

ESTTA Tracking number: **ESTTA561687**

Filing date: **09/26/2013**

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	Bond Manufacturing Co.
Granted to Date of previous extension	09/28/2013
Address	1700 W. 4th Street Antioch, CA 94509 UNITED STATES

Attorney information	Steven H. Bovarnick Leland, Parachini, Steinberg, Matzger & Melnick, LLP 199 Fremont Street, 21st Floor San Francisco, CA 94105 UNITED STATES sbovarnick@lpslaw.com
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Applicant Information

Application No	85834200	Publication date	07/30/2013
Opposition Filing Date	09/26/2013	Opposition Period Ends	09/28/2013
Applicant	Xiamen Hwaart Composite Material Co.,Ltd 108 Tian An Rd, Ji Mei N Industrial District Xiamen, Fujian, CHINA		

Goods/Services Affected by Opposition

Class 011. First Use: 2008/09/01 First Use In Commerce: 2008/09/01 All goods and services in the class are opposed, namely: Electric patio heaters; Fire table; Fireplace hearths; Fireplaces; Fireplaces, domestic; Folding portable charcoal, propane and gas fired barbecues, stoves, and grills; Gas patio heaters

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.	3684493	Application Date	08/04/2005
Registration Date	09/15/2009	Foreign Priority Date	NONE
Word Mark	BOND		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 006. First use: First Use: 2003/07/01 First Use In Commerce: 2003/07/01 Gardening supplies, namely, metal stakes

U.S. Registration No.	3741198	Application Date	08/08/2005
Registration Date	01/19/2010	Foreign Priority Date	NONE
Word Mark	BOND		
Design Mark			
Description of Mark	The mark consists of the word "bond" in black, lower-case letters, with the stem of the letter "d" bisecting the letter "o".		
Goods/Services	Class 006. First use: First Use: 2003/07/01 First Use In Commerce: 2003/07/01 Gardening supplies, namely, metal stakes		

U.S. Registration No.	3207983	Application Date	12/16/2005
Registration Date	02/13/2007	Foreign Priority Date	NONE
Word Mark	BOND		
Design Mark			
Description of Mark	The mark consists of the lower-case letters "bond," with the stem of the letter "d" forming an arch over the letters "n" and "d" and bisecting the letter "o".		
Goods/Services	Class 021. First use: First Use: 2005/07/01 First Use In Commerce: 2005/07/01 Lawn and garden sprinkler, namely, an individual sprinkler used for lawns, gardens and other landscape surfaces		

U.S. Registration No.	3392004	Application Date	08/04/2005
Registration Date	03/04/2008	Foreign Priority Date	NONE
Word Mark	BOND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 008. First use: First Use: 1948/12/31 First Use In Commerce: 1948/12/31 Hand-held garden tools, namely, shovels, rakes, shears, saws, pruners and loppers; Gardening supplies, namely, bulb planters Class 020. First use: First Use: 1960/02/01 First Use In Commerce: 1960/02/01 Gardening supplies, namely, non-metal stakes; Outdoor furniture, namely, chairs, tables, shelves, bakers racks, and tea carts Class 021. First use: First Use: 2001/08/01 First Use In Commerce: 2001/08/01 Metal plant holders		

U.S. Registration No.	3261213	Application Date	08/08/2005
Registration Date	07/10/2007	Foreign Priority Date	NONE
Word Mark	BOND		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 008. First use: First Use: 1998/09/30 First Use In Commerce: 1998/09/30 Hand-held garden tools, namely, shovels, rakes, shears, saws, pruners and loppers; Gardening supplies, namely, bulb planters Class 020. First use: First Use: 1998/09/30 First Use In Commerce: 1998/09/30 Gardening supplies, namely, non-metal stakes; Outdoor furniture, namely, chairs, tables, shelves, bakers racks, and tea carts Class 021. First use: First Use: 1998/09/30 First Use In Commerce: 1998/09/30 [Metal plant holders]

U.S. Registration No.	3652019	Application Date	12/06/2007
Registration Date	07/07/2009	Foreign Priority Date	NONE
Word Mark	ENVIROSTONE		
Design Mark			
Description of Mark	The mark consists of the blue capital letters "ENVIR" followed by a stylized letter "O" approximately twice the size of the other letters and consisting a blue left side and a green right side bisected in the center by the white capital letter "S", followed by the green capital letters "TONE".		
Goods/Services	Class 019. First use: First Use: 2008/03/30 First Use In Commerce: 2008/03/30 General purpose building and landscaping material, namely, reclaimed stone combined with resin for use in fire pits, firebowls, fountains, umbrella bases and household or garden objects		

U.S. Registration No.	3652019	Application Date	12/06/2007
Registration Date	07/07/2009	Foreign Priority Date	NONE
Word Mark	ENVIROSTONE		
Design Mark			
Description of Mark	The mark consists of the blue capital letters "ENVIR" followed by a stylized letter "O" approximately twice the size of the other letters and consisting a blue left side and a green right side bisected in the center by the white capital letter "S", followed by the green capital letters "TONE".		
Goods/Services	Class 019. First use: First Use: 2008/03/30 First Use In Commerce: 2008/03/30 General purpose building and landscaping material, namely, reclaimed stone combined with resin for use in fire pits, firebowls, fountains, umbrella bases and household or garden objects		

U.S. Registration No.	3652019	Application Date	12/06/2007
Registration Date	07/07/2009	Foreign Priority Date	NONE
Word Mark	ENVIROSTONE		
Design Mark			
Description of Mark	The mark consists of the blue capital letters "ENVIR" followed by a stylized letter "O" approximately twice the size of the other letters and consisting a blue left side and a green right side bisected in the center by the white capital letter "S",		

	followed by the green capital letters "TONE".
Goods/Services	Class 019. First use: First Use: 2008/03/30 First Use In Commerce: 2008/03/30 General purpose building and landscaping material, namely, reclaimed stone combined with resin for use in fire pits, firebowls, fountains, umbrella bases and household or garden objects

U.S. Registration No.	3652019	Application Date	12/06/2007
Registration Date	07/07/2009	Foreign Priority Date	NONE
Word Mark	ENVIROSTONE		
Design Mark			
Description of Mark	The mark consists of the blue capital letters "ENVIR" followed by a stylized letter "O" approximately twice the size of the other letters and consisting a blue left side and a green right side bisected in the center by the white capital letter "S", followed by the green capital letters "TONE".		
Goods/Services	Class 019. First use: First Use: 2008/03/30 First Use In Commerce: 2008/03/30 General purpose building and landscaping material, namely, reclaimed stone combined with resin for use in fire pits, firebowls, fountains, umbrella bases and household or garden objects		

Related Proceedings	Bond Mfg. Co. v. Xiamen Hwaart Composite Material Co., Ltd., Jimmy Chen, Tina Wu, U.S. District Court, District of Nevada, Case No. 2:13:cv-00812-APG-NJK
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Attachments	Notice of Opposition HWAART & Design 09 26 13.pdf(505467 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	/Steven H. Bovarnick/
Name	Steven H. Bovarnick
Date	09/26/2013

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

Bond Manufacturing Co.,)	In re App. Ser. No. 85/834,200
)	
Opposer,)	Mark: HWAART & Design
)	
v.)	
)	
Xiamen Hwaart Composite Material Co., Ltd.,)	Filing Date: January 28, 2013 Publ'n Date: July 30, 2013
)	
Applicant.)	Opposition No.: _____

NOTICE OF OPPOSITION

Bond Manufacturing Co., a California corporation, located and doing business at 1700 West 4th Street, Antioch, California 94509 ("Bond" or "Opposer"), believes that it will be damaged by the registration by Xiamen Hwaart Composite Material Co., Ltd., a limited company purportedly organized under the laws of China, having an address of 108, Tian An Rd., Ji Mei N. Industrial District, Xiamen, Fujian, China ("Hwaart" or "Applicant") of the mark HWAART & Design as shown in Application Serial No. 85834200 and hereby opposes same.

The grounds for opposition are as follows:

1. On **January 28, 2013**, Hwaart filed a trademark application assigned Application Serial No. 85/834,200 in the United States Patent and Trademark Office ("the Application") to register the mark HWAART & Design (the "Applicant's Mark") for use in connection with "Electric patio heaters; Fire table; Fireplace hearths; Fireplaces; Fireplaces, domestic; Folding portable charcoal, propane and gas fired barbeques, stoves, and grills; Gas patio heaters" in International Class 11 (the "Applicant's Goods").

2. The Application filed by Hwaart on **January 28, 2013** ("the Applicant's Filing Date") was based on alleged use by Hwaart "or the applicant's related company or licensee or predecessor in interest" of the Applicant's Mark with the Applicant's Goods "at least as early as 09/01/2008, and first used in commerce as early as 09/01/2008." ("the Applicant's Alleged First Use Date.")

3. On **July 30, 2013**, the Application for the Applicant's Mark was published for opposition in the *Official Gazette*. On **August 29, 2013**, Opposer filed a Request to Extend Time to Oppose, which was granted until **September 28, 2013**. Accordingly, this Notice of Opposition is timely.

4. Bond was founded in **1946** and is a leading manufacturer, distributor, and supplier of outdoor products, including decorative fire bowls and fire tables, gas fired patio heaters, and gas fired barbeques. Bond offers these products under federally registered trademarks, including, as relevant to this Opposition, the marks BOND and BOND & Design (collectively, the "BOND Marks") (Reg. Nos. 3,684,493, 3,741,198, 3,207,983, 3,392,004, and 3,261,213), the mark ENVIROSTONE & Design (Reg. No. 3,652,019), and other federally registered trademarks. Copies of Bond's certificates of registration for the aforementioned registrations are attached hereto as **Exhibit A**. Bond has been using the BOND Marks continuously in U.S. commerce since at least as early as **December 31, 1948**. Bond has been using the ENVIROSTONE & Design mark continuously in U.S. commerce since at least as early as **March 30, 2008**.

5. As of **July 1, 2009**, Bond had a written design, compensation and debt recovery agreement with Hwaart and its principal owner, Jimmy Chen, which memorialized a business relationship that had existed for several years between Bond and Hwaart ("the Agreement").

Pursuant to the Agreement, products, including those of the type subject of the Application and encompassed by Bond's registered trademarks, were to be designed and developed by Hwaart and Chen exclusively for Bond, for which Hwaart was to be compensated by having its debt to Bond retired and as to which Chen was compensated for his services to Bond. The Agreement provided that the designs created and products manufactured belonged exclusively to Bond and that neither Hwaart nor Chen had any claim of right of use.

6. The Agreement continued in full force and effect until **July 2012**, at which time the Agreement was terminated following discovery that Hwaart had attempted to circumvent Bond by selling Bond's proprietary products directly to one of Bond's customer's, Lowe's Companies, Inc., a large chain of retail home improvement stores.

7. Unbeknownst to Bond and without its permission or consent, on **January 28, 2013**, Hwaart filed the Application to register the Applicant's Mark, attaching pictures of two of Bond's products which, on information and belief, had been altered by removing references to Bond on the exterior of each product and imprinting the black and white "Hwaart" mark on a gas control plate affixed to the exterior of each product.

8. Bond learned of the filing of the Application on or about **May 8, 2013**. On that date, Bond was attending the National Hardware Show ("NHS") in Las Vegas, Nevada, and observed that at NHS Booth 10009 there were several pallets of shipping boxes that displayed Bond's registered marks, including Bond and Envirostone. The shipping boxes were labeled with descriptions and pictures of products exactly matching Bond outdoor heating products offered under Bond's registered marks. The boxes further identified the products with Bond "Item" and "SKU" numbers. Bond determined that NHS Booth 10009 was registered to Hwaart.

9. At no time prior to **May 8, 2013** had Bond authorized or granted permission to Hwaart to display shipping boxes bearing Bond's registered marks or to display Bond's products at the NHS, which products appeared to be exact knockoffs of Bond products in every detail. Bond also noted that Hwaart was displaying large photographic prints of Bond products taken in the back yard of the home of Bond's CEO, Ron Merritt. The photographic prints are used by Bond in its packaging and marketing materials. Hwaart's acquisition, retention and use of the images in Hwaart's packaging and marketing materials was wholly unauthorized. In addition to using actual images of Bond products and displaying what appeared to be exact counterfeits of Bond products, Hwaart also copied the trade dress of Bond's marketing materials and exhibit that it has used for many years. Hwaart's marking materials and booth copied the distinctive and ubiquitous red color and fire flame design used by Bond in its catalogue, marketing materials and exhibit. But for the fact that letters on their signage was different, a person passing by would likely mistake Hwaart for Bond, which Bond is informed and believes was Hwaart's intent.

10. On **May 8, 2013**, Bond filed a Complaint against Hwaart, Jimmy Chen and Tina Wu in United States District Court, District of Nevada titled *Bond Manufacturing Co. v. Xiamen Hwaart Composite Material Co., Ltd., Jimmy Chen, Tina Wu*, Case No. 2:13:cv-00812-APG-NJK, and an Emergency Ex Parte Motion For A Temporary Restraining Order, Seizure Order and Preliminary Injunction. On **May 8, 2013**, the Court issued an Order Granting Emergency Ex Parte Motion For A Temporary Restraining Order, Seizure Order and Preliminary Injunction. On **May 8, 2013**, the Seizure Order was executed by the United States Marshall.

11. On **May 9, 2013**, the assigned examining attorney issued an Office Action (Official Letter) to Applicant detailing deficiencies in the Application as set forth therein.

12. Although Applicant purports to be organized under the laws of China and located at 108 Tian An Rd, Ji Mei N. Industrial District, Xiamen, Fujian, China, the phone number, fax number and email address given under Applicant Information are for Duro Corporation, 17018 Evergreen Place, City of Industry, California, william_hsieh@duro-global.com.

13. Bond is informed and believes that on or about **April 30, 2013**, Duro Corporation imported, without permission or authorization from Bond, the shipping boxes that displayed Bond's registered marks, including the BOND and ENVIROSTONE marks, which were labeled with descriptions and pictures of products exactly matching Bond outdoor heating products offered under its registered marks and identified the products with Bond "Item" and "SKU" numbers at Hwaart's Booth 10009 at the National Hardware Show.

14. On **May 30, 2013**, Applicant submitted its Response to Office Action, substituting a photograph of a box displaying one of Bond's products, which box, on information and belief, had been altered by placing a copy of the design word "Hwaart" on its face, maintaining that the "Hwaart" mark was used in commerce in International Class 11 for Electric patio heaters, Fire table; Fireplace hearths; Fireplaces; Fireplaces, domestic; Folding portable charcoal, propane and gas fired barbecues, stoves and grills; Gas patio heaters "at least as early as 09/01/2008".

15. On **July 30, 2013**, the Application for the Applicant's Mark was published for opposition in the *Official Gazette*.

16. The filing of the Application falsely suggests a connection with the Opposer, and the Application is opposed on that ground.

17. The filing of the Application falsely states that it was used in commerce "at least as early as 09/01/2008" and is opposed on that ground.

18. The Application creates the likelihood of confusion with Bond's registered marks as the Applicant has repeatedly affixed its mark to Bond's products and otherwise conducted itself in violation of the Lanham Act, to which the Applicant, on **August 13, 2013** has entered into a Stipulation and Order Confirming Seizure and for Permanent Injunction providing in part that Hwaart and their officers, agents, servants, employees, and attorneys, and all other persons in active concert or participation with one or more of them, are permanently enjoined and restrained from:

i. Offering any product or service in connection with any of the Bond Marks or any other trademarked design that is a colorable imitation of any Bond Mark or confusingly similar thereto or in connect with any promotional materials displaying any product sold, displayed or designed by Bond ... or in connection with outdoor heating products;

ii. Manufacturing, importing, exporting, distributing, shipping, introducing into commerce, returning, disposing of, purchasing, offering for sale, marketing, selling, soliciting, filling orders for, promoting, or advertising any outdoor heating product or other products under, in connection with, or that embody, the Bond Marks;

iii. Passing off, promoting, or selling any products as being produced by or under the supervision or control of Bond when such is not the case;....

19. For the foregoing reasons, the registration sought by Applicant is contrary to the provisions of Section 2(d) of the Lanham Act, and Opposer believes that it would be damaged thereby.

20. On information and belief, at the time Applicant filed the Application, Applicant did not have actual use of Applicant's Mark as a trademark on each of Applicant's purported Goods.

21. Applicant's Application should not be granted because it was not filed based on Applicant's actual use of Applicant's Mark as a trademark with each and every one of Applicant's

purported Goods, and on information and belief, Applicant failed to satisfy the requirements of Trademark Act Section 1(a) and related Trademark Rules and Regulations.

22. For the foregoing reasons, the registration sought by Applicant is contrary to the provisions of Section 2(d) of the Lanham Act, and Opposer believes that it would be damaged thereby.

23. WHEREFORE, Opposer respectfully requests that registration of the mark shown in Application Serial No. 85/834,200 be refused and that this Opposition be sustained in favor of Opposer.

This Notice of Opposition is being filed electronically, and payment of the \$300 filing fee is being made electronically in accordance with the filing of Bond's Notice of Opposition.

DATED: September 26, 2013

LELAND, PARACHINI, STEINBERG,
MATZGER & MELNICK, LLP
199 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415)957-1800
Facsimile: (415)974-1520

By: /Steven H. Bovarnick/
Steven H. Bovarnick
Attorneys for Bond Manufacturing Co.
email:sbovarnick@lpslaw.com

CERTIFICATE OF SERVICE

I, Steven H. Bovarnick, certify that a copy of the foregoing NOTICE OF OPPOSITION was served on:

Jeanette Yang
18968 Northern Dancer Lane
Yorba Linda, CA 92886
email: jeanette497@hotmail.com

by placing same with the U.S. Postal Service, via first class mail, postage pre-paid, this 26th day of September, 2013.

/Steven H. Bovarnick/
Steven H. Bovarnick
Counsel for Bond Manufacturing Company

EXHIBIT A

Int. Cl.: 21

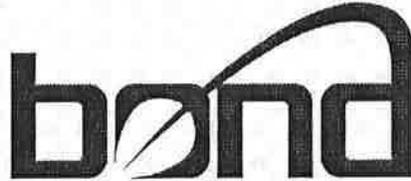
Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50

Reg. No. 3,207,983

United States Patent and Trademark Office

Registered Feb. 13, 2007

**TRADEMARK
PRINCIPAL REGISTER**



BOND MANUFACTURING COMPANY (CALIFORNIA CORPORATION)
1666 WILLOW PASS ROAD
BAY POINT, CA 94565

FOR: LAWN AND GARDEN SPRINKLER, NAMELY, AN INDIVIDUAL SPRINKLER USED FOR LAWNS, GARDENS AND OTHER LANDSCAPE SURFACES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 7-1-2005; IN COMMERCE 7-1-2005.

THE MARK CONSISTS OF THE LOWER-CASE LETTERS "BOND," WITH THE STEM OF THE LETTER "D" FORMING AN ARCH OVER THE LETTERS "N" AND "D" AND BISECTING THE LETTER "O".

SER. NO. 78-775,520, FILED 12-16-2005.

AMY MCMENAMIN, EXAMINING ATTORNEY

Int. Cls.: 8, 20 and 21

Prior U.S. Cls.: 2, 13, 22, 23, 25, 28, 29, 30, 32, 33, 40,
44 and 50

United States Patent and Trademark Office

Reg. No. 3,261,213

Registered July 10, 2007

TRADEMARK
PRINCIPAL REGISTER



BOND MANUFACTURING COMPANY (CALI-
FORNIA CORPORATION)
1666 WILLOW PASS ROAD
BAY POINT, CA 94565

FOR: HAND-HELD GARDEN TOOLS, NAMELY,
SHOVELS, RAKES, SHEARS, SAWS, PRUNERS AND
LOPPERS; GARDENING SUPPLIES, NAMELY,
BULB PLANTERS, IN CLASS 8 (U.S. CLS. 23, 28
AND 44).

FIRST USE 9-30-1998; IN COMMERCE 9-30-1998.

FOR: GARDENING SUPPLIES, NAMELY, NON-
METAL STAKES; OUTDOOR FURNITURE, NAME-

LY, CHAIRS, TABLES, SHELVES, BAKERS RACKS,
AND TEA CARTS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25,
32 AND 50).

FIRST USE 9-30-1998; IN COMMERCE 9-30-1998.

FOR: METAL PLANT HOLDERS, IN CLASS 21
(U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 9-30-1998; IN COMMERCE 9-30-1998.

SER. NO. 78-978,581, FILED 8-8-2005.

MEGAN WHITNEY, EXAMINING ATTORNEY

Int. Cls.: 8, 20 and 21

Prior U.S. Cls.: 2, 13, 22, 23, 25, 28, 29, 30, 32, 33, 40,
44 and 50

United States Patent and Trademark Office

Reg. No. 3,392,004

Registered Mar. 4, 2008

**TRADEMARK
PRINCIPAL REGISTER**

bond

BOND MANUFACTURING COMPANY (CALI-
FORNIA CORPORATION)
1666 WILLOW PASS ROAD
BAY POINT, CA 94565

FOR: HAND-HELD GARDEN TOOLS, NAMELY,
SHOVELS, RAKES, SHEARS, SAWS, PRUNERS AND
LOPPERS; GARDENING SUPPLIES, NAMELY,
BULB PLANTERS, IN CLASS 8 (U.S. CLS. 23, 28
AND 44).

FIRST USE 12-31-1948; IN COMMERCE 12-31-1948.

FOR: GARDENING SUPPLIES, NAMELY, NON-
METAL STAKES; OUTDOOR FURNITURE, NAME-
LY, CHAIRS, TABLES, SHELVES, BAKERS RACKS,
AND TEA CARTS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25,
32 AND 50).

FIRST USE 2-1-1960; IN COMMERCE 2-1-1960.

FOR: METAL PLANT HOLDERS, IN CLASS 21
(U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 8-1-2001; IN COMMERCE 8-1-2001.

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

SER. NO. 78-978,264, FILED 8-4-2005.

AMY MCMENAMIN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

bond

Reg. No. 3,684,493 BOND MANUFACTURING COMPANY (CALIFORNIA CORPORATION)
Registered Sep. 15, 2009 1666 WILLOW PASS ROAD
BAY POINT, CA 94565

Int. Cl.: 6 FOR: GARDENING SUPPLIES, NAMELY, METAL STAKES, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

TRADEMARK FIRST USE 7-1-2003; IN COMMERCE 7-1-2003.
PRINCIPAL REGISTER

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

SN 78-685,914, FILED 8-4-2005.

AMY C. KEAN, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,741,198 BOND MANUFACTURING COMPANY (CALIFORNIA CORPORATION)
Registered Jan. 19, 2010 1666 WILLOW PASS ROAD
BAY POINT, CA 94565

Int. Cl.: 6 FOR: GARDENING SUPPLIES, NAMELY, METAL STAKES, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

TRADEMARK FIRST USE 7-1-2003; IN COMMERCE 7-1-2003.
PRINCIPAL REGISTER

THE MARK CONSISTS OF THE WORD "BOND" IN BLACK, LOWER-CASE LETTERS, WITH THE STEM OF THE LETTER "D" BISECTING THE LETTER "O".

SN 78-688,086, FILED 8-8-2005.

JENNIFER VASQUEZ, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Int. Cl.: 19

Prior U.S. Cls.: 1, 12, 33, and 50

Reg. No. 3,652,019

United States Patent and Trademark Office

Registered July 7, 2009

**TRADEMARK
PRINCIPAL REGISTER**

ENVIR  STONE

BOND MANUFACTURING COMPANY (CALIFORNIA CORPORATION)
1666 WILLOW PASS ROAD
BAY POINT, CA 94565

FOR: GENERAL PURPOSE BUILDING AND LANDSCAPING MATERIAL, NAMELY, RECLAIMED STONE COMBINED WITH RESIN FOR USE IN FIRE PITS, FIREBOWLS, FOUNTAINS, UMBRELLA BASES AND HOUSEHOLD OR GARDEN OBJECTS, IN CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

FIRST USE 3-30-2008; IN COMMERCE 3-30-2008.

THE COLOR(S) BLUE, WHITE, AND GREEN IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE BLUE CAPITAL LETTERS "ENVIR" FOLLOWED BY A STYLIZED LETTER "O" APPROXIMATELY TWICE THE SIZE OF THE OTHER LETTERS AND CONSISTING A BLUE LEFT SIDE AND A GREEN RIGHT SIDE BISECTED IN THE CENTER BY THE WHITE CAPITAL LETTER "S", FOLLOWED BY THE GREEN CAPITAL LETTERS "TONE".

SN 77-346,203, FILED 12-6-2007.

CIMMERIAN COLEMAN, EXAMINING ATTORNEY