

ESTTA Tracking number: **ESTTA480413**

Filing date: **06/27/2012**

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	Caveman Foods, LLC
Granted to Date of previous extension	06/27/2012
Address	2950 Buskirk Ave., Suite 170 Walnut Creek, CA 94597 UNITED STATES

Attorney information	Julia Spoor Gard Barnes & Thornburg LLP 11 South Meridian Street Indianapolis, IN 46204 UNITED STATES ofleming@btlaw.com, jgard@btlaw.com Phone:317-236-1313
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Applicant Information

Application No	85423161	Publication date	02/28/2012
Opposition Filing Date	06/27/2012	Opposition Period Ends	06/27/2012
Applicant	Lester, Stephanie 153 Mercer Street #4 New York, NY 10012 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 2011/07/11 First Use In Commerce: 2011/07/11 All goods and services in the class are opposed, namely: T-shirts
Class 030. First Use: 2011/03/15 First Use In Commerce: 2011/03/15 All goods and services in the class are opposed, namely: Cookies

Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3068863	Application Date	08/30/2001
Registration Date	03/14/2006	Foreign Priority Date	NONE
Word Mark	CAVEMAN DIET		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2002/08/00 First Use In Commerce: 2005/08/24 dietary food supplements consisting of fresh, canned, frozen, or dried fruits, nuts, seeds, berries, vegetables and meat products

U.S. Registration No.	3403446	Application Date	05/19/2006
Registration Date	03/25/2008	Foreign Priority Date	NONE

Word Mark	CAVEMAN JERKY REAL BEEF JERKY
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Design Mark	
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Description of Mark	The mark consists of a Caveman character with the words "Caveman Jerky" above his head. The first letter, "C" of the word "Caveman Jerky" is orange, the rest of the words are black. The Caveman character has hair that is brown in color, and is holding a piece of meat in his right hand that is brown and has a white bone base. The caveman's skin color is tan, and his loincloth is black and brown. There is grass behind the caveman's feet which is brown in color, there is a rock which is red in color to the right of the caveman, beside the rock is a hammerlike object in the colors brown, tan and black.
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Goods/Services	Class 029. First use: First Use: 2006/01/01 First Use In Commerce: 2006/05/24 Beef Slices; Dried beef slices; beef jerky
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U.S. Registration No.	4120331	Application Date	08/15/2010
Registration Date	04/03/2012	Foreign Priority Date	NONE

Word Mark	CAVEMAN CRUNCH
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 005. First use: First Use: 2007/12/03 First Use In Commerce: 2008/01/24 Dietary and nutritional supplements
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Related Proceedings	Opposition No.: 91204340
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Attachments	78887729#TMSN.jpeg (1 page)(bytes) 85107869#TMSN.jpeg (1 page)(bytes) Notice.pdf (7 pages)(225057 bytes) Exhibits.pdf (23 pages)(658334 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	/jgard/
Name	Julia Spoor Gard
Date	06/27/2012

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

Caveman Foods, LLC)	
)	In the matter of trademark application
Opposer,)	Serial No 85/423161
)	Published in the Official Gazette February 28, 2012
v.)	
)	
Stephanie Lester,)	
)	
Applicant.)	

NOTICE OF OPPOSITION

Caveman Foods, LLC, a California corporation with a place of business at 2950 Buskirk Ave, Suite 170, Walnut Creek, CA 94597, believes that it will be damaged by the registration of the mark shown in Serial No. 85/423161 and hereby opposes registration of that mark.

The grounds for the opposition are as follows:

1. Opposer is a well-known producer of healthy foods and dietary and nutritional supplements.
2. Opposer has promoted its healthy foods and dietary and nutritional supplements throughout the United States under formatives of CAVEMAN since at least as early as 2005.
3. Opposer is the owner of two (3) active U.S. trademark registrations for formatives of CAVEMAN in connection with, among other things, products for healthy living, including health foods and dietary and nutritional supplements (“Opposer’s Marks”). These registrations are listed in the table below and printouts for each mark from TARR, evidencing the current status and ownership of the respective registration, are attached as exhibits to this Notice.

Registration No.	Mark	Filing Date	Issue Date	First Use Date	Exhibit No.
3068863	CAVEMAN DIET	August 30, 2001	March 14, 2006	August 24, 2005	A
3403446	CAVEMAN JERKY REAL BEEF JERKY 	May 19, 2006	March 25, 2008	May 24, 2006	B
4120331	CAVEMAN CRUNCH	August 15, 2010	April 3, 2012	January 24, 2008	C

3. Opposer's U.S. trademark registration no. 3068863 for the mark CAVEMAN DIET claims, "dietary food supplements consisting of fresh, canned, frozen, or dried fruits, nuts, seeds, berries, vegetables and meat products" in Class 5. This registration issued March 14, 2006, and claims a date of first use in commerce of August 24, 2005. On March 6, 2012, the USPTO accepted Opposer's declaration of use or excusable nonuse and the declaration of incontestability for the CAVEMAN DIET registration. As a result of this long and exclusive use, CAVEMAN DIET has acquired distinctiveness in the minds of relevant consumers.

4. Opposer's U.S. trademark registration no. 3403446 for the mark CAVEMAN JERKY REAL BEEF JERKY & Design claims, "beef slices; dried beef slices; beef jerky" in Class 29. This registration issued March 25, 2008, and claims a date of first use in commerce of May 24, 2006.

5. Opposer is the owner of seven (7) U.S. Trademark Applications for formatives of the mark CAVEMAN in connection with goods relating to dietary and food supplements and various food products for healthy living (collectively, along with its two U.S. trademark

registrations, “Opposer’s Marks”). These applications are listed in the table below and printouts for each mark from TARR, evidencing the current status and ownership of the respective application, are attached as exhibits to this Notice:

Application No.	Mark	Filing Date	Exhibit No.
77/806460	CAVEMAN CUISINE	August 17, 2009	D
77/970168	CAVEMAN SNAX	March 26, 2010	E
85/107880	CAVEMAN NUTS	August 15, 2010	F
85/113069	CAVEMAN KIDS	August 22, 2010	G
85/268541	CAVEMAN FOODS	March 16, 2011	H
85/317198	CAVEMAN TRAIL MIX	May 10, 2011	I
85/320308	CAVEMAN JERKY	May 13, 2011	J

6. Opposer’s U.S. trademark Application No. 77/806460 for the mark CAVEMAN CUISINE claims “dietary and nutritional supplements” in Class 5. This application was filed on August 17, 2009.

7. Opposer’s U.S. trademark Application No. 77/970168 for the mark CAVEMAN SNAX claims “dietary and nutritional supplements” in Class 5. This application was filed on March 26, 2010.

8. Opposer’s U.S. trademark Application No. 85/107880 for the mark CAVEMAN NUTS claims “dietary food supplements” in Class 5. This application was filed on August 15, 2010.

9. Opposer’s U.S. trademark Application No. 85/113069 for the mark CAVEMAN KIDS claims “dietary and nutritional supplements” in Class 5. This application was filed on August 22, 2010.

10. Opposer’s U.S. trademark Application No. 85/268541 for the mark CAVEMAN FOODS claims “dietary food supplements” in Class 5; “jerky; trail mix consisting primarily of

nuts, seeds, and dried fruit; nut meats; breakfast cereals; fruit-based raw food bars; meat-based snack foods; fruit- and nut-based food bars; vegetable-based raw food bars; frozen, prepared and packaged meals consisting primarily of meat, fish, poultry or vegetables; dried fruit-based snacks; nut and seed-based snack bars; protein based, nutrient-dense snack foods” in Class 29, and; “cereal based energy bars” in Class 30. This application was filed on March 16, 2011.

11. Opposer’s U.S. trademark Application No. 85/317198 for the mark CAVEMAN TRAIL MIX claims “jerky, trail mix consisting primarily of nuts, seeds, and dried fruit; nut meats” in Class 29. This application was filed on May 10, 2011.

12. Opposer’s U.S. trademark Application No. 85/320308 for the mark CAVEMAN JERKY claims “jerky” in Class 29. This application was filed on May 13, 2011.

13. Opposer has provided dietary food supplements consisting of fresh, canned, frozen, or dried fruits, nuts, seeds, berries, vegetables and meat products, since at least as early as August 2005, and has spent significant amounts of time and money promoting and advertising formatives of CAVEMAN in connection with these and similar goods. As a result, CAVEMAN has acquired distinctiveness in the minds of relevant consumers.

7. As a result of the significant sales, promotion, and use of formatives of CAVEMAN, Opposer’s Marks have become widely recognized by the general consuming public of the United States as a designation of source of the goods of Opposer.

8. Applicant seeks to register the confusingly similar mark CAVEMAN COOKIES in connection with “Cookies,” as evidenced by its trademark application filed September 15, 2011.

9. Upon information and belief, Applicant's goods are likely to be marketed to the same purchasers and through the same channels of trade as Opposer's goods.

11. The dominant portion of Applicant and Opposer's Marks is CAVEMAN, and is therefore likely to cause confusion, or to cause mistake or to deceive because relevant purchasers familiar with Opposer's marks are likely to believe that Applicant's goods are in some way affiliated with Opposer's goods, or related to Opposer's goods so as to create a likelihood of confusion as to the source of the goods.

12. Applicant's use of the mark CAVEMAN COOKIES in connection with the goods described in the opposed application falsely suggests a connection with Opposer within the meaning of Section 2(a) of the Trademark Act, 15 U.S.C. § 1052(a).

13. Upon information and belief, Applicant has no rights in CAVEMAN COOKIES prior to Opposer's rights.

15. Opposer would be injured by the granting to Applicant of the registration sought because Applicant's mark so resembles Opposer's Marks as to be likely, when used on Applicant's goods, to cause confusion, or to cause mistake, or to deceive, to falsely suggest a connection with Opposer, and to damage Opposer's goodwill in the CAVEMAN Marks.

WHEREFORE, Opposer believes that it will be damaged by the registration of Application Serial No. 85/423161 to Applicant and prays that the registration be denied.

Respectfully submitted,

Date: June 27, 2012

A large, elegant handwritten signature in black ink, reading "Olivia M. Fleming". The signature is written in a cursive style with long, sweeping lines and a prominent flourish at the end.

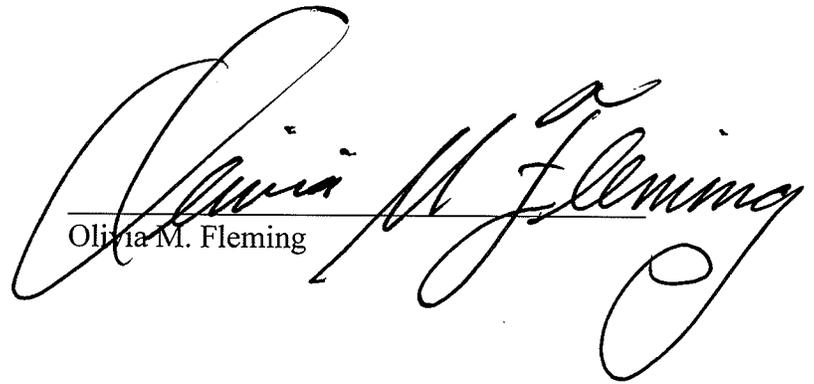
Julia Spoor Gard
Olivia M. Fleming
BARNES & THORNBURG
11 South Meridian Street
Indianapolis, Indiana 46204
Telephone: (317) 236-1313

Attorneys for Opposer,
Caveman Foods, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Notice of Opposition has been served on June 27, 2012, by depositing a copy of the same in the United States mail, first class postage prepaid and properly addressed to the Applicant:

Stephanie Lester
153 Mercer Street #4
New York, NY 10012
United States


Olivia M. Fleming

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2012-06-26 15:23:40 ET

Serial Number: 78081973 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3068863

Mark (words only): CAVEMAN DIET

Standard Character claim: No

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

Date of Status: 2012-03-06

Filing Date: 2001-08-30

Transformed into a National Application: No

Registration Date: 2006-03-14

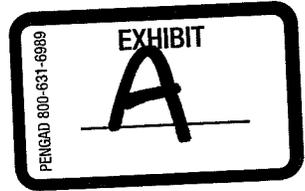
Register: Principal

Law Office Assigned: LAW OFFICE 110

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

Current Location: M10 -TMO Law Office 110

Date In Location: 2012-03-06



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

1. CAVEMAN FOODS, LLC

Address:

CAVEMAN FOODS, LLC
2950 BUSKIRK AVENUE, SUITE 122
WALNUT CREEK, CA 94597
United States

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

GOODS AND/OR SERVICES

International Class: 005

Class Status: Active

dietary food supplements consisting of fresh, canned, frozen, or dried fruits, nuts, seeds, berries, vegetables and meat products

Basis: 1(a)

First Use Date: 2002-08-00

First Use in Commerce Date: 2005-08-24

ADDITIONAL INFORMATION

Disclaimer: "DIET"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2012-03-06 - Notice Of Acceptance Of Sec. 8 & 15 - E-Mailed

2012-03-06 - Section 8 (6-year) accepted & Section 15 acknowledged

2012-03-06 - Case Assigned To Post Registration Paralegal

2012-01-13 - TEAS Section 8 & 15 Received

2011-05-06 - Attorney Revoked And/Or Appointed

2011-05-06 - TEAS Revoke/Appoint Attorney Received
2011-04-27 - Automatic Update Of Assignment Of Ownership
2010-08-21 - Review Of Correspondence Complete
2010-08-21 - Case Assigned To Post Registration Paralegal
2010-08-05 - PAPER RECEIVED
2006-03-14 - Registered - Principal Register
2006-01-30 - Law Office Registration Review Completed
2006-01-27 - Assigned To LIE
2006-01-19 - Allowed for Registration - Principal Register (SOU accepted)
2006-01-18 - Statement Of Use Processing Complete
2005-12-17 - Use Amendment Filed
2005-12-21 - PAPER RECEIVED
2005-06-27 - Extension 5 granted
2005-06-15 - Extension 5 filed
2005-06-17 - PAPER RECEIVED
2005-02-01 - Extension 4 granted
2004-12-17 - Extension 4 filed
2004-12-28 - PAPER RECEIVED
2004-07-14 - Extension 3 granted
2004-06-17 - Extension 3 filed
2004-07-02 - Case File In TICRS
2004-06-21 - PAPER RECEIVED
2003-12-16 - Extension 2 granted
2003-12-16 - Extension 2 filed
2003-12-18 - PAPER RECEIVED
2003-06-17 - Extension 1 granted
2003-06-17 - Extension 1 filed
2003-06-19 - PAPER RECEIVED
2002-12-17 - NOA Mailed - SOU Required From Applicant
2002-09-24 - Published for opposition
2002-09-04 - Notice of publication
2002-07-08 - Approved For Pub - Principal Register
2002-07-08 - Assigned To Examiner
2002-05-08 - Communication received from applicant
2002-05-13 - Communication received from applicant
2001-11-09 - Non-final action mailed
2001-10-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Julia Spoor Gard

Correspondent

Julia Spoor Gard

BARNES & THORNBURG LLP

11 SOUTH MERIDIAN STREET
INDIANAPOLIS IN 46204-3535
Phone Number: 317-236-1313
Fax Number: 317-231-7433

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

This page was generated by the TARR system on 2012-06-26 15:23:54 ET

Serial Number: 78887729 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3403446

Mark



(words only): CAVEMAN JERKY REAL BEEF JERKY

Standard Character claim: No

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

Date of Status: 2008-03-25

Filing Date: 2006-05-19

Transformed into a National Application: No

Registration Date: 2008-03-25

Register: Principal

Law Office Assigned: LAW OFFICE 109

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-02-19

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

1. CAVEMAN FOODS, LLC

Address:

CAVEMAN FOODS, LLC
2950 BUSKIRK AVENUE, SUITE 122
WALNUT CREEK, CA 94597
United States

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

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Beef Slices; Dried beef slices; beef jerky

Basis: 1(a)

First Use Date: 2006-01-01

First Use in Commerce Date: 2006-05-24

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) brown, black, red, orange, tan and white are claimed as a feature of the mark.

Disclaimer: "JERKY" AND "REAL BEEF JERKY"

Description of Mark: The mark consists of a Caveman character with the words "Caveman Jerky" above his head. The first letter, "C" of the word "Caveman Jerky" is orange, the rest of the words are black. The Caveman character has hair that is brown in color, and is holding a piece of meat in his right hand that is brown and has a white bone base. The caveman's skin color is tan, and his loincloth is black and brown. There is grass behind the caveman's feet which is brown in color, there is a rock which is red in color to the right of the caveman, beside the rock is a hammerlike object in the colors brown, tan and black.

Design Search Code(s):

02.01.31 - Men, stylized, including men depicted in caricature form

02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures



02.01.39 - Bathing suits, men wearing; Nude men, men wearing underclothes, bathing suits or brief attire; Underwear, men wearing
08.11.05 - Chicken (cooked or prepared to eat); Fowl (prepared to eat); Turkey (cooked or prepared to eat)
09.01.25 - Cloths, cleaning; Hammocks; Nets, mosquito; Rags

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-05-06 - Attorney Revoked And/Or Appointed
2011-05-06 - TEAS Revoke/Appoint Attorney Received
2011-04-20 - Automatic Update Of Assignment Of Ownership
2008-03-25 - Registered - Principal Register
2008-02-19 - Law Office Registration Review Completed
2008-02-17 - Allowed for Registration - Principal Register (SOU accepted)
2008-02-06 - Statement Of Use Processing Complete
2008-01-14 - Use Amendment Filed
2008-01-14 - TEAS Statement of Use Received
2008-01-08 - NOA Mailed - SOU Required From Applicant
2007-10-16 - Published for opposition
2007-09-26 - Notice of publication
2007-09-07 - Law Office Publication Review Completed
2007-09-03 - Approved For Pub - Principal Register
2007-09-03 - Examiner's Amendment Entered
2007-09-03 - Notification Of Examiners Amendment E-Mailed
2007-09-03 - EXAMINERS AMENDMENT E-MAILED
2007-09-03 - Examiners Amendment -Written
2007-08-27 - Teas/Email Correspondence Entered
2007-08-13 - Communication received from applicant
2007-08-13 - TEAS Response to Office Action Received
2007-08-13 - Petition To Revive-Granted
2007-08-13 - TEAS Petition To Revive Received
2007-08-13 - TEAS Response to Office Action Received
2007-08-13 - Abandonment Notice Mailed - Failure To Respond
2007-08-13 - Abandonment - Failure To Respond Or Late Response
2007-01-15 - NON-FINAL ACTION E-MAILED
2007-01-15 - Non-Final Action Written
2006-12-19 - Previous Allowance Count Withdrawn
2006-12-12 - Approved For Pub - Principal Register
2006-12-12 - Examiner's Amendment Entered
2006-12-11 - Assigned To LIE
2006-12-09 - EXAMINERS AMENDMENT E-MAILED
2006-12-09 - Examiners Amendment -Written
2006-12-08 - Teas/Email Correspondence Entered

2006-12-07 - Communication received from applicant
2006-12-07 - TEAS Response to Office Action Received
2006-10-23 - Non-final action e-mailed
2006-10-23 - Non-Final Action Written
2006-10-23 - Assigned To Examiner
2006-05-26 - Notice Of Design Search Code Mailed
2006-05-25 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Julia Spoor Gard

Correspondent
Julia Spoor Gard
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis IN 46204
Phone Number: 317-236-1313
Fax Number: 317-231-7433

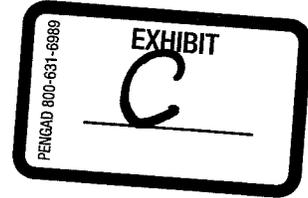
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-06-26 15:24:12 ET

Serial Number: 85107869 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 4120331

Mark



CAVEMAN CRUNCH

(words only): CAVEMAN CRUNCH

Standard Character claim: Yes

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

Date of Status: 2012-04-03

Filing Date: 2010-08-15

Transformed into a National Application: No

Registration Date: 2012-04-03

Register: Principal

Law Office Assigned: LAW OFFICE 114

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2012-04-03

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

1. CAVEMAN FOODS, LLC

Address:

CAVEMAN FOODS, LLC
2950 BUSKIRK AVE STE 122
WALNUT CREEK, CA 94597
United States

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

GOODS AND/OR SERVICES

International Class: 005

Class Status: Active

Dietary and nutritional supplements

Basis: 1(a)

First Use Date: 2007-12-03

First Use in Commerce Date: 2008-01-24

ADDITIONAL INFORMATION

Prior Registration Number(s):
3068863

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2012-04-03 - Registered - Principal Register
2012-01-17 - Official Gazette Publication Confirmation E-Mailed
2012-01-17 - Published for opposition
2011-12-28 - Notification Of Notice Of Publication E-Mailed
2011-12-09 - Law Office Publication Review Completed
2011-12-08 - Approved for Pub - Principal Register (Initial exam)
2011-12-08 - LIE Checked Susp - To Atty For Action
2011-12-08 - Assigned To LIE
2011-11-16 - Automatic Update Of Assignment Of Ownership
2011-06-08 - Notification Of Letter Of Suspension E-Mailed
2011-06-08 - LETTER OF SUSPENSION E-MAILED
2011-06-08 - Suspension Letter Written
2011-06-07 - Teas/Email Correspondence Entered
2011-06-06 - Communication received from applicant
2011-06-06 - TEAS Response to Office Action Received
2011-02-24 - Notice Of Acceptance Of Amendment To Allege Use E-Mailed
2011-02-23 - Amendment to Use approved
2011-02-22 - Amendment To Use Processing Complete
2011-02-22 - Use Amendment Filed
2011-02-21 - TEAS Amendment of Use Received
2010-12-08 - Notification Of Non-Final Action E-Mailed
2010-12-08 - Non-final action e-mailed
2010-12-08 - Non-Final Action Written
2010-12-01 - Assigned To Examiner
2010-08-18 - New Application Office Supplied Data Entered In Tram
2010-08-18 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

BOB FRITZ
1346 HIGHLAND ST
MARTINEZ, CA 94553-1320
Phone Number: 925 352 5419

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

This page was generated by the TARR system on 2012-06-26 15:24:29 ET

Serial Number: 77806460 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark



CAVEMAN CUISINE

(words only): CAVEMAN CUISINE

Standard Character claim: Yes

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

Date of Status: 2012-05-01

Filing Date: 2009-08-17

The Notice of Allowance Date is: 2011-04-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
MCMORROW JANICE LEE

Current Location: 700 -Intent To Use Section

Date In Location: 2012-04-27

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

1. CAVEMAN FOODS, LLC

Address:

CAVEMAN FOODS, LLC
2950 BUSKIRK AVENUE, SUITE 122
WALNUT CREEK, CA 94597
United States

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

GOODS AND/OR SERVICES

International Class: 005

Class Status: Active

Dietary and nutritional supplements

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

3068863

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

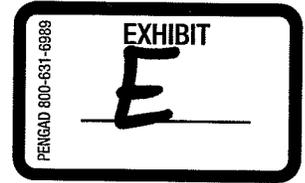
PROSECUTION HISTORY

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

2012-05-02 - Notice Of Approval Of Extension Request E-Mailed
2012-05-01 - Extension 2 granted
2012-04-02 - Extension 2 filed
2012-04-27 - Case Assigned To Intent To Use Paralegal
2012-04-02 - TEAS Extension Received
2011-10-21 - Notice Of Approval Of Extension Request E-Mailed
2011-10-19 - Extension 1 granted
2011-10-19 - Extension 1 filed
2011-10-19 - TEAS Extension Received
2011-05-06 - Attorney Revoked And/Or Appointed
2011-05-06 - TEAS Revoke/Appoint Attorney Received
2011-04-27 - Automatic Update Of Assignment Of Ownership
2011-04-19 - NOA Mailed - SOU Required From Applicant
2011-02-22 - Published for opposition
2011-02-02 - Notice of publication
2011-01-14 - Law Office Publication Review Completed
2011-01-14 - Approved For Pub - Principal Register
2011-01-13 - LIE Checked Susp - To Atty For Action
2010-06-01 - Letter of suspension mailed
2010-06-01 - Suspension Letter Written
2010-05-29 - Amendment From Applicant Entered
2010-05-29 - Communication received from applicant
2010-05-29 - Assigned To LIE
2010-05-17 - PAPER RECEIVED
2009-11-23 - Notification Of Non-Final Action E-Mailed
2009-11-23 - Non-final action e-mailed
2009-11-23 - Non-Final Action Written
2009-11-19 - Assigned To Examiner
2009-08-20 - New Application Office Supplied Data Entered In Tram
2009-08-20 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Julia Spoor Gard**Correspondent**
Julia Spoor Gard
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis IN 46204
Phone Number: 317-236-1313
Fax Number: 317-231-7433



Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2012-06-26 15:24:41 ET

Serial Number: 77970168 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

CAVEMAN SNAX

(words only): CAVEMAN SNAX

Standard Character claim: Yes

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

Date of Status: 2012-05-08

Filing Date: 2010-03-26

The Notice of Allowance Date is: 2012-05-08

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 109

Attorney Assigned:
WHITE RICHARD F

Current Location: 700 -Intent To Use Section

Date In Location: 2012-05-08

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

1. CAVEMAN FOODS, LLC

Address:
CAVEMAN FOODS, LLC
2950 BUSKIRK AVENUE, SUITE 122
WALNUT CREEK, CA 94597
United States
Legal Entity Type: Limited Liability Company
State or Country Where Organized: California

GOODS AND/OR SERVICES

International Class: 005
Class Status: Active
Dietary and nutritional supplements
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "SNACKS"

Prior Registration Number(s):
3068863

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

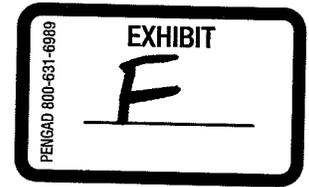
2012-05-08 - NOA E-Mailed - SOU Required From Applicant
2012-03-13 - Official Gazette Publication Confirmation E-Mailed
2012-03-13 - Published for opposition
2012-02-22 - Notification Of Notice Of Publication E-Mailed
2012-02-06 - Law Office Publication Review Completed
2012-02-06 - Approved For Pub - Principal Register
2012-01-12 - Teas/Email Correspondence Entered
2012-01-11 - Communication received from applicant
2012-01-11 - TEAS Response To Suspension Inquiry Received
2012-01-06 - LIE Checked Susp - To Atty For Action
2012-01-06 - Assigned To LIE
2011-07-06 - Notification Of Letter Of Suspension E-Mailed
2011-07-06 - LETTER OF SUSPENSION E-MAILED
2011-07-06 - Suspension Letter Written
2011-06-07 - Teas/Email Correspondence Entered
2011-06-06 - Communication received from applicant
2011-06-06 - TEAS Response to Office Action Received
2011-05-06 - Attorney Revoked And/Or Appointed
2011-05-06 - TEAS Revoke/Appoint Attorney Received
2011-04-27 - Automatic Update Of Assignment Of Ownership
2011-03-08 - Notification Of Non-Final Action E-Mailed
2011-03-08 - NON-FINAL ACTION E-MAILED
2011-03-08 - Non-Final Action Written
2011-02-15 - Teas/Email Correspondence Entered
2011-02-15 - Communication received from applicant
2011-02-10 - Assigned To LIE
2011-02-07 - TEAS Response to Office Action Received
2011-02-07 - Petition To Revive-Granted
2011-02-07 - TEAS Petition To Revive Received
2011-01-24 - Abandonment Notice Mailed - Failure To Respond
2011-01-24 - Abandonment - Failure To Respond Or Late Response
2010-06-25 - Notification Of Non-Final Action E-Mailed
2010-06-25 - Non-final action e-mailed
2010-06-25 - Non-Final Action Written
2010-06-25 - Assigned To Examiner
2010-04-01 - New Application Office Supplied Data Entered In Tram
2010-03-30 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Julia Spoor Gard

Correspondent

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11 S MERIDIAN ST
INDIANAPOLIS, IN 46204-3506
Phone Number: 317-236-1313
Fax Number: 317-231-7433



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Serial Number: 85107880 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

CAVEMAN NUTS

(words only): CAVEMAN NUTS

Standard Character claim: Yes

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

Date of Status: 2012-03-13

Filing Date: 2010-08-15

The Notice of Allowance Date is: 2012-03-13

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
STINE DAVID H

Current Location: 700 -Intent To Use Section

Date In Location: 2012-03-13

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

1. CAVEMAN FOODS, LLC

Address:
CAVEMAN FOODS, LLC
2950 BUSKIRK AVENUE, SUITE 122
WALNUT CREEK, CA 94597
United States

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

GOODS AND/OR SERVICES

International Class: 005
Class Status: Active
Dietary food supplements
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "NUTS"

Prior Registration Number(s):
3068863

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2012-03-13 - NOA E-Mailed - SOU Required From Applicant
2012-01-17 - Official Gazette Publication Confirmation E-Mailed
2012-01-17 - Published for opposition
2011-12-28 - Notification Of Notice Of Publication E-Mailed
2011-12-09 - Law Office Publication Review Completed
2011-12-08 - Approved For Pub - Principal Register
2011-12-08 - LIE Checked Susp - To Atty For Action
2011-12-08 - Assigned To LIE
2011-06-08 - Notification Of Letter Of Suspension E-Mailed
2011-06-08 - LETTER OF SUSPENSION E-MAILED
2011-06-08 - Suspension Letter Written
2011-06-07 - Teas/Email Correspondence Entered
2011-06-06 - Communication received from applicant
2011-06-06 - TEAS Response to Office Action Received
2011-05-06 - Attorney Revoked And/Or Appointed
2011-05-06 - TEAS Revoke/Appoint Attorney Received
2011-04-27 - Automatic Update Of Assignment Of Ownership
2010-12-08 - Notification Of Non-Final Action E-Mailed
2010-12-08 - Non-final action e-mailed
2010-12-08 - Non-Final Action Written
2010-12-01 - Assigned To Examiner
2010-08-19 - Notice Of Pseudo Mark Mailed
2010-08-18 - New Application Office Supplied Data Entered In Tram
2010-08-18 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Julia Spoor Gard

Correspondent

Julia Spoor Gard
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis IN 46204
Phone Number: 317-236-1313
Fax Number: 317-231-7433

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

This page was generated by the TARR system on 2012-06-26 15:25:14 ET

Serial Number: 85113069 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark



CAVEMAN KIDS

(words only): CAVEMAN KIDS

Standard Character claim: Yes

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

Date of Status: 2012-03-13

Filing Date: 2010-08-22

The Notice of Allowance Date is: 2012-03-13

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
STINE DAVID H

Current Location: 700 -Intent To Use Section

Date In Location: 2012-03-13

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

1. CAVEMAN FOODS, LLC

Address:
CAVEMAN FOODS, LLC
2950 BUSKIRK AVENUE, SUITE 122
WALNUT CREEK, CA 94597
United States

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

GOODS AND/OR SERVICES

International Class: 005
Class Status: Active
Dietary and nutritional supplements
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "KIDS"

Prior Registration Number(s):
3068863

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2012-03-13 - NOA E-Mailed - SOU Required From Applicant
2012-01-17 - Official Gazette Publication Confirmation E-Mailed
2012-01-17 - Published for opposition
2011-12-28 - Notification Of Notice Of Publication E-Mailed
2011-12-09 - Law Office Publication Review Completed
2011-12-08 - Approved For Pub - Principal Register
2011-12-08 - LIE Checked Susp - To Atty For Action
2011-12-08 - Assigned To LIE
2011-06-08 - Notification Of Letter Of Suspension E-Mailed
2011-06-08 - LETTER OF SUSPENSION E-MAILED
2011-06-08 - Suspension Letter Written
2011-06-07 - Teas/Email Correspondence Entered
2011-06-06 - Communication received from applicant
2011-06-06 - TEAS Response to Office Action Received
2011-05-06 - Attorney Revoked And/Or Appointed
2011-05-06 - TEAS Revoke/Appoint Attorney Received
2011-04-27 - Automatic Update Of Assignment Of Ownership
2010-12-08 - Notification Of Non-Final Action E-Mailed
2010-12-08 - Non-final action e-mailed
2010-12-08 - Non-Final Action Written
2010-12-01 - Assigned To Examiner
2010-08-26 - New Application Office Supplied Data Entered In Tram
2010-08-25 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Julia Spoor Gard

Correspondent

Julia Spoor Gard
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis IN 46204
Phone Number: 317-236-1313
Fax Number: 317-231-7433

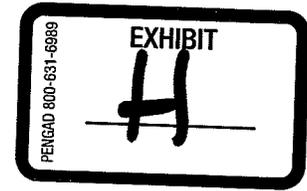
Thank you for your request. Here are the latest results from the TARR web server:

This page was generated by the TARR system on 2012-06-26 15:25:31 ET

Serial Number: 85268541 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark



CAVEMAN FOODS

(words only): CAVEMAN FOODS

Standard Character claim: Yes

Current 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.

Date of Status: 2012-03-16

Filing Date: 2011-03-16

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

Attorney Assigned:
DALIER JOHN DAVID

Current Location: 650 -Publication And Issue Section

Date In Location: 2012-01-11

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

1. Caveman Foods, LLC

Address:

Caveman Foods, LLC
2950 Buskirk Ave., Suite 122
Walnut Creek, CA 94597
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 005

Class Status: Active

dietary food supplements

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 029

Class Status: Active

jerky; trail mix consisting primarily of nuts, seeds, and dried fruit; nut meats; breakfast cereals; fruit-based raw food bars; meat-based snack foods; fruit- and nut-based food bars; vegetable-based raw food bars; frozen, prepared and packaged meals consisting primarily of meat, fish, poultry or vegetables; dried fruit-based snacks; nut and seed-based snack bars; protein based, nutrient-dense snack foods

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 030

Class Status: Active

cereal based energy bars

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "FOODS"

Prior Registration Number(s):

3068863

3403446

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2012-03-16 - Opposition instituted for Proceeding
2012-03-12 - Extension Of Time To Oppose Received
2012-02-14 - Official Gazette Publication Confirmation E-Mailed
2012-02-14 - Published for opposition
2012-01-25 - Notification Of Notice Of Publication E-Mailed
2012-01-11 - Law Office Publication Review Completed
2012-01-11 - Assigned To LIE
2011-12-20 - Approved For Pub - Principal Register
2011-12-17 - Teas/Email Correspondence Entered
2011-12-16 - Communication received from applicant
2011-12-16 - TEAS Response to Office Action Received
2011-06-16 - Notification Of Non-Final Action E-Mailed
2011-06-16 - Non-final action e-mailed
2011-06-16 - Non-Final Action Written
2011-06-15 - Assigned To Examiner
2011-03-21 - New Application Office Supplied Data Entered In Tram
2011-03-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Julia Spoor Gard

Correspondent

JULIA SPOOR GARD
BARNES & THORNBURG LLP
11 S MERIDIAN ST
INDIANAPOLIS, IN 46204-3506
Phone Number: 317-231-1313
Fax Number: 317-231-7433

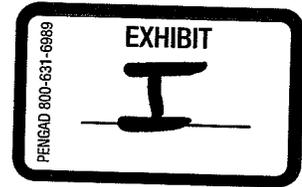
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-06-26 15:25:48 ET

Serial Number: 85317198 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark



CAVEMAN TRAIL MIX

(words only): CAVEMAN TRAIL MIX

Standard Character claim: Yes

Current 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.

Date of Status: 2012-03-16

Filing Date: 2011-05-10

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

Attorney Assigned:
DALIER JOHN DAVID

Current Location: 650 -Publication And Issue Section

Date In Location: 2012-01-11

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

1. Caveman Foods, LLC

Address:
Caveman Foods, LLC
2950 Buskirk Avenue, Suite 122
Walnut Creek, CA 94597
United States
Legal Entity Type: Limited Liability Company
State or Country Where Organized: California

GOODS AND/OR SERVICES

International Class: 029
Class Status: Active
jerky, trail mix consisting primarily of nuts, seeds, and dried fruit; nut meats
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "TRAIL MIX"
Prior Registration Number(s):
3068863
3403446

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2012-03-16 - Opposition instituted for Proceeding
2012-03-12 - Extension Of Time To Oppose Received
2012-02-14 - Official Gazette Publication Confirmation E-Mailed
2012-02-14 - Published for opposition
2012-01-25 - Notification Of Notice Of Publication E-Mailed
2012-01-11 - Law Office Publication Review Completed
2012-01-11 - Assigned To LIE
2011-12-20 - Approved For Pub - Principal Register
2011-12-17 - Teas/Email Correspondence Entered
2011-12-16 - Communication received from applicant
2011-12-16 - TEAS Response to Office Action Received
2011-06-16 - Notification Of Non-Final Action E-Mailed
2011-06-16 - Non-final action e-mailed
2011-06-16 - Non-Final Action Written
2011-06-15 - Assigned To Examiner
2011-05-16 - New Application Office Supplied Data Entered In Tram
2011-05-13 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Julia Spoor Gard

Correspondent

JULIA SPOOR GARD
BARNES & THORNBURG LLP
11 S MERIDIAN ST
INDIANAPOLIS, IN 46204-3506
Phone Number: 317-231-1313
Fax Number: 317-231-7433

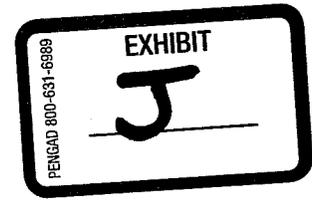
Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2012-06-26 15:26:03 ET

Serial Number: 85320308 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark



CAVEMAN JERKY

(words only): CAVEMAN JERKY

Standard Character claim: Yes

Current 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.

Date of Status: 2012-03-16

Filing Date: 2011-05-13

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

Attorney Assigned:
DALIER JOHN DAVID

Current Location: 650 -Publication And Issue Section

Date In Location: 2012-01-11

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

1. Caveman Foods, LLC

Address:

Caveman Foods, LLC
2950 Buskirk Avenue, Suite 122
Walnut Creek, CA 94597
United States

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

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

jerky

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "JERKY"

Prior Registration Number(s):

3068863

3403446

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2012-03-16 - Opposition instituted for Proceeding
2012-03-12 - Extension Of Time To Oppose Received
2012-02-14 - Official Gazette Publication Confirmation E-Mailed
2012-02-14 - Published for opposition
2012-01-25 - Notification Of Notice Of Publication E-Mailed
2012-01-11 - Law Office Publication Review Completed
2012-01-11 - Assigned To LIE
2011-12-20 - Approved For Pub - Principal Register
2011-12-17 - Teas/Email Correspondence Entered
2011-12-16 - Communication received from applicant
2011-12-16 - TEAS Response to Office Action Received
2011-06-16 - Notification Of Non-Final Action E-Mailed
2011-06-16 - Non-final action e-mailed
2011-06-16 - Non-Final Action Written
2011-06-15 - Assigned To Examiner
2011-05-19 - New Application Office Supplied Data Entered In Tram
2011-05-17 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Julia Spoor Gard

Correspondent
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BARNES & THORNBURG LLP
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INDIANAPOLIS, IN 46204-3506
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Fax Number: 317-231-7433
