TSDR on 2014-02-14 14:24:44 EST

Mark: NS FORMULA

NS FORMULA

US Serial Number: 85689808
Application Filing Date: Jul. 30, 2012
US Registration Number: 4448678
Registration Date: Dec. 10, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 10, 2013
Publication Date: Jan. 08, 2013
Notice of Allowance Date: Mar. 05, 2013

Mark Information

Mark Literal Elements: NS FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements; dietary supplements; herbal supplements; nutritional supplements

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 10, 2013

Use in Commerce: Jan. 10, 2013

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Active Life Global Solutions LTD
Owner Address: 9550 S. Eastern Ave., STE 253
Las Vegas, NEVADA 89123
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Matthew H. Swyers
Attorney Primary Email Address: mswyers@thetrademarkcompany.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MATTHEW H. SWYERS
THE TRADEMARK COMPANY
344 MAPLE AVE W STE 151
VIENNA, VIRGINIA 22180-5612
UNITED STATES

Phone: 800-906-8626 ext 100

Fax: 919-861-5278

Correspondent e-mail: mswyers@thetrademarkcompany.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 10, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 02, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 01, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
Nov. 01, 2013	ASSIGNED TO LIE	77312
Oct. 18, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 01, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
Aug. 27, 2013	USE AMENDMENT FILED	65362
Oct. 01, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Aug. 27, 2013	TEAS STATEMENT OF USE RECEIVED	
Mar. 05, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 08, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 08, 2013	PUBLISHED FOR OPPOSITION	
Dec. 19, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 27, 2012	ASSIGNED TO EXAMINER	76520
Aug. 07, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 02, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 01, 2013

Generated on: This page was generated by TSDR on 2014-02-14 14:24:56 EST

Mark: RAVEOLUTION RECOVERY FORMULA



US Serial Number: 85694168
US Registration Number: 4467257
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 14, 2014
Publication Date: Jan. 29, 2013

Application Filing Date: Aug. 02, 2012
Registration Date: Jan. 14, 2014
Currently TEAS Plus: Yes
Notice of Allowance Date: Mar. 26, 2013

Mark Information

Mark Literal Elements: RAVEOLUTION RECOVERY FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of the stylized text "RAVEOLUTION RECOVERY FORMULA" in two lines. The letter "O" in "RAVEOLUTION" is replaced by a smiley face symbol that is wearing head phones and has no eyes.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "RECOVERY FORMULA"
Design Search Code(s): 02.11.16 - Faces, smiley; Smiley faces
16.01.07 - Headsets; Headphones; Head phones; Microphones
27.03.02 - Humans forming letters or numerals; Humans forming punctuation

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Dietary food supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 01, 2013
Use in Commerce: Jun. 01, 2013

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Berg, Austin
Owner Address: 1205 Franklin Ave. Suite#380
Garden City, NEW YORK 11530
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: BERG, AUSTIN
1205 Franklin Ave. Suite#380
Garden City, NEW YORK 11530
UNITED STATES

Phone: 516 8525697

Correspondent e-mail: RaveolutionRecovery@gmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 14, 2014	REGISTERED-PRINCIPAL REGISTER	
Dec. 07, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 06, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Dec. 06, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 06, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 05, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
Nov. 05, 2013	USE AMENDMENT FILED	65362
Dec. 05, 2013	EXTENSION 1 GRANTED	65362
Sep. 26, 2013	EXTENSION 1 FILED	65362
Dec. 05, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Nov. 05, 2013	NOTICE OF REVIVAL - E-MAILED	
Nov. 05, 2013	TEAS STATEMENT OF USE RECEIVED	
Nov. 05, 2013	EXTENSION RECEIVED WITH TEAS PETITION	
Nov. 05, 2013	PETITION TO REVIVE-GRANTED	88889
Nov. 05, 2013	TEAS PETITION TO REVIVE RECEIVED	
Oct. 28, 2013	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Oct. 28, 2013	ABANDONMENT - NO USE STATEMENT FILED	99999
Mar. 26, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 29, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 29, 2013	PUBLISHED FOR OPPOSITION	
Jan. 09, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 27, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Dec. 27, 2012	ASSIGNED TO LIE	68171
Dec. 10, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 10, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 10, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 10, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 10, 2012	EXAMINERS AMENDMENT -WRITTEN	81092
Dec. 04, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 04, 2012	NON-FINAL ACTION E-MAILED	6325
Dec. 04, 2012	NON-FINAL ACTION WRITTEN	81092
Nov. 29, 2012	ASSIGNED TO EXAMINER	81092
Aug. 14, 2012	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Aug. 13, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 06, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 06, 2013

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Mark: BETTER FORMULAS. BETTER RESULTS.

Better Formulas. Better Results.

US Serial Number: 85728690
US Registration Number: 4331881
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: May 07, 2013
Publication Date: Feb. 19, 2013

Application Filing Date: Sep. 13, 2012
Registration Date: May 07, 2013
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: BETTER FORMULAS. BETTER RESULTS.
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 20, 2012
Use in Commerce: Apr. 20, 2012

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Health-Right Discoveries, Inc.
Owner Address: Suite C-301
11211 Prosperity Farms Road
Palm Beach Gardens, FLORIDA 33410
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: HEALTH-RIGHT DISCOVERIES, INC.
11211 PROSPERITY FARMS RD STE C301
PALM BEACH GARDENS, FLORIDA 33410-3400
UNITED STATES

Phone: 281-703-4757

Correspondent e-mail: dhobby3644@yahoo.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 07, 2013	REGISTERED-PRINCIPAL REGISTER	
Feb. 19, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 19, 2013	PUBLISHED FOR OPPOSITION	
Jan. 30, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 09, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 09, 2013	ASSIGNED TO EXAMINER	75571
Sep. 19, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 17, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 07, 2013

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Mark: ORIGINAL TIGER HERBAL FORMULA



US Serial Number: 85736122
US Registration Number: 4401627
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 10, 2013
Publication Date: Mar. 05, 2013

Application Filing Date: Sep. 24, 2012
Registration Date: Sep. 10, 2013
Currently TEAS Plus: Yes
Notice of Allowance Date: Apr. 30, 2013

Mark Information

Mark Literal Elements: ORIGINAL TIGER HERBAL FORMULA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of crouching stylized tiger with "ORIGINAL TIGER HERBAL FORMULA".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "ORIGINAL" AND "HERBAL FORMULA"
Design Search Code(s): 03.01.03 - Cats, tigers or other large cats; Cheetahs; Jaguars; Leopard; Lynx; Ocelots; Panther; Panthers; Puma; Tigers
03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Herbal dietary and nutritional supplements; herbal vitamins

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2013

Use in Commerce: May 2013

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Magverz, Inc.

Owner Address: Suite 471
1507 7th St.
Santa Monica, CALIFORNIA 90401
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Matthew H. Swyers

Attorney Primary Email Address: info@thetrademarkcompany.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MATTHEW H. SWYERS
THE TRADEMARK COMPANY
344 MAPLE AVE W STE 151
VIENNA, VIRGINIA 22180-5612
UNITED STATES

Phone: 800-906-8626

Fax: 270-477-4574

Correspondent e-mail: info@thetrademarkcompany.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 10, 2013	REGISTERED-PRINCIPAL REGISTER	
Aug. 09, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 08, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	70633
Aug. 01, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 16, 2013	STATEMENT OF USE PROCESSING COMPLETE	76538
Jun. 21, 2013	USE AMENDMENT FILED	76538
Jul. 12, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Jun. 21, 2013	TEAS STATEMENT OF USE RECEIVED	
Apr. 30, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 05, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 05, 2013	PUBLISHED FOR OPPOSITION	
Feb. 13, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 26, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Jan. 25, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 25, 2013	EXAMINER'S AMENDMENT ENTERED	70633
Jan. 23, 2013	ASSIGNED TO LIE	70633
Jan. 23, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT -WRITTEN	83177
Jan. 23, 2013	ASSIGNED TO EXAMINER	83177
Sep. 28, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 27, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 27, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 08, 2013

Generated on: This page was generated by TSDR on 2014-02-14 14:22:47 EST

Mark: FOCUS FORMULA

FOCUS FORMULA

US Serial Number: 85763527
US Registration Number: 4360678
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 02, 2013
Publication Date: Apr. 16, 2013

Application Filing Date: Oct. 25, 2012
Registration Date: Jul. 02, 2013
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: FOCUS FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 01, 2002

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Apr. 01, 2002

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Windmill Health Products, LLC
Owner Address: 6 Henderson Drive
West Caldwell, NEW JERSEY 07004
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott Yagoda
Attorney Primary Email Address: yagodalaw@aol.com
Attorney Email Authorized: No

Correspondent

Correspondent SCOTT YAGODA
Name/Address: LAW OFFICE OF SCOTT YAGODA
155 PASSAIC AVE STE 300
FAIRFIELD, NEW JERSEY 07004-3562
UNITED STATES

Phone: 973-439-0123

Fax: 973-439-0265

Correspondent e-mail: yagodalaw@aol.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 02, 2013	REGISTERED-PRINCIPAL REGISTER	
Apr. 16, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 16, 2013	PUBLISHED FOR OPPOSITION	
Mar. 27, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 13, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Mar. 13, 2013	ASSIGNED TO LIE	70633
Feb. 28, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 28, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 28, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 28, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 28, 2013	EXAMINERS AMENDMENT -WRITTEN	78477
Feb. 23, 2013	ASSIGNED TO EXAMINER	78477
Oct. 31, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 29, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 02, 2013

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Mark: FORMULA HR

Formula HR

US Serial Number: 85793009
Application Filing Date: Dec. 03, 2012
US Registration Number: 4379351
Registration Date: Aug. 06, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Aug. 06, 2013
Publication Date: May 21, 2013

Mark Information

Mark Literal Elements: FORMULA HR
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Herbal supplements; Natural herbal supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 01, 2002
Use in Commerce: Jul. 01, 2002

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Carley, Leatrice Nannette
Owner Address: c/o The Merman Law Firm, P.C.
1201 Shepherd Dr.
Houston, TEXAS 77007
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Derek Merman
Attorney Primary Email Address: Derek@MermanLawFirm.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: DEREK MERMAN
THE MERMAN LAW FIRM, P.C.
1201 SHEPHERD DR
HOUSTON, TEXAS 77007-5429
UNITED STATES

Phone: 713.351.0679

Fax: 713.583.0555

Correspondent e-mail: Derek@MermanLawFirm.com Tommie@MermanLawFirm.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 06, 2013	REGISTERED-PRINCIPAL REGISTER	
May 21, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 21, 2013	PUBLISHED FOR OPPOSITION	
May 01, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 18, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Apr. 18, 2013	ASSIGNED TO LIE	68552
Mar. 26, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 26, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 26, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 26, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 26, 2013	EXAMINERS AMENDMENT -WRITTEN	73706
Mar. 21, 2013	ASSIGNED TO EXAMINER	73706
Dec. 12, 2012	NOTICE OF PSEUDO MARK MAILED	
Dec. 11, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 06, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 06, 2013

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Mark: MORINGA FORMULA 200

MORINGA FORMULA 200

US Serial Number: 85796829 Application Filing Date: Dec. 06, 2012
US Registration Number: 4429961 Registration Date: Nov. 05, 2013
Filed as TEAS Plus: Yes Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 05, 2013
Publication Date: May 14, 2013 Notice of Allowance Date: Jul. 09, 2013

Mark Information

Mark Literal Elements: MORINGA FORMULA 200
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "MORINGA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements; Dietary and nutritional supplements containing MORINGA; Dietary food supplements; Dietary supplements; Dietary supplements also containing MORINGA

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 2013

Use in Commerce: Mar. 01, 2013

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: CORPORATE AMERICAN SOLUTIONS, LLC
Owner Address: 7255 NW Corporate Center Dr., Suite A
MIAMI, FLORIDA 33126
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Dr. MARIO SERGIO GOLAB Docket Number: USACARI007
Attorney Primary Email Address: MARIO@GOLABIP.COM Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: DR. MARIO SERGIO GOLAB
GOLAB INTELLECTUAL PROPERTY
1413 SANTA CRUZ AVE
CORAL GABLES, FLORIDA 33134-2257
UNITED STATES

Phone: 305 720-2080

Correspondent e-mail: MARIO@GOLABIP.COM DRGOILAB@THEMINDHARVESTERS.COM

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Nov. 05, 2013	REGISTERED-PRINCIPAL REGISTER	
Sep. 28, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 27, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73296
Sep. 24, 2013	ASSIGNED TO LIE	73296
Sep. 12, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 23, 2013	STATEMENT OF USE PROCESSING COMPLETE	66230
Jul. 22, 2013	USE AMENDMENT FILED	66230
Aug. 21, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jul. 22, 2013	TEAS STATEMENT OF USE RECEIVED	
Jul. 09, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 14, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 14, 2013	PUBLISHED FOR OPPOSITION	
Apr. 24, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 03, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 24, 2013	ASSIGNED TO EXAMINER	83285
Dec. 18, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 10, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 27, 2013

Generated on: This page was generated by TSDR on 2014-02-14 14:23:34 EST

Mark: FORMULA 110

FORMULA 110

US Serial Number: 85848754
Application Filing Date: Feb. 13, 2013
US Registration Number: 4410547
Registration Date: Oct. 01, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 01, 2013
Publication Date: Jul. 16, 2013

Mark Information

Mark Literal Elements: FORMULA 110
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 01, 2012
Use in Commerce: Nov. 01, 2012

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: Burn & Build Body LLC
Owner Address: Floor 9
12 West 27th St
New York, NEW YORK 10001
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent: BURN & BUILD BODY LLC
Name/Address: 12 W 27TH ST FL 9
NEW YORK, NEW YORK 10001-6903

UNITED STATES

Phone: 2126759355

Fax: 2126759381

Correspondent e-mail: Rick@rickdinihanian.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 01, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 16, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 16, 2013	PUBLISHED FOR OPPOSITION	
Jun. 26, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 13, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jun. 11, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 11, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Jun. 11, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Jun. 04, 2013	ASSIGNED TO LIE	66213
May 30, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 29, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 29, 2013	NON-FINAL ACTION E-MAILED	6325
May 29, 2013	NON-FINAL ACTION WRITTEN	76838
May 29, 2013	ASSIGNED TO EXAMINER	76838
Feb. 21, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 16, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 01, 2013

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Mark: OPTIMAL HEALING FORMULA

OPTIMAL HEALING FORMULA

US Serial Number: 85849894
Application Filing Date: Feb. 14, 2013
US Registration Number: 4417767
Registration Date: Oct. 15, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 15, 2013
Publication Date: Jul. 30, 2013

Mark Information

Mark Literal Elements: OPTIMAL HEALING FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "HEALING FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Dietary supplement containing protein
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 01, 2011
Use in Commerce: Jan. 01, 2011

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Burn & Build Body LLC
Owner Address: Floor 9
12 West 27th Street
New York, NEW YORK 10001
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: BURN & BUILD BODY LLC
12 W 27TH ST FL 9
NEW YORK, NEW YORK 10001-6903
UNITED STATES

Phone: 2126759355

Fax: 2126759381

Correspondent e-mail: Rick@rickdinihanian.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 15, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 30, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 30, 2013	PUBLISHED FOR OPPOSITION	
Jul. 10, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 27, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Jun. 25, 2013	ASSIGNED TO LIE	77312
Jun. 07, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 06, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 06, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 06, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 06, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 06, 2013	NON-FINAL ACTION E-MAILED	6325
Jun. 06, 2013	NON-FINAL ACTION WRITTEN	76838
May 29, 2013	ASSIGNED TO EXAMINER	76838
Feb. 21, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 15, 2013

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Mark: HERBALIS FORMULA

HERBALIS FORMULA

US Serial Number: 85863442
Application Filing Date: Feb. 28, 2013
US Registration Number: 4424845
Registration Date: Oct. 29, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 29, 2013
Publication Date: Aug. 13, 2013

Mark Information

Mark Literal Elements: HERBALIS FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Dietary and nutritional supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 27, 2012
Use in Commerce: Jul. 27, 2012

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: To, Marie
Owner Address: 16051 Brookhurst Street, Suite B
Fountain Valley, CALIFORNIA 92708
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John M. Hamilton
Attorney Primary Email Address: jm_hamilton15@yahoo.com
Attorney Email Authorized: Yes

Correspondent

Correspondent: JOHN M. HAMILTON

Name/Address: HAMILTON LAW OFFICES
5757 W CENTURY BLVD STE 700
LOS ANGELES, CALIFORNIA 90045-6409
UNITED STATES

Phone: 310-348-2938

Fax: 310-348-7288

Correspondent e-mail: jm_hamilton15@yahoo.com j.m.hamilton@earthlink.net

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 29, 2013	REGISTERED-PRINCIPAL REGISTER	
Aug. 13, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 13, 2013	PUBLISHED FOR OPPOSITION	
Jul. 24, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 08, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Jul. 08, 2013	ASSIGNED TO LIE	77312
Jun. 17, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 17, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 17, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 17, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 17, 2013	EXAMINERS AMENDMENT -WRITTEN	90294
Jun. 12, 2013	ASSIGNED TO EXAMINER	90294
Mar. 07, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 04, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 29, 2013

Generated on: This page was generated by TSDR on 2014-02-14 14:23:39 EST

Mark: ROCKIT FUEL FORMULA 110

Rockit Fuel Formula 110

US Serial Number: 85879924
US Registration Number: 4411156
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 01, 2013
Publication Date: Jul. 16, 2013

Application Filing Date: Mar. 19, 2013
Registration Date: Oct. 01, 2013
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: ROCKIT FUEL FORMULA 110
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Dietary supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 01, 2013

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Feb. 18, 2013

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: Burn & Build Body LLC
Owner Address: Floor 9
12 West 27th Street
New York, NEW YORK 10001
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent: BURN & BUILD BODY LLC
Name/Address: 12 W 27TH ST FL 9
NEW YORK, NEW YORK 10001-6903

UNITED STATES

Phone: 2126759355

Fax: 2126759317

Correspondent e-mail: rick@rickdinihanian.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 01, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 16, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 16, 2013	PUBLISHED FOR OPPOSITION	
Jun. 26, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 13, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jun. 11, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 11, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Jun. 11, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Jun. 04, 2013	ASSIGNED TO LIE	66213
May 30, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 29, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 29, 2013	NON-FINAL ACTION E-MAILED	6325
May 29, 2013	NON-FINAL ACTION WRITTEN	76838
May 29, 2013	ASSIGNED TO EXAMINER	76838
Mar. 23, 2013	NOTICE OF PSEUDO MARK E-MAILED	
Mar. 22, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 22, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 01, 2013

Generated on: This page was generated by TSDR on 2014-02-14 14:24:33 EST

Mark: THE PHYSIQUE FORMULA

The Physique Formula

US Serial Number: 85894321
US Registration Number: 4439524
Filed as TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 26, 2013
Publication Date: Sep. 10, 2013

Application Filing Date: Apr. 03, 2013
Registration Date: Nov. 26, 2013
Currently TEAS Plus: Yes

Mark Information

Mark Literal Elements: THE PHYSIQUE FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA" FOR INTERNATIONAL CLASS 5

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Nutritional supplements
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 01, 2008

U.S Class(es): 006, 018, 044, 046, 051, 052
Use in Commerce: Apr. 05, 2008

For: Books in the field of fitness and nutrition
International Class(es): 016 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 01, 2008

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050
Use in Commerce: Apr. 05, 2008

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Smith, James
Owner Address: 77 Elmbrook Drive
Stamford, CONNECTICUT 06906
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: SMITH, JAMES
77 ELMBROOK DR
STAMFORD, CONNECTICUT 06906-1111
UNITED STATES

Phone: (203) 918-1938

Correspondent e-mail: jsmith2482@Yahoo.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Sep. 10, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 10, 2013	PUBLISHED FOR OPPOSITION	
Aug. 21, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 07, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Aug. 02, 2013	ASSIGNED TO LIE	66121
Jul. 19, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 19, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 19, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 19, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 19, 2013	EXAMINERS AMENDMENT -WRITTEN	83178
Jul. 16, 2013	ASSIGNED TO EXAMINER	83178
Apr. 09, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 06, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 26, 2013

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Mark: CFL FORMULA

CFL FORMULA

US Serial Number: 85899285 Application Filing Date: Apr. 09, 2013
US Registration Number: 4443157 Registration Date: Dec. 03, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 03, 2013
Publication Date: Sep. 17, 2013

Mark Information

Mark Literal Elements: CFL FORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: homeopathic supplements used in weight loss and weight management
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 2010 Use in Commerce: Sep. 2010

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Homeopathic Weight Management, LLC
Owner Address: Suite 230
280 Court Street NE
Salem, OREGON 97301
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: OREGON

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Anna Kuhn
Attorney Primary Email Address: PTOmail@annakuhnlaw.com Attorney Email Authorized: Yes

Correspondent

Correspondent ANNA KUHN

Name/Address: LAW OFFICE OF ANNA KUHN, PLLC
4805 CRESTWAY DR
AUSTIN, TEXAS 78731-4714
UNITED STATES

Phone: 512.922.3090

Correspondent e-mail: PTOmail@annakuhnlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 03, 2013	REGISTERED-PRINCIPAL REGISTER	
Sep. 17, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 17, 2013	PUBLISHED FOR OPPOSITION	
Aug. 28, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 13, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Aug. 08, 2013	ASSIGNED TO LIE	66121
Jul. 26, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 26, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 26, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 26, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 26, 2013	EXAMINERS AMENDMENT -WRITTEN	90287
Jul. 23, 2013	ASSIGNED TO EXAMINER	90287
Apr. 17, 2013	NOTICE OF PSEUDO MARK E-MAILED	
Apr. 16, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 12, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 03, 2013

Generated on: This page was generated by TSDR on 2014-02-14 14:24:50 EST

Mark: DOCSFORMULA

DocsFormula

US Serial Number: 85932410
Application Filing Date: May 15, 2013
US Registration Number: 4461928
Registration Date: Jan. 07, 2014
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 07, 2014
Publication Date: Oct. 22, 2013

Mark Information

Mark Literal Elements: DOCSFORMULA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Dermatological pharmaceutical products; Dietary and nutritional supplements; Gummy vitamins; Herbal supplements; Liquid vitamin supplements; Medicated cosmetics; Vitamin and mineral formed and packaged as bars; Vitamin and mineral supplements; Vitamin enriched water; Vitamin fortified beverages

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 08, 2012

Use in Commerce: Jun. 27, 2012

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Yeh, Shye-Ren
Owner Address: Suite 8
638 W. Duarte Road
Arcadia, CALIFORNIA 91007
UNITED STATES
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: YEH, SHYE-REN
638 W DUARTE RD STE 8
ARCADIA, CALIFORNIA 91007-9202
UNITED STATES

Phone: 626-574-1189

Fax: 626-574-7812

Correspondent e-mail: shyerenyehmd@yahoo.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 07, 2014	REGISTERED-PRINCIPAL REGISTER	
Oct. 22, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 22, 2013	PUBLISHED FOR OPPOSITION	
Oct. 02, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 09, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 03, 2013	ASSIGNED TO EXAMINER	78449
May 24, 2013	NOTICE OF PSEUDO MARK E-MAILED	
May 23, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 18, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 07, 2014

Generated on: This page was generated by TSDR on 2014-02-14 14:24:24 EST

Mark: PURPLE LIFE FORMULA

PURPLE LIFE FORMULA

US Serial Number: 85969576

Application Filing Date: Jun. 25, 2013

Register: Principal

Mark Type: Trademark

Status: A request for an extension of time to file an opposition has been filed with the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Dec. 06, 2013

Publication Date: Nov. 19, 2013

Mark Information

Mark Literal Elements: PURPLE LIFE FORMULA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FORMULA"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY SUPPLEMENTAL DRINKS; DIETARY SUPPLEMENT DRINK MIXES; POWDERED NUTRITIONAL SUPPLEMENT DRINK MIX; VITAMIN ENHANCED FLAVORED WATER AND BEVERAGES

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(b)

For: NON-ALCOHOLIC FRUIT FLAVORED BEVERAGES; FRUIT JUICES; FRUIT DRINKS; ENERGY DRINKS; ENERGY SHOTS; FRUIT FLAVORED WATERS; SPORTS DRINKS AND POWDER, SYRUP, GELS, AND OTHER CONCENTRATES FOR MAKING THE SAME

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PURPLE LIFE LABORATORIES, LLC

Owner Address: 864 Production Place
Newport Beach, CALIFORNIA 92663
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: VANESSA TURNER

Attorney Primary Email VTURNER@HBWLLP.COM
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: VANESSA TURNER
HODEL BRIGGS WINTER LLP
8105 IRVINE CENTER DR STE 1400
IRVINE, CALIFORNIA 92618-4930
UNITED STATES

Phone: 949-450-4427

Correspondent e-mail: VTURNER@HBWLLP.COM

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 06, 2013	EXTENSION OF TIME TO OPPOSE RECEIVED	
Nov. 19, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 19, 2013	PUBLISHED FOR OPPOSITION	
Oct. 30, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 17, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Oct. 17, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 11, 2013	EXAMINER'S AMENDMENT ENTERED	66213
Oct. 10, 2013	ASSIGNED TO LIE	66213
Oct. 10, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 10, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 10, 2013	EXAMINERS AMENDMENT -WRITTEN	67424
Oct. 03, 2013	ASSIGNED TO EXAMINER	67424
Sep. 18, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Sep. 18, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 08, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 28, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: CORDOVA, RAUL

Law Office Assigned: LAW OFFICE 114

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 17, 2013

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [85969576](#)

Filing Date: Dec 06, 2013

Status: Not Instituted

Status Date: Dec 06, 2013

Interlocutory Attorney:

Defendant

Name: PURPLE LIFE LABORATORIES, LLC

Correspondent Address: VANESSA TURNER
HODEL BRIGGS WINTER LLP
8105 IRVINE CENTER DR STE 1400
IRVINE CA , 92618-4930

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Request For Extension of Time to File

Potential Opposer(s)**Name:** Nestle Waters North America, Inc.**Correspondent Address:** Thomas A. Polcyn
Thompson Coburn LLP
One US Bank Plaza
St. Louis MO , 63101
UNITED STATES**Correspondent e-mail:** ipdocket@thompsoncoburn.com**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Dec 06, 2013	
2	EXTENSION OF TIME GRANTED	Dec 06, 2013	
3	INCOMING - EXT TIME TO OPPOSE FILED	Dec 20, 2013	
4	EXTENSION OF TIME GRANTED	Dec 20, 2013	

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Mark: DOUBLE DEERS FORMULA



US Serial Number: 76538011

Application Filing Date: Aug. 06, 2003

US Registration Number: 3745628

Registration Date: Feb. 09, 2010

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 09, 2010

Publication Date: Nov. 24, 2009

Mark Information

Mark Literal Elements: DOUBLE DEERS FORMULA

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Disclaimer: "FORMULA" AND THE NON-LATIN CHARACTERS THAT MEAN "LANZHOU", "HERBAL MEDICINE", AND "GLOSSY GANODERMA"

Translation: The non-Latin characters in the mark transliterate to "LAN ZHOU", "ZHONG YUE", "SHUANG LU", and "LING ZHI", and this means "the capital of Ganshu Province, China", "herbal medicine, or alternative medicine", "double deer", and "glossy ganoderma", respectively in English.

Design Search Code(s): 03.07.07 - Gazelle; Fawns; Caribou; Deer, elk, reindeer, fawns, antelopes, moose, gazelles; Impala
26.01.02 - Plain single line circles; Circles, plain single line
26.01.17 - Concentric circles, two; Circles, two concentric; Two concentric circles
26.01.21 - Circles that are totally or partially shaded.
28.01.03 - Japanese characters; Chinese characters; Asian characters

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Natural herbal supplements; herbal teas for medicinal purposes; food for medically restricted diets

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 02, 1998

Use in Commerce: Aug. 02, 1998

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: T.Y. NG, Franklin

Owner Address: 66 John Street
Brooklyn, NEW YORK 11201
UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kenneth Cang Li

Docket Number: CLLJ-ITUTM-0

Correspondent

Correspondent Name/Address: KENNETH CANG LI
LIN & LI, LLC
65 BROADWAY STE 801/802
NEW YORK, NEW YORK 10006
UNITED STATES

Phone: (212) 430-6810

Fax: (212) 430-6815

Domestic Representative

Domestic Representative Name: Lin & Li, LLC

Phone: (212) 430-6810

Fax: (212) 430-6815

Prosecution History

Date	Description	Proceeding Number
Feb. 09, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 24, 2009	PUBLISHED FOR OPPOSITION	
Nov. 04, 2009	NOTICE OF PUBLICATION	
Oct. 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Oct. 20, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 15, 2009	EXAMINERS AMENDMENT MAILED	
Oct. 15, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 15, 2009	EXAMINERS AMENDMENT -WRITTEN	85321
Apr. 14, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	67215
Oct. 14, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Oct. 01, 2008	ASSIGNED TO EXAMINER	85321
Apr. 10, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Mar. 31, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	67215
Mar. 28, 2008	ASSIGNED TO LIE	67215
Sep. 25, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	69350
Sep. 25, 2007	ASSIGNED TO LIE	69350
Feb. 16, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70824
Feb. 16, 2007	ASSIGNED TO LIE	70824
Aug. 04, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77975
Jan. 20, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77975
Jun. 01, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 23, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76532
May 04, 2004	LETTER OF SUSPENSION MAILED	
Mar. 23, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 23, 2004	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 04, 2004	NON-FINAL ACTION MAILED	
Feb. 25, 2004	ASSIGNED TO EXAMINER	76926

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 09, 2010

Name/Address: LAW OFFICES OF BRIAN S. STEINBERGER, P.A.
101 BREVARD AVE
COCOA, FLORIDA 32922-7904
UNITED STATES

Phone: 321-633-5080

Fax: 321-633-9322

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2013	PUBLISHED FOR OPPOSITION	
Dec. 19, 2012	NOTICE OF PUBLICATION	
Dec. 01, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Nov. 30, 2012	ASSIGNED TO LIE	73296
Nov. 14, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 24, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 24, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 24, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 14, 2012	NON-FINAL ACTION MAILED	
Jun. 13, 2012	NON-FINAL ACTION WRITTEN	83176
Jun. 05, 2012	ASSIGNED TO EXAMINER	83176
Mar. 03, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 02, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 28, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 26, 2013

Attorney of Record

Attorney Name: William H. Brewster **Docket Number:** 93419-813606
Attorney Primary Email Address: tmadmin@kiltown.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: WILLIAM H. BREWSTER
 KILPATRICK TOWNSEND & STOCKTON LLP
 1100 PEACHTREE ST NE STE 2800
 ATLANTA, GEORGIA 30309-4528
 UNITED STATES
Phone: 404-815-6500 **Fax:** 404-815-6555
Correspondent e-mail Authorized: tmadmin@kiltown.com Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Oct. 02, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 31, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 30, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	73296
Aug. 28, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 15, 2012	STATEMENT OF USE PROCESSING COMPLETE	76874
Jul. 25, 2012	USE AMENDMENT FILED	76874
Aug. 15, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Jul. 25, 2012	TEAS STATEMENT OF USE RECEIVED	
Feb. 21, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 27, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 27, 2011	PUBLISHED FOR OPPOSITION	
Dec. 07, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 23, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Nov. 23, 2011	ASSIGNED TO LIE	73296
Oct. 28, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 28, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 28, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 28, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 28, 2011	EXAMINERS AMENDMENT -WRITTEN	86332
Oct. 24, 2011	ASSIGNED TO EXAMINER	86332
Jul. 13, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Jul. 12, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 09, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Aug. 30, 2012

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Mark: FREEMAN FORMULA RELIEF

Freeman Formula RELIEF

US Serial Number: 85514933
Application Filing Date: Jan. 12, 2012
US Registration Number: 4240850
Registration Date: Nov. 13, 2012
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 13, 2012
Publication Date: Aug. 28, 2012

Mark Information

Mark Literal Elements: FREEMAN FORMULA RELIEF
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "FORMULA RELIEF"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Vitamin and mineral supplements
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Dec. 01, 2010
Use in Commerce: Dec. 01, 2010

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: Freeman Formula LLC
Owner Address: 6400 Collamer Rd.
East Syracuse, NEW YORK 13057
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Matthew H. Swyers
Attorney Primary Email Address: mswers@thetrademarkcompany.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Matthew H. Swyers
The Trademark Company

344 Maple Avenue West, Suite 151
Vienna, VIRGINIA 22180
UNITED STATES

Phone: 800-906-8626 ext 100

Fax: 919-861-5278

Correspondent e-mail: mswyers@thetrademarkcompany.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 13, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 28, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 28, 2012	PUBLISHED FOR OPPOSITION	
Aug. 08, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 21, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Jul. 20, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	70633
Jul. 19, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	70633
Jul. 11, 2012	ASSIGNED TO LIE	70633
Jun. 29, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 29, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 29, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 19, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 19, 2012	NON-FINAL ACTION E-MAILED	6325
Apr. 19, 2012	NON-FINAL ACTION WRITTEN	83179
Apr. 19, 2012	ASSIGNED TO EXAMINER	83179
Jan. 18, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 16, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 13, 2012