

ESTTA Tracking number: **ESTTA569568**

Filing date: **11/07/2013**

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	Universal Protein Supplements Corporation		
Entity	Corporation	Citizenship	New Jersey
Address	3 Terminal Road New Brunswick, NJ 08901 UNITED STATES		

Attorney information	Maureen Beacom Gorman Marshall, Gerstein & Borun LLP 233 South Wacker Drive Suite 6300 Chicago, IL 60606 UNITED STATES mgorman@marshallip.com, mciesielski@marshallip.com, kking@marshallip.com Phone: 3124746300
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Applicant Information

Application No	85925414	Publication date	10/08/2013
Opposition Filing Date	11/07/2013	Opposition Period Ends	11/07/2013
Applicant	Allmax Nutrition Inc. 4576 Yonge Street, Suite 509 Ontario, M2N 6N4, CAX CAX		

Goods/Services Affected by Opposition

Class 005. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Dietary and nutritional supplements
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Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3439799	Application Date	09/05/2007
Registration Date	06/03/2008	Foreign Priority Date	NONE
Word Mark	ANIMAL		

Design Mark	<h1>ANIMAL</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1983/00/00 First Use In Commerce: 1983/00/00 Nutritional supplements for human consumption		

U.S. Registration No.	4020568	Application Date	09/30/2010
Registration Date	08/30/2011	Foreign Priority Date	NONE
Word Mark	ANIMAL RAGE		
Design Mark	<h1>ANIMAL RAGE</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2011/03/01 First Use In Commerce: 2011/03/01 Powdered nutritional supplement drink mix for human consumption; dietary supplement drink mixes in powdered form for human consumption		

U.S. Registration No.	3227943	Application Date	06/23/2006
Registration Date	04/10/2007	Foreign Priority Date	NONE
Word Mark	ANIMAL FLEX		

Design Mark	<h1>ANIMAL FLEX</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2006/06/12 First Use In Commerce: 2006/06/12 nutritional supplements for humans		

U.S. Registration No.	3227727	Application Date	06/08/2006
Registration Date	04/10/2007	Foreign Priority Date	NONE
Word Mark	ANIMAL PUMP		
Design Mark	<h1>ANIMAL PUMP</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2006/06/07 First Use In Commerce: 2006/06/07 Nutritional supplements for humans		

U.S. Registration No.	2784232	Application Date	06/25/2002
Registration Date	11/18/2003	Foreign Priority Date	NONE
Word Mark	ANIMAL CUTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1998/10/01 First Use In Commerce: 1998/10/01 Dietary Food Supplements; A nutritional supplement comprised of but not limited to vitamins, minerals, amino acids, herbs, and training nutrients		

U.S. Registration No.	2437306	Application Date	03/28/2000
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Registration Date	03/20/2001	Foreign Priority Date	NONE
Word Mark	ANIMAL PAK		
Design Mark	<p style="text-align: center;">ANIMAL PAK</p>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1983/01/15 First Use In Commerce: 1983/01/15 Dietary Food Supplements; A nutritional supplement comprised of but not limited to vitamins, minerals and training nutrients		

U.S. Registration No.	3871542	Application Date	01/21/2010
Registration Date	11/02/2010	Foreign Priority Date	NONE
Word Mark	ANIMAL PM		
Design Mark	<p style="text-align: center;">Animal PM</p>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2010/03/05 First Use In Commerce: 2010/03/05 Dietary and nutritional supplements for human consumption		

U.S. Registration No.	3282200	Application Date	11/28/2006
Registration Date	08/21/2007	Foreign Priority Date	NONE
Word Mark	ANIMAL NITRO		

Design Mark	ANIMAL NITRO
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2004/06/00 First Use In Commerce: 2004/06/00 Dietary and nutritional supplements

U.S. Registration No.	3281904	Application Date	11/03/2006
Registration Date	08/21/2007	Foreign Priority Date	NONE

Word Mark	A ANIMAL.
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Design Mark	
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Description of Mark	The mark consists of the lettering A placed on top of a circle and several lines above the wording ANIMAL.
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Goods/Services	Class 005. First use: First Use: 2002/06/00 First Use In Commerce: 2002/06/00 Supplements, namely, dietary food supplements, dietary supplements, food supplements, herbal supplements, meal replacement and dietary supplement drink mixes, mineral nutritional supplements, mineralsupplements, nutritional supplements, nutritional supplement drink mix, vitaminand mineral supplements, vitamin supplements, meal replacement bars Class 025. First use: First Use: 2002/06/00 First Use In Commerce: 2002/06/00 Clothing, namely, hats, caps, bottoms, tops, shorts, pants, shirts, sweat shirts, sweat pants, sweat shorts, sweat jackets
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U.S. Registration No.	3577109	Application Date	06/22/2007
Registration Date	02/17/2009	Foreign Priority Date	NONE

Word Mark	ANIMAL TEST
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Design Mark	ANIMAL TEST
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2003/09/00 First Use In Commerce: 2007/10/00 Dietary food supplements for humans andnot for animals; Nutritional supplements for humans and not for animals

Attachments	77272214#TMSN.jpeg(bytes) 85142317#TMSN.jpeg(bytes) 78915936#TMSN.jpeg(bytes) 78903915#TMSN.jpeg(bytes) 78001342#TMSN.gif(bytes) 77916944#TMSN.jpeg(bytes) 77052169#TMSN.jpeg(bytes) 77035974#TMSN.jpeg(bytes) 77213112#TMSN.jpeg(bytes) Allmax_opposition.pdf(112845 bytes) Exhibit A.pdf(365954 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	/mciesielski/
Name	Matthew Ciesielski
Date	11/07/2013

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

Universal Protein Supplements Corporation,

Opposer,

v.

Allmax Nutrition Inc.,

Applicant.

Serial No. 85/925,414

Opposition No. _____

Mark: TRAIN LIKE AN ANIMAL

NOTICE OF OPPOSITION

Universal Protein Supplements Corporation (“Universal Nutrition”), a New Jersey corporation with a primary place of business located at 3 Terminal Road, New Brunswick, New Jersey 08901, opposes application serial no. 85/925,414 (“the opposed application”), filed by Allmax Nutrition Inc. (Allmax”) to cover the use of TRAIN LIKE AN ANIMAL for dietary and nutritional supplements. Universal Nutrition would be damaged by registration because it has prior rights in ANIMAL and the parties are direct competitors in the field of nutritional supplements for body builders.

The grounds for opposition are:

1. Universal Nutrition is one the world’s leading providers of sports nutrition products and has been using the ANIMAL trademark on nutritional supplements continuously for thirty years.

2. Use of the ANIMAL mark in connection with nutritional supplements is covered by U.S. reg. no. 3,439,799. That registration issued long prior to the filing date of the opposed application and is now incontestable.¹

3. Universal Nutrition's ANIMAL mark is used in a variety of different manners, and is widely known in the trade, particular in the bodybuilding trade. In addition to the registration mentioned above, Universal Nutritional also owns the following marks and registrations:

Registration No.	Mark	Date of First Use	Registration Date
4020568	ANIMAL RAGE	3/1/2011	8/30/2011
3227943	ANIMAL FLEX	6/12/2006	4/10/2007
3227727	ANIMAL PUMP	6/7/2006	4/10/2007
2784232	ANIMAL CUTS	10/1/1998	11/18/2003
2437306	ANIMAL PAK	1/15/1983	3/20/2001
3871542	ANIMAL PM	3/5/2010	11/2/2010
3282200	ANIMAL NITRO	6/30/2004	8/21/2007
3281904	A ANIMAL Design	6/30/2002	8/21/2007
3577109	ANIMAL TEST	10/30/2007	2/17/2009

4. ANIMAL is a strong mark in the field of nutritional supplements.

5. Universal Nutrition's ANIMAL supplements compete head-to-head with Allmax's dietary and nutritional supplements, which are sold in the same channels of trade where Universal Nutrition's nutritional supplements are sold.

6. Allmax's promotional efforts encourage consumers to believe that Allmax has a relationship with at least one other prominent company, Nike. At the 9:30 mark of the video-clip on Allmax's website at <http://www.allmaxnutrition.com/post-articles/news/video-allmax-behind->

¹ In accordance with 37 C.F.R. § 2.122(d), a current printout of information from the electronic database records of the USPTO showing the current status and title of reg. no. 3,439,799 and other Universal Nutrition registrations that include the word ANIMAL accompany this opposition as Group Exhibit A.

the-scenes-at-the-2013-olympia-weekend/, an Allmax representative is shown wearing a t-shirt that displays the ALLMAX brand with Nike's Air Jordan logo:



Use by Allmax of its name with Nike's brand increases the likelihood that bodybuilders who see a famous mark promoted in connection with Allmax's products will assume that there is an affiliation between Allmax and the owner of that mark.

7. Bodybuilders seeing TRAIN LIKE AN ANIMAL supplements would expect the supplements to come from the makers of ANIMAL supplements.

8. TRAIN LIKE AN ANIMAL so resembles Universal Nutrition's previously used ANIMAL mark as to be likely, when used on or in connection with dietary and nutritional supplements, to cause confusion, or to cause mistake, or to deceive. Consequently, registration is precluded by 15 U.S.C. § 1052(d).

9. Use of ANIMAL in TRAIN LIKE AN ANIMAL falsely suggests a connection with Universal Nutrition. Consequently, registration is also precluded by 15 U.S.C. § 1052(a).

WHEREFORE, Universal Nutrition asks that the opposition be sustained and that registration be refused.

Respectfully submitted,

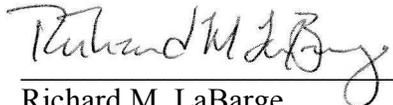
Universal Protein Supplements Corporation

November 7, 2013


Maureen Beacom Gorman
Richard M. LaBarge
MARSHALL, GERSTEIN & BORUN LLP
6300 Willis Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 474-6300

CERTIFICATE OF SERVICE

I certify that this opposition was served on the applicant on November 7, 2013, by mailing a copy by first class mail, postage prepaid, to its attorney of record, Sean L. Sweeney, TREDECIM LLC, 91J Auburn St. # 1133, Portland, ME 04103-2103.


Richard M. LaBarge

Group Exhibit A

Generated on: This page was generated by TSDR on 2013-11-07 11:02:23 EST

Mark: ANIMAL

ANIMAL

US Serial Number: 77272214
Application Filing Date: Sep. 05, 2007
US Registration Number: 3439799
Registration Date: Jun. 03, 2008
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Sep. 13, 2013
Publication Date: Mar. 18, 2008

Mark Information

Mark Literal Elements: ANIMAL
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: 2437306, 2594433, 2784232 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 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: 1983
Use in Commerce: 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: Universal Protein Supplements Corporation DBA Universal Nutrition, Inc.
Owner Address: 3 Terminal Road
New Brunswick, NEW JERSEY 08901
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maureen Beacom Gorman
Docket Number: 31742/11060
Attorney Primary Email: docket@marshallip.com
Attorney Email: Yes

Address:

Authorized:

Correspondent

Correspondent Name/Address: Maureen Beacom Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive
6300 Willis Tower
Chicago, ILLINOIS 60606-6357
UNITED STATES

Phone: 312.474.6643

Fax: 312.474.0448

Correspondent e-mail: docket@marshallip.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 13, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 13, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Aug. 29, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	76533
Sep. 13, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Aug. 29, 2013	TEAS SECTION 8 & 15 RECEIVED	
Jan. 13, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 05, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 03, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 18, 2008	PUBLISHED FOR OPPOSITION	
Feb. 27, 2008	NOTICE OF PUBLICATION	
Feb. 15, 2008	ASSIGNED TO EXAMINER	83176
Feb. 12, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Feb. 12, 2008	ASSIGNED TO LIE	70138
Jan. 10, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 10, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 10, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 10, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 10, 2008	EXAMINERS AMENDMENT -WRITTEN	82083
Dec. 11, 2007	ASSIGNED TO EXAMINER	82083
Sep. 10, 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 103

Date in Location: Sep. 13, 2013

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: N.V.E., Inc.

Correspondent Address: BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652

Correspondent e-mail: efiling@ndslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)

Name: Universal Protein Supplements Corporation

Correspondent Address: Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91204809](#)

Filing Date: Apr 18, 2012

Status: Terminated

Status Date: Nov 29, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst

Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND

Correspondent e-mail: cbrowning@kdlegal.com, info@mch-group.com, patrick.graber@mch-group.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition

Correspondent Address: TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

Type of Proceeding: Cancellation

Proceeding Number: [92051652](#)

Filing Date: Oct 23, 2009

Status: Terminated

Status Date: Mar 11, 2010

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Alban Distributors, Inc.

Correspondent Address: Alban Distributors, Inc.

7330 Northwest 54th Street
Lauderhill FL , 33319
UNITED STATES

Mark	Application Status	Serial Number	Registration Number
ANIMAL ENERGY DRINK	Cancelled - Section 18	77403251	3640676
ANIMAL	Cancelled - Section 18	77058293	3673409

Plaintiff(s)

Name: Universal Protein Supplements Corp. D/B/A Universal Nutrition

Correspondent Address: Maureen Beacom Gorman
Davis McGrath LLC
125 S. Wacker, Suite 1700
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: vmcgrath@davismcgrath.com , mbgorman@davismcgrath.com , cschneider@davismcgrath.com

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2009	Dec 05, 2009
3	PENDING, INSTITUTED	Oct 26, 2009	
4	NOTICE OF DEFAULT	Dec 24, 2009	
5	BOARD'S DECISION: GRANTED	Feb 11, 2010	
6	COMMR'S ORDER CANCELLING REGISTRATION	Mar 11, 2010	
7	TERMINATED	Mar 11, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91191054](#)

Filing Date: Jul 15, 2009

Status: Terminated

Status Date: Aug 11, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Daryl A. Abrams

Correspondent Address: MICHAEL S ADLER
TANTALO & ADLER LLP
1901 AVENUE OF THE STARS, SUITE 1000
LOS ANGELES CA , 90067
UNITED STATES

Correspondent e-mail: madler@ta-llp.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
PARTY ANIMAL	Fourth Extension - Granted	77286086	

Plaintiff(s)

Name: Universal Protein Supplements Corporation d/b/a Universal Nutrition

Correspondent Address: MAUREEN BEACOM GORMAN
MARSHALL GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , mgorman@marshallip.com , kking@marshallip.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ANIMALSNAK	Registered	77183850	3421712
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL SNAK	Registered	77394925	3492505

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 15, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2009	Aug 24, 2009
3	PENDING, INSTITUTED	Jul 15, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 24, 2009	
5	EXTENSION OF TIME GRANTED	Aug 25, 2009	
6	ANSWER	Sep 25, 2009	
7	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2010	
9	EXTENSION OF TIME GRANTED	Mar 04, 2010	
10	P'S MOTION TO COMPEL DISCOVERY	Mar 29, 2010	
11	SUSPENDED	Apr 01, 2010	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 13, 2010	
13	P's Motion4 Disconf Referred	Apr 16, 2010	
14	BOARD'S ORDER: TRIAL DATES ARE RESET	Apr 30, 2010	
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	May 13, 2010	
16	CHANGE OF CORRESPONDENCE ADDRESS	May 13, 2010	
17	NOTICE OF DEFAULT	Jun 14, 2010	
18	D'S RESPONSE TO DEFAULT; ANSWER	Jul 09, 2010	
19	TRIAL DATES REMAIN AS PREVIOUSLY SET	Jul 21, 2010	

20	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2010
21	EXTENSION OF TIME GRANTED	Aug 12, 2010
22	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2010
23	EXTENSION OF TIME GRANTED	Nov 23, 2010
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 18, 2011
25	SUSPENDED	Jan 18, 2011
26	CHANGE OF CORRESPONDENCE ADDRESS	Jan 28, 2011
27	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 24, 2011
28	SUSPENDED	Mar 24, 2011
29	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 25, 2011
30	SUSPENDED	May 26, 2011
31	STIPULATION FOR AN EXTENSION OF TIME	Jun 25, 2011
32	EXTENSION OF TIME GRANTED	Jun 27, 2011
33	WITHDRAWAL OF OPPOSITION	Aug 03, 2011
34	WITHDRAWAL OF OPPOSITION	Aug 04, 2011
35	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 11, 2011
36	TERMINATED	Aug 11, 2011
37	CORRECTION TO BOARD'S ORDER	Aug 12, 2011

Attorney Name: Maureen Beacom Gorman

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Attorney Email No
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Correspondent

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Correspondent e-mail: doCKET@marshallip.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 30, 2011	REGISTERED-PRINCIPAL REGISTER	
Jul. 27, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 26, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	70468
Jul. 18, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 27, 2011	STATEMENT OF USE PROCESSING COMPLETE	76874
Jun. 20, 2011	USE AMENDMENT FILED	76874
Jun. 24, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Jun. 20, 2011	TEAS STATEMENT OF USE RECEIVED	
Jun. 20, 2011	TEAS STATEMENT OF USE RECEIVED	
Jun. 07, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 12, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 12, 2011	PUBLISHED FOR OPPOSITION	
Mar. 05, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Mar. 05, 2011	ASSIGNED TO LIE	70468
Feb. 07, 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	83174
Jan. 13, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 10, 2011	ASSIGNED TO EXAMINER	83174
Jan. 05, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 05, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 05, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 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: Jul. 26, 2011

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: N.V.E., Inc.

Correspondent Address: BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652

Correspondent e-mail: efiling@ndslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)

Name: Universal Protein Supplements Corporation

Correspondent Address: Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91204809](#)

Filing Date: Apr 18, 2012

Status: Terminated

Status Date: Nov 29, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst

Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND

Correspondent e-mail: cbrowning@kdlegal.com , info@mch-group.com , patrick.graber@mch-group.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition

Correspondent Address: TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

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Correspondent Name/Address: MAUREEN BEACOM GORMAN
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Phone: 312.474.6643

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Correspondent e-mail: docket@marshallip.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 30, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
May 29, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
May 17, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jan. 13, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 05, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 17, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 23, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 10, 2007	REGISTERED-PRINCIPAL REGISTER	
Jan. 23, 2007	PUBLISHED FOR OPPOSITION	
Jan. 03, 2007	NOTICE OF PUBLICATION	
Dec. 01, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	66230
Nov. 29, 2006	ASSIGNED TO LIE	66230
Nov. 21, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 20, 2006	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 20, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 20, 2006	EXAMINERS AMENDMENT -WRITTEN	81130
Nov. 09, 2006	ASSIGNED TO EXAMINER	81130
Jun. 29, 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 108

Date in Location: May 30, 2012

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: N.V.E., Inc.

Correspondent Address: BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652

Correspondent e-mail: efiling@ndslaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)

Name: Universal Protein Supplements Corporation

Correspondent Address: Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91204809](#)

Filing Date: Apr 18, 2012

Status: Terminated

Status Date: Nov 29, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst

Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND

Correspondent e-mail: cbrowning@kdlegal.com, info@mch-group.com, patrick.graber@mch-group.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)**Name:** Universal Protein Supplements Corporation DBA Universal Nutrition**Correspondent Address:** TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
UNITED STATES**Correspondent e-mail:** tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

Type of Proceeding: Cancellation**Proceeding Number:** [92051652](#)**Filing Date:** Oct 23, 2009**Status:** Terminated**Status Date:** Mar 11, 2010**Interlocutory Attorney:** ANDREW P BAXLEY**Defendant****Name:** Alban Distributors, Inc.**Correspondent Address:** Alban Distributors, Inc.
7330 Northwest 54th Street
Lauderhill FL , 33319
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL ENERGY DRINK	Cancelled - Section 18	77403251	3640676
ANIMAL	Cancelled - Section 18	77058293	3673409

Plaintiff(s)

Name: Universal Protein Supplements Corp. D/B/A Universal Nutrition

Correspondent Address: Maureen Beacom Gorman
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125 S. Wacker, Suite 1700
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UNITED STATES

Correspondent e-mail: wmcgrath@davismcgrath.com , mbgorman@davismcgrath.com , cschneider@davismcgrath.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2009	Dec 05, 2009
3	PENDING, INSTITUTED	Oct 26, 2009	
4	NOTICE OF DEFAULT	Dec 24, 2009	
5	BOARD'S DECISION: GRANTED	Feb 11, 2010	
6	COMMR'S ORDER CANCELLING REGISTRATION	Mar 11, 2010	
7	TERMINATED	Mar 11, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91191054](#)

Filing Date: Jul 15, 2009

Status: Terminated

Status Date: Aug 11, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Daryl A. Abrams

Correspondent Address: MICHAEL S ADLER
TANTALO & ADLER LLP
1901 AVENUE OF THE STARS, SUITE 1000
LOS ANGELES CA , 90067
UNITED STATES

Correspondent e-mail: madler@ta-lip.com

Associated marks

Mark	Application Status	Serial	Registration
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		Number	Number
PARTY ANIMAL		Fourth Extension - Granted	77286086
Plaintiff(s)			
Name: Universal Protein Supplements Corporation d/b/a Universal Nutrition			
Correspondent Address: MAUREEN BEACOM GORMAN MARSHALL GERSTEIN & BORUN LLP 233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER CHICAGO IL , 60606 UNITED STATES			
Correspondent e-mail: tgehrke@marshallip.com , mgorman@marshallip.com , kking@marshallip.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
ANIMALSNAK	Registered	77183850	3421712
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL SNAK	Registered	77394925	3492505
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 15, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2009	Aug 24, 2009
3	PENDING, INSTITUTED	Jul 15, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 24, 2009	
5	EXTENSION OF TIME GRANTED	Aug 25, 2009	
6	ANSWER	Sep 25, 2009	
7	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2010	
9	EXTENSION OF TIME GRANTED	Mar 04, 2010	
10	P'S MOTION TO COMPEL DISCOVERY	Mar 29, 2010	
11	SUSPENDED	Apr 01, 2010	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 13, 2010	
13	P's Motion4 Disconf Referred	Apr 16, 2010	
14	BOARD'S ORDER: TRIAL DATES ARE RESET	Apr 30, 2010	
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	May 13, 2010	
16	CHANGE OF CORRESPONDENCE ADDRESS	May 13, 2010	
17	NOTICE OF DEFAULT	Jun 14, 2010	
18	D'S RESPONSE TO DEFAULT; ANSWER	Jul 09, 2010	
19	TRIAL DATES REMAIN AS PREVIOUSLY SET	Jul 21, 2010	
20	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2010	

21	EXTENSION OF TIME GRANTED	Aug 12, 2010
22	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2010
23	EXTENSION OF TIME GRANTED	Nov 23, 2010
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 18, 2011
25	SUSPENDED	Jan 18, 2011
26	CHANGE OF CORRESPONDENCE ADDRESS	Jan 28, 2011
27	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 24, 2011
28	SUSPENDED	Mar 24, 2011
29	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 25, 2011
30	SUSPENDED	May 26, 2011
31	STIPULATION FOR AN EXTENSION OF TIME	Jun 25, 2011
32	EXTENSION OF TIME GRANTED	Jun 27, 2011
33	WITHDRAWAL OF OPPOSITION	Aug 03, 2011
34	WITHDRAWAL OF OPPOSITION	Aug 04, 2011
35	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 11, 2011
36	TERMINATED	Aug 11, 2011
37	CORRECTION TO BOARD'S ORDER	Aug 12, 2011

Attorney Primary Email doCKET@marshallip.com
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Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Maureen Beacom Gorman
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UNITED STATES

Phone: 312.474.6643

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Correspondent e-mail: doCKET@marshallip.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 29, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 29, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
May 29, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70619
May 17, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jan. 13, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 05, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 17, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 23, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 10, 2007	REGISTERED-PRINCIPAL REGISTER	
Jan. 23, 2007	PUBLISHED FOR OPPOSITION	
Jan. 03, 2007	NOTICE OF PUBLICATION	
Dec. 01, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	66230
Nov. 29, 2006	ASSIGNED TO LIE	66230
Nov. 21, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
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Nov. 20, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 20, 2006	EXAMINERS AMENDMENT -WRITTEN	81130
Nov. 09, 2006	ASSIGNED TO EXAMINER	81130
Jun. 14, 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 108

Date in Location: May 29, 2012

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant**Name:** N.V.E., Inc.**Correspondent Address:** BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652**Correspondent e-mail:** efiling@ndsllaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)**Name:** Universal Protein Supplements Corporation**Correspondent Address:** Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES**Correspondent e-mail:** mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition**Proceeding Number:** [91204809](#)**Filing Date:** Apr 18, 2012**Status:** Terminated**Status Date:** Nov 29, 2012**Interlocutory Attorney:** ELIZABETH A DUNN**Defendant****Name:** MCH Group AG Rechtsdienst**Correspondent Address:** PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND**Correspondent e-mail:** cbrowning@kdlegal.com, info@mch-group.com, patrick.graber@mch-group.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
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ANIMALIA Abandoned - After Inter-Partes Decision [79094693](#)

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition

Correspondent Address: TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

Type of Proceeding: Cancellation

Proceeding Number: [92051652](#)

Filing Date: Oct 23, 2009

Status: Terminated

Status Date: Mar 11, 2010

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Alban Distributors, Inc.

Correspondent Address: Alban Distributors, Inc.
7330 Northwest 54th Street

Lauderhill FL , 33319
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ANIMAL ENERGY DRINK	Cancelled - Section 18	77403251	3640676
ANIMAL	Cancelled - Section 18	77058293	3673409

Plaintiff(s)

Name: Universal Protein Supplements Corp. D/B/A Universal Nutrition

Correspondent Address: Maureen Beacom Gorman
Davis McGrath LLC
125 S. Wacker, Suite 1700
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: wmcgrath@davismcgrath.com , mbgorman@davismcgrath.com , cschneider@davismcgrath.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2009	Dec 05, 2009
3	PENDING, INSTITUTED	Oct 26, 2009	
4	NOTICE OF DEFAULT	Dec 24, 2009	
5	BOARD'S DECISION: GRANTED	Feb 11, 2010	
6	COMMR'S ORDER CANCELLING REGISTRATION	Mar 11, 2010	
7	TERMINATED	Mar 11, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91191054](#)

Filing Date: Jul 15, 2009

Status: Terminated

Status Date: Aug 11, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Daryl A. Abrams

Correspondent Address: MICHAEL S ADLER
TANTALO & ADLER LLP
1901 AVENUE OF THE STARS, SUITE 1000
LOS ANGELES CA , 90067
UNITED STATES

Correspondent e-mail: madler@ta-llp.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
PARTY ANIMAL	Fourth Extension - Granted	77286086	
Plaintiff(s)			

Name: Universal Protein Supplements Corporation d/b/a Universal Nutrition

Correspondent Address: MAUREEN BEACOM GORMAN
MARSHALL GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , mgorman@marshallip.com , kking@marshallip.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ANIMALSNAK	Registered	77183850	3421712
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL SNAK	Registered	77394925	3492505

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 15, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2009	Aug 24, 2009
3	PENDING, INSTITUTED	Jul 15, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 24, 2009	
5	EXTENSION OF TIME GRANTED	Aug 25, 2009	
6	ANSWER	Sep 25, 2009	
7	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2010	
9	EXTENSION OF TIME GRANTED	Mar 04, 2010	
10	P'S MOTION TO COMPEL DISCOVERY	Mar 29, 2010	
11	SUSPENDED	Apr 01, 2010	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 13, 2010	
13	P's Motion4 Disconf Referred	Apr 16, 2010	
14	BOARD'S ORDER: TRIAL DATES ARE RESET	Apr 30, 2010	
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	May 13, 2010	
16	CHANGE OF CORRESPONDENCE ADDRESS	May 13, 2010	
17	NOTICE OF DEFAULT	Jun 14, 2010	
18	D'S RESPONSE TO DEFAULT; ANSWER	Jul 09, 2010	
19	TRIAL DATES REMAIN AS PREVIOUSLY SET	Jul 21, 2010	

20	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2010
21	EXTENSION OF TIME GRANTED	Aug 12, 2010
22	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2010
23	EXTENSION OF TIME GRANTED	Nov 23, 2010
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 18, 2011
25	SUSPENDED	Jan 18, 2011
26	CHANGE OF CORRESPONDENCE ADDRESS	Jan 28, 2011
27	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 24, 2011
28	SUSPENDED	Mar 24, 2011
29	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 25, 2011
30	SUSPENDED	May 26, 2011
31	STIPULATION FOR AN EXTENSION OF TIME	Jun 25, 2011
32	EXTENSION OF TIME GRANTED	Jun 27, 2011
33	WITHDRAWAL OF OPPOSITION	Aug 03, 2011
34	WITHDRAWAL OF OPPOSITION	Aug 04, 2011
35	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 11, 2011
36	TERMINATED	Aug 11, 2011
37	CORRECTION TO BOARD'S ORDER	Aug 12, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maureen Beacom Gorman
Attorney Primary Email Address: docket@marshallip.com
Docket Number: 31742/10338
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Maureen Beacom Gorman
MARSHALL, GERSTEIN & BORUN LLP
6300 WILLIS TOWER
233 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
UNITED STATES
Phone: 312.474.6643
Correspondent e-mail: docket@marshallip.com
Fax: 312.474.0448
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 18, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Dec. 18, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Dec. 18, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Dec. 17, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 20, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 23, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Feb. 18, 2009	ASSIGNED TO PARALEGAL	68502
Feb. 16, 2009	TEAS SECTION 8 & 15 RECEIVED	
Jan. 08, 2009	CERTIFICATE OF CORRECTION ISSUED	
Dec. 03, 2008	TEAS SECTION 7 REQUEST RECEIVED	
Jun. 22, 2007	POST REGISTRATION ACTION MAILED - SEC. 7	67603
Mar. 07, 2007	RESPONSE RECEIVED TO POST REG. ACTION	
Mar. 07, 2007	PAPER RECEIVED	
Dec. 12, 2006	POST REGISTRATION ACTION MAILED - SEC. 7	67603
Apr. 13, 2006	SEC 7 REQUEST FILED	
Apr. 13, 2006	FAX RECEIVED	
Nov. 18, 2003	REGISTERED-PRINCIPAL REGISTER	
Aug. 26, 2003	PUBLISHED FOR OPPOSITION	
Aug. 06, 2003	NOTICE OF PUBLICATION	
Jul. 02, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 02, 2003	EXAMINERS AMENDMENT E-MAILED	
Dec. 05, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 25, 2003	CASE FILE IN TICRS	
Dec. 05, 2002	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 28, 2002	NON-FINAL ACTION E-MAILED	
Oct. 23, 2002	ASSIGNED TO EXAMINER	73731

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 18, 2013

Change in Registration: Yes

Correction made to Registration: In the statement, Column 1, Line 1, "Universal Laboratories" is deleted, and, Universal Protein Supplements Corporation dba Universal Laboratories is inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Dec. 18, 2012

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: N.V.E., Inc.

Correspondent Address: BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652

Correspondent e-mail: efiling@ndslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)

Name: Universal Protein Supplements Corporation

Correspondent Address: Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
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1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91204809](#) **Filing Date:** Apr 18, 2012
Status: Terminated **Status Date:** Nov 29, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst

Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND

Correspondent e-mail: cbrowning@kdlegal.com , info@mch-group.com , patrick.graber@mch-group.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition

Correspondent Address: TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	

5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

Type of Proceeding: Cancellation

Proceeding Number: [92051652](#)

Filing Date: Oct 23, 2009

Status: Terminated

Status Date: Mar 11, 2010

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Alban Distributors, Inc.

Correspondent Address: Alban Distributors, Inc.
7330 Northwest 54th Street
Lauderhill FL , 33319
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL ENERGY DRINK	Cancelled - Section 18	77403251	3640676
ANIMAL	Cancelled - Section 18	77058293	3673409

Plaintiff(s)

Name: Universal Protein Supplements Corp. D/B/A Universal Nutrition

Correspondent Address: Maureen Beacom Gorman
Davis McGrath LLC
125 S. Wacker, Suite 1700
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: wmcgrath@davismcgrath.com , mbgorman@davismcgrath.com , cschneider@davismcgrath.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2009	Dec 05, 2009

3	PENDING, INSTITUTED	Oct 26, 2009
4	NOTICE OF DEFAULT	Dec 24, 2009
5	BOARD'S DECISION: GRANTED	Feb 11, 2010
6	COMMR'S ORDER CANCELLING REGISTRATION	Mar 11, 2010
7	TERMINATED	Mar 11, 2010

Type of Proceeding: Opposition

Proceeding Number: [91191054](#)

Filing Date: Jul 15, 2009

Status: Terminated

Status Date: Aug 11, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Daryl A. Abrams

Correspondent Address: MICHAEL S ADLER
TANTALO & ADLER LLP
1901 AVENUE OF THE STARS, SUITE 1000
LOS ANGELES CA , 90067
UNITED STATES

Correspondent e-mail: madler@ta-llp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PARTY ANIMAL	Fourth Extension - Granted	77286086	

Plaintiff(s)

Name: Universal Protein Supplements Corporation d/b/a Universal Nutrition

Correspondent Address: MAUREEN BEACOM GORMAN
MARSHALL GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , mgorman@marshallip.com , kking@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALSNAK	Registered	77183850	3421712
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL SNAK	Registered	77394925	3492505

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 15, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2009	Aug 24, 2009
3	PENDING, INSTITUTED	Jul 15, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 24, 2009	
5	EXTENSION OF TIME GRANTED	Aug 25, 2009	

6	ANSWER	Sep 25, 2009
7	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2010
9	EXTENSION OF TIME GRANTED	Mar 04, 2010
10	P'S MOTION TO COMPEL DISCOVERY	Mar 29, 2010
11	SUSPENDED	Apr 01, 2010
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 13, 2010
13	P's Motion4 Disconf Referred	Apr 16, 2010
14	BOARD'S ORDER: TRIAL DATES ARE RESET	Apr 30, 2010
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	May 13, 2010
16	CHANGE OF CORRESPONDENCE ADDRESS	May 13, 2010
17	NOTICE OF DEFAULT	Jun 14, 2010
18	D'S RESPONSE TO DEFAULT; ANSWER	Jul 09, 2010
19	TRIAL DATES REMAIN AS PREVIOUSLY SET	Jul 21, 2010
20	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2010
21	EXTENSION OF TIME GRANTED	Aug 12, 2010
22	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2010
23	EXTENSION OF TIME GRANTED	Nov 23, 2010
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 18, 2011
25	SUSPENDED	Jan 18, 2011
26	CHANGE OF CORRESPONDENCE ADDRESS	Jan 28, 2011
27	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 24, 2011
28	SUSPENDED	Mar 24, 2011
29	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 25, 2011
30	SUSPENDED	May 26, 2011
31	STIPULATION FOR AN EXTENSION OF TIME	Jun 25, 2011
32	EXTENSION OF TIME GRANTED	Jun 27, 2011
33	WITHDRAWAL OF OPPOSITION	Aug 03, 2011
34	WITHDRAWAL OF OPPOSITION	Aug 04, 2011
35	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 11, 2011
36	TERMINATED	Aug 11, 2011
37	CORRECTION TO BOARD'S ORDER	Aug 12, 2011

Generated on: This page was generated by TSDR on 2013-11-07 11:07:57 EST

Mark: ANIMAL PAK

ANIMAL PAK

US Serial Number: 78001342 Application Filing Date: Mar. 28, 2000
US Registration Number: 2437306 Registration Date: Mar. 20, 2001
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: May 07, 2010
Publication Date: Dec. 26, 2000

Mark Information

Mark Literal Elements: ANIMAL PAK
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 Food Supplements; A nutritional supplement comprised of but not limited to vitamins, minerals and training nutrients

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, 1983

Use in Commerce: Jan. 15, 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: UNIVERSAL PROTEIN SUPPLEMENTS CORPORATION
DBA, AKA, Formerly: DBA Universal Labs
Owner Address: 3 Terminal Road
New Brunswick, NEW JERSEY 08901
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maureen Beacom Gorman
Attorney Primary Email Address: trademarks@davismcgrath.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Maureen Beacom Gorman
Marshall, Gerstein & Borun LLP

233 South Wacker Drive
6300 Willis Tower
Chicago, ILLINOIS 60606
UNITED STATES

Phone: 312.474.6643

Fax: 312.474.0448

Correspondent e-mail: doCKET@marshallip.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 20, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 07, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
May 07, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 04, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Apr. 27, 2010	TEAS SECTION 8 & 9 RECEIVED	
Nov. 29, 2006	CASE FILE IN TICRS	
Nov. 04, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Nov. 04, 2006	CERTIFICATE OF CORRECTION ISSUED	
Sep. 25, 2006	FAX RECEIVED	
Jul. 23, 2006	POST REGISTRATION ACTION MAILED - SEC. 7	73376
Jul. 23, 2006	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	73376
Jun. 12, 2006	ASSIGNED TO PARALEGAL	73376
Apr. 13, 2006	FAX RECEIVED	
Mar. 27, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 27, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 20, 2001	REGISTERED-PRINCIPAL REGISTER	
Dec. 26, 2000	PUBLISHED FOR OPPOSITION	
Nov. 24, 2000	NOTICE OF PUBLICATION	
Aug. 11, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 10, 2000	ASSIGNED TO EXAMINER	77654

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 20, 2011

Change in Registration: Yes

Correction made to Registration: In the Statement, Column 1, lines 1 and 2, should be deleted, and, "Universal Protein Supplements Corporation d/b/a Universal Labs" should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 07, 2010

Proceedings

Summary

Number of Proceedings: 5

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant**Name:** N.V.E., Inc.**Correspondent Address:** BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652**Correspondent e-mail:** efiling@ndslaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)**Name:** Universal Protein Supplements Corporation**Correspondent Address:** Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES**Correspondent e-mail:** mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition**Proceeding Number:** [91208303](#)**Filing Date:** Dec 05, 2012**Status:** Terminated**Status Date:** Apr 04, 2013**Interlocutory Attorney:** JENNIFER KRISP**Defendant****Name:** D.F. Stauffer Biscuit Co., Inc.**Correspondent Address:** DUANE A STEWART III
BUCHANAN INGERSOLL & ROONEY PC
301 GRANT ST FL 20
PITTSBURGH PA , 15219-1410
UNITED STATES**Correspondent e-mail:** duane.stewart@bipc.com, vicki.cremonese@bipc.com, louanne.guerra@bipc.com, adipdoc1@bipc.com**Associated marks**

Serial	Registration
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Mark	Application Status	Number	Number
STAUFFER'S ANIMAL PACK	Abandoned - After Inter-Partes Decision	85631989	

Plaintiff(s)

Name: Universal Protein Supplements Corp.

Correspondent Address: MAUREEN BEACOM GORMAN
MARSHALL GERSTEIN & BORUN LLP
233 S WACKER DRIVE, SUITE 6300
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: rlabarge@marshallip.com, mgorman@marshallip.com, mciesielski@marshallip.com, kking@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL PAK	Renewed	78001342	2437306

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 05, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 05, 2012	Jan 14, 2013
3	PENDING, INSTITUTED	Dec 05, 2012	
4	CHANGE OF CORRESPONDENCE ADDRESS	Dec 07, 2012	
5	P'S MOTION FOR DEFAULT JUDGEMENT	Jan 23, 2013	
6	BD DECISION: SUSTAINED	Apr 04, 2013	
7	TERMINATED	Apr 04, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91204809](#)

Filing Date: Apr 18, 2012

Status: Terminated

Status Date: Nov 29, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst

Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND

Correspondent e-mail: cbrowning@kdlegal.com, info@mch-group.com, patrick.graber@mch-group.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition

Correspondent Address: TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com, kking@marshallip.com, mgorman@maschallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
	Section 8 and 15 - Accepted and		

ANIMAL NITRO	Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

Type of Proceeding: Cancellation

Proceeding Number: [92051652](#)

Filing Date: Oct 23, 2009

Status: Terminated

Status Date: Mar 11, 2010

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Alban Distributors, Inc.

Correspondent Address: Alban Distributors, Inc.
7330 Northwest 54th Street
Lauderhill FL , 33319
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL ENERGY DRINK	Cancelled - Section 18	77403251	3640676
ANIMAL	Cancelled - Section 18	77058293	3673409

Plaintiff(s)

Name: Universal Protein Supplements Corp. D/B/A Universal Nutrition

Correspondent Address: Maureen Beacom Gorman
Davis McGrath LLC
125 S. Wacker, Suite 1700
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: wmcgrath@davismcgrath.com , mbgorman@davismcgrath.com , cschneider@davismcgrath.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799

ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2009	Dec 05, 2009
3	PENDING, INSTITUTED	Oct 26, 2009	
4	NOTICE OF DEFAULT	Dec 24, 2009	
5	BOARD'S DECISION: GRANTED	Feb 11, 2010	
6	COMMR'S ORDER CANCELLING REGISTRATION	Mar 11, 2010	
7	TERMINATED	Mar 11, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91191054](#)

Filing Date: Jul 15, 2009

Status: Terminated

Status Date: Aug 11, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Daryl A. Abrams

Correspondent Address: MICHAEL S ADLER
TANTALO & ADLER LLP
1901 AVENUE OF THE STARS, SUITE 1000
LOS ANGELES CA , 90067
UNITED STATES

Correspondent e-mail: madler@ta-llp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PARTY ANIMAL	Fourth Extension - Granted	77286086	

Plaintiff(s)

Name: Universal Protein Supplements Corporation d/b/a Universal Nutrition

Correspondent Address: MAUREEN BEACOM GORMAN
MARSHALL GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , mgorman@marshallip.com , kking@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALSNAK	Registered	77183850	3421712
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943

ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL SNAK	Registered	77394925	3492505

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 15, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2009	Aug 24, 2009
3	PENDING, INSTITUTED	Jul 15, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 24, 2009	
5	EXTENSION OF TIME GRANTED	Aug 25, 2009	
6	ANSWER	Sep 25, 2009	
7	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2010	
9	EXTENSION OF TIME GRANTED	Mar 04, 2010	
10	P'S MOTION TO COMPEL DISCOVERY	Mar 29, 2010	
11	SUSPENDED	Apr 01, 2010	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 13, 2010	
13	P's Motion4 Disconf Referred	Apr 16, 2010	
14	BOARD'S ORDER: TRIAL DATES ARE RESET	Apr 30, 2010	
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	May 13, 2010	
16	CHANGE OF CORRESPONDENCE ADDRESS	May 13, 2010	
17	NOTICE OF DEFAULT	Jun 14, 2010	
18	D'S RESPONSE TO DEFAULT; ANSWER	Jul 09, 2010	
19	TRIAL DATES REMAIN AS PREVIOUSLY SET	Jul 21, 2010	
20	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2010	
21	EXTENSION OF TIME GRANTED	Aug 12, 2010	
22	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2010	
23	EXTENSION OF TIME GRANTED	Nov 23, 2010	
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 18, 2011	
25	SUSPENDED	Jan 18, 2011	
26	CHANGE OF CORRESPONDENCE ADDRESS	Jan 28, 2011	
27	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 24, 2011	
28	SUSPENDED	Mar 24, 2011	
29	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 25, 2011	
30	SUSPENDED	May 26, 2011	
31	STIPULATION FOR AN EXTENSION OF TIME	Jun 25, 2011	
32	EXTENSION OF TIME GRANTED	Jun 27, 2011	
33	WITHDRAWAL OF OPPOSITION	Aug 03, 2011	
34	WITHDRAWAL OF OPPOSITION	Aug 04, 2011	
35	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 11, 2011	
36	TERMINATED	Aug 11, 2011	
37	CORRECTION TO BOARD'S ORDER	Aug 12, 2011	

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Mark: ANIMAL PM

Animal PM

US Serial Number: 77916944 Application Filing Date: Jan. 21, 2010
US Registration Number: 3871542 Registration Date: Nov. 02, 2010
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 02, 2010
Publication Date: Jun. 08, 2010 Notice of Allowance Date: Aug. 03, 2010

Mark Information

Mark Literal Elements: ANIMAL PM
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: "PM"

Related Properties Information

Claimed Ownership of US Registrations: 3227943, 3421712, 3439799 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 and nutritional 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: Mar. 05, 2010 Use in Commerce: Mar. 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: Universal Protein Supplements Corporation
DBA, AKA, Formerly: DBA Universal Nutrition
Owner Address: 3 Terminal Road
New Brunswick, NEW JERSEY 08901
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maureen Beacom Gorman

Attorney Primary Email docket@marshallip.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Maureen Beacom Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive
6300 Willis Tower
Chicago, ILLINOIS 60606-6357
UNITED STATES

Phone: 312.474.6643

Fax: 312.474.0448

Correspondent e-mail: docket@marshallip.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 13, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 05, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 02, 2010	REGISTERED-PRINCIPAL REGISTER	
Sep. 25, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 24, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Sep. 22, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 31, 2010	STATEMENT OF USE PROCESSING COMPLETE	69302
Aug. 06, 2010	USE AMENDMENT FILED	69302
Aug. 31, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Aug. 06, 2010	TEAS STATEMENT OF USE RECEIVED	
Aug. 03, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 08, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 08, 2010	PUBLISHED FOR OPPOSITION	
May 03, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
May 03, 2010	ASSIGNED TO LIE	74221
Apr. 21, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 21, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 21, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Apr. 21, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 21, 2010	EXAMINERS AMENDMENT -WRITTEN	76851
Apr. 20, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 20, 2010	NON-FINAL ACTION E-MAILED	6325
Apr. 20, 2010	NON-FINAL ACTION WRITTEN	76851
Apr. 20, 2010	ASSIGNED TO EXAMINER	76851
Jan. 27, 2010	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. 24, 2010

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: N.V.E., Inc.

Correspondent Address: BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652

Correspondent e-mail: efiling@ndslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)

Name: Universal Protein Supplements Corporation

Correspondent Address: Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91204809](#)

Filing Date: Apr 18, 2012

Status: Terminated

Status Date: Nov 29, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst

Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND

Correspondent e-mail: cbrowning@kdlegal.com , info@mch-group.com , patrick.graber@mch-group.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition

Correspondent Address: TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

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Mark: ANIMAL NITRO

ANIMAL NITRO

US Serial Number: 77052169 Application Filing Date: Nov. 28, 2006
US Registration Number: 3282200 Registration Date: Aug. 21, 2007
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Nov. 01, 2012
Publication Date: Jun. 05, 2007

Mark Information

Mark Literal Elements: ANIMAL NITRO
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: 2437306, 2594433, 2784232 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 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. 2004 Use in Commerce: Jun. 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: UNIVERSAL PROTEIN SUPPLEMENTS CORPORATION
DBA, AKA, Formerly: DBA UNIVERSAL NUTRITION
Owner Address: 3 Terminal Road
New Brunswick, NEW JERSEY 08901
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maureen Beacom Gorman

Docket Number: 31742/10572

Attorney Primary Email Address: doCKET@marshallip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Maureen Beacom Gorman
MARSHALL, GERSTEIN & BORUN LLP
6300 WILLIS TOWER
233 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606-6357
UNITED STATES

Phone: 312.474.6643

Fax: 312.474.0448

Correspondent e-mail: doCKET@marshallip.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 01, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 01, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74886
Oct. 31, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Oct. 10, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jan. 13, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 05, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 07, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 21, 2007	REGISTERED-PRINCIPAL REGISTER	
Jun. 05, 2007	PUBLISHED FOR OPPOSITION	
May 16, 2007	NOTICE OF PUBLICATION	
Apr. 27, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 05, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	68602
Apr. 05, 2007	ASSIGNED TO LIE	68602
Mar. 14, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 14, 2007	ASSIGNED TO EXAMINER	77875
Dec. 01, 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 113

Date in Location: Nov. 01, 2012

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: N.V.E., Inc.

Correspondent Address: BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP

95 N RTE 17 S STE 316
PARAMUS NJ , 07652

Correspondent e-mail: efiling@ndslaw.com

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)

Name: Universal Protein Supplements Corporation

Correspondent Address: Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91204809](#)

Filing Date: Apr 18, 2012

Status: Terminated

Status Date: Nov 29, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst

Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND

Correspondent e-mail: cbrowning@kdlegal.com, info@mch-group.com, patrick.graber@mch-group.com

Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition

Correspondent Address: TIFFANY D GEHRKE
 MARSHALL GERSTEIN BORUN LLP
 233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
 CHICAGO IL , 60606 6357
 UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

Type of Proceeding: Cancellation

Proceeding Number: [92051652](#)

Filing Date: Oct 23, 2009

Status: Terminated

Status Date: Mar 11, 2010

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Alban Distributors, Inc.

Correspondent Address: Alban Distributors, Inc.
 7330 Northwest 54th Street
 Lauderhill FL , 33319
 UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number

ANIMAL ENERGY DRINK	Cancelled - Section 18	77403251	3640676
ANIMAL	Cancelled - Section 18	77058293	3673409

Plaintiff(s)

Name: Universal Protein Supplements Corp. D/B/A Universal Nutrition

Correspondent Address: Maureen Beacom Gorman
Davis McGrath LLC
125 S. Wacker, Suite 1700
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: wmcgrath@davismcgrath.com , mbgorman@davismcgrath.com , cschneider@davismcgrath.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2009	Dec 05, 2009
3	PENDING, INSTITUTED	Oct 26, 2009	
4	NOTICE OF DEFAULT	Dec 24, 2009	
5	BOARD'S DECISION: GRANTED	Feb 11, 2010	
6	COMMR'S ORDER CANCELLING REGISTRATION	Mar 11, 2010	
7	TERMINATED	Mar 11, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91191054](#)

Filing Date: Jul 15, 2009

Status: Terminated

Status Date: Aug 11, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Daryl A. Abrams

Correspondent Address: MICHAEL S ADLER
TANTALO & ADLER LLP
1901 AVENUE OF THE STARS, SUITE 1000
LOS ANGELES CA , 90067
UNITED STATES

Correspondent e-mail: madler@ta-llp.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
PARTY ANIMAL	Fourth Extension - Granted	77286086	

Plaintiff(s)

Name: Universal Protein Supplements Corporation d/b/a Universal Nutrition

Correspondent Address: MAUREEN BEACOM GORMAN
MARSHALL GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , mgorman@marshallip.com , kking@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALSNAK	Registered	77183850	3421712
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL SNAK	Registered	77394925	3492505

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 15, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2009	Aug 24, 2009
3	PENDING, INSTITUTED	Jul 15, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 24, 2009	
5	EXTENSION OF TIME GRANTED	Aug 25, 2009	
6	ANSWER	Sep 25, 2009	
7	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2010	
9	EXTENSION OF TIME GRANTED	Mar 04, 2010	
10	P'S MOTION TO COMPEL DISCOVERY	Mar 29, 2010	
11	SUSPENDED	Apr 01, 2010	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 13, 2010	
13	P's Motion4 Disconf Referred	Apr 16, 2010	
14	BOARD'S ORDER: TRIAL DATES ARE RESET	Apr 30, 2010	
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	May 13, 2010	
16	CHANGE OF CORRESPONDENCE ADDRESS	May 13, 2010	
17	NOTICE OF DEFAULT	Jun 14, 2010	
18	D'S RESPONSE TO DEFAULT; ANSWER	Jul 09, 2010	
19	TRIAL DATES REMAIN AS PREVIOUSLY SET	Jul 21, 2010	
20	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2010	
21	EXTENSION OF TIME GRANTED	Aug 12, 2010	
22	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2010	

23	EXTENSION OF TIME GRANTED	Nov 23, 2010
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 18, 2011
25	SUSPENDED	Jan 18, 2011
26	CHANGE OF CORRESPONDENCE ADDRESS	Jan 28, 2011
27	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 24, 2011
28	SUSPENDED	Mar 24, 2011
29	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 25, 2011
30	SUSPENDED	May 26, 2011
31	STIPULATION FOR AN EXTENSION OF TIME	Jun 25, 2011
32	EXTENSION OF TIME GRANTED	Jun 27, 2011
33	WITHDRAWAL OF OPPOSITION	Aug 03, 2011
34	WITHDRAWAL OF OPPOSITION	Aug 04, 2011
35	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 11, 2011
36	TERMINATED	Aug 11, 2011
37	CORRECTION TO BOARD'S ORDER	Aug 12, 2011

Generated on: This page was generated by TSDR on 2013-11-07 11:06:54 EST

Mark: A ANIMAL.



US Serial Number: 77035974
US Registration Number: 3281904
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Sep. 19, 2012
Publication Date: Jun. 05, 2007

Application Filing Date: Nov. 03, 2006
Registration Date: Aug. 21, 2007

Mark Information

Mark Literal Elements: A ANIMAL.
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 lettering A placed on top of a circle and several lines above the wording ANIMAL.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.
26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
26.17.04 - Bands, vertical; Bars, vertical; Vertical line(s), band(s) or bar(s); Lines, vertical
26.17.05 - Bands, horizontal; Horizontal line(s), band(s) or bar(s); Bars, horizontal; Lines, horizontal

Related Properties Information

Claimed Ownership of US Registrations: 2437306, 2594433, 2784232 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: 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 mix, 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: 1(a)

First Use: Jun. 2002

Use in Commerce: Jun. 2002

For: Clothing, namely, hats, caps, bottoms, tops, shorts, pants, shirts, sweat shirts, sweat pants, sweat shorts, sweat jackets

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 2002

Use in Commerce: Jun. 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: Universal Protein Supplements Corporation
Owner Address: 3 Terminal Road
New Brunswick, NEW JERSEY 08901
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maureen Beacom Gorman **Docket Number:** 10566
Attorney Primary Email Address: maureengorman@mbgormanlaw.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: Maureen Beacom Gorman
Marshall, Gerstein & Borun, LLP
233 South Wacker Drive
Suite 6300
CHICAGO, ILLINOIS 60606
UNITED STATES
Phone: 312-474-6300 **Fax:** 312-474-0448
Correspondent e-mail: Docket@marshallip.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 19, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 19, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Sep. 19, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Aug. 27, 2012	TEAS SECTION 8 & 15 RECEIVED	
Aug. 07, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 07, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 21, 2007	REGISTERED-PRINCIPAL REGISTER	
Jun. 05, 2007	PUBLISHED FOR OPPOSITION	
May 16, 2007	NOTICE OF PUBLICATION	
Apr. 27, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 09, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
Apr. 09, 2007	ASSIGNED TO LIE	76539
Mar. 16, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 15, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 15, 2007	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 15, 2007	EXAMINERS AMENDMENT -WRITTEN	77875
Mar. 14, 2007	ASSIGNED TO EXAMINER	77875
Nov. 08, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 07, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Use:
Affidavit of Section 15 - Accepted
Incontestability:

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 113

Date in Location: Sep. 19, 2012

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: N.V.E., Inc.

Correspondent Address: BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652

Correspondent e-mail: efiling@ndslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)

Name: Universal Protein Supplements Corporation

Correspondent Address: Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91204809](#) **Filing Date:** Apr 18, 2012
Status: Terminated **Status Date:** Nov 29, 2012
Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst
Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND
Correspondent e-mail: cbrowning@kdlegal.com , info@mch-group.com , patrick.graber@mch-group.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition
Correspondent Address: TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
UNITED STATES
Correspondent e-mail: tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	

6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

Type of Proceeding: Cancellation

Proceeding Number: [92051652](#)

Filing Date: Oct 23, 2009

Status: Terminated

Status Date: Mar 11, 2010

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Alban Distributors, Inc.

Correspondent Address: Alban Distributors, Inc.
7330 Northwest 54th Street
Lauderhill FL , 33319
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL ENERGY DRINK	Cancelled - Section 18	77403251	3640676
ANIMAL	Cancelled - Section 18	77058293	3673409

Plaintiff(s)

Name: Universal Protein Supplements Corp. D/B/A Universal Nutrition

Correspondent Address: Maureen Beacom Gorman
Davis McGrath LLC
125 S. Wacker, Suite 1700
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: wmcgrath@davismcgrath.com , mbgorman@davismcgrath.com , cschneider@davismcgrath.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2009	Dec 05, 2009
3	PENDING, INSTITUTED	Oct 26, 2009	

4	NOTICE OF DEFAULT	Dec 24, 2009
5	BOARD'S DECISION: GRANTED	Feb 11, 2010
6	COMMR'S ORDER CANCELLING REGISTRATION	Mar 11, 2010
7	TERMINATED	Mar 11, 2010

Type of Proceeding: Opposition

Proceeding Number: [91191054](#) **Filing Date:** Jul 15, 2009
Status: Terminated **Status Date:** Aug 11, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: Daryl A. Abrams

Correspondent Address: MICHAEL S ADLER
TANTALO & ADLER LLP
1901 AVENUE OF THE STARS, SUITE 1000
LOS ANGELES CA , 90067
UNITED STATES

Correspondent e-mail: madler@ta-llp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PARTY ANIMAL	Fourth Extension - Granted	77286086	

Plaintiff(s)

Name: Universal Protein Supplements Corporation d/b/a Universal Nutrition

Correspondent Address: MAUREEN BEACOM GORMAN
MARSHALL GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: tgehrke@marshallip.com , mgorman@marshallip.com , kking@marshallip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMALSNAK	Registered	77183850	3421712
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL SNAK	Registered	77394925	3492505

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 15, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2009	Aug 24, 2009
3	PENDING, INSTITUTED	Jul 15, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 24, 2009	
5	EXTENSION OF TIME GRANTED	Aug 25, 2009	
6	ANSWER	Sep 25, 2009	

7	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2010
9	EXTENSION OF TIME GRANTED	Mar 04, 2010
10	P'S MOTION TO COMPEL DISCOVERY	Mar 29, 2010
11	SUSPENDED	Apr 01, 2010
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 13, 2010
13	P's Motion4 Disconf Referred	Apr 16, 2010
14	BOARD'S ORDER: TRIAL DATES ARE RESET	Apr 30, 2010
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	May 13, 2010
16	CHANGE OF CORRESPONDENCE ADDRESS	May 13, 2010
17	NOTICE OF DEFAULT	Jun 14, 2010
18	D'S RESPONSE TO DEFAULT; ANSWER	Jul 09, 2010
19	TRIAL DATES REMAIN AS PREVIOUSLY SET	Jul 21, 2010
20	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2010
21	EXTENSION OF TIME GRANTED	Aug 12, 2010
22	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2010
23	EXTENSION OF TIME GRANTED	Nov 23, 2010
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 18, 2011
25	SUSPENDED	Jan 18, 2011
26	CHANGE OF CORRESPONDENCE ADDRESS	Jan 28, 2011
27	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 24, 2011
28	SUSPENDED	Mar 24, 2011
29	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 25, 2011
30	SUSPENDED	May 26, 2011
31	STIPULATION FOR AN EXTENSION OF TIME	Jun 25, 2011
32	EXTENSION OF TIME GRANTED	Jun 27, 2011
33	WITHDRAWAL OF OPPOSITION	Aug 03, 2011
34	WITHDRAWAL OF OPPOSITION	Aug 04, 2011
35	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 11, 2011
36	TERMINATED	Aug 11, 2011
37	CORRECTION TO BOARD'S ORDER	Aug 12, 2011

233 South Wacker Drive
6300 Willis Tower
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Phone: 312.474.6643

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Correspondent e-mail: doCKET@marshallip.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 13, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 05, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 17, 2009	REGISTERED-PRINCIPAL REGISTER	
Jan. 12, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	76539
Dec. 20, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 19, 2008	STATEMENT OF USE PROCESSING COMPLETE	66154
Dec. 09, 2008	USE AMENDMENT FILED	66154
Dec. 19, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Dec. 09, 2008	TEAS STATEMENT OF USE RECEIVED	
Nov. 11, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 19, 2008	PUBLISHED FOR OPPOSITION	
Jul. 30, 2008	NOTICE OF PUBLICATION	
Jul. 17, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
Jul. 15, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 15, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 15, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 15, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 15, 2008	EXAMINERS AMENDMENT -WRITTEN	82421
Mar. 03, 2008	NOTIFICATION OF FINAL REFUSAL EMAILED	
Mar. 03, 2008	FINAL REFUSAL E-MAILED	
Mar. 03, 2008	FINAL REFUSAL WRITTEN	82421
Feb. 14, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 13, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 13, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 13, 2007	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Aug. 13, 2007	PRIORITY ACTION E-MAILED	6326
Aug. 13, 2007	PRIORITY ACTION WRITTEN	82421
Aug. 08, 2007	ASSIGNED TO EXAMINER	82421
Jul. 23, 2007	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	76539
Jul. 23, 2007	ASSIGNED TO LIE	76539
Jul. 17, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 05, 2007	TEAS VOLUNTARY AMENDMENT RECEIVED	
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: Jan. 12, 2009

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: OppositionProceeding Number: [91213005](#)

Filing Date: Oct 16, 2013

Status: Pending

Status Date: Oct 16, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: N.V.E., Inc.

Correspondent Address: BRIAN M. GAYNOR, ESQUIRE
NICOLL DAVIS & SPINELLA LLP
95 N RTE 17 S STE 316
PARAMUS NJ , 07652Correspondent e-mail: efiling@ndslaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
STACKER 2 NOT JUST ANIMAL PROTEIN	Opposition Pending	85896474	

Plaintiff(s)

Name: Universal Protein Supplements Corporation

Correspondent Address: Maureen Gorman
Marshall, Gerstein & Borun LLP
233 South Wacker Drive Suite 6300
Chicago IL , 60606
UNITED STATESCorrespondent e-mail: mgorman@marshallip.com, kking@marshallip.com, mciesielski@marshallip.com, rlabarge@marshallip.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL TEST	Registered	77213112	3577109

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 05, 2013	

Type of Proceeding: OppositionProceeding Number: [91204809](#)

Filing Date: Apr 18, 2012

Status: Terminated

Status Date: Nov 29, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: MCH Group AG Rechtsdienst

Correspondent Address: PATRICK GRABER
MCH GROUP AG RECHTSDIENST
POSTFACH
CH 4005 BASEL SWITZERLAND

Correspondent e-mail: cbrowning@kdlegal.com , info@mch-group.com , patrick.graber@mch-group.com

Mark	Application Status	Serial Number	Registration Number
ANIMALIA	Abandoned - After Inter-Partes Decision	79094693	

Plaintiff(s)

Name: Universal Protein Supplements Corporation DBA Universal Nutrition

Correspondent Address: TIFFANY D GEHRKE
MARSHALL GERSTEIN BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606 6357
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Correspondent e-mail: tgehrke@marshallip.com , kking@marshallip.com , mgorman@maschallip.com

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PM	Registered	77916944	3871542
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL RAGE	Registered	85142317	4020568
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 18, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 20, 2012	May 30, 2012
3	PENDING, INSTITUTED	Apr 20, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	May 30, 2012	
5	EXTENSION OF TIME GRANTED	May 30, 2012	
6	APPL'S RESPONSE	May 29, 2012	
7	BOARD'S COMMUNICATION	Jun 14, 2012	
8	P'S MOTION TO STRIKE	Jul 05, 2012	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 28, 2012	Sep 27, 2012
10	P'S MOTION FOR DEFAULT JUDGEMENT	Oct 18, 2012	
11	BOARD'S DECISION: SUSTAINED	Nov 29, 2012	
12	TERMINATED	Nov 29, 2012	

Type of Proceeding: Cancellation

Proceeding Number: [92051652](#)

Filing Date: Oct 23, 2009

Status: Terminated

Status Date: Mar 11, 2010

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Alban Distributors, Inc.

Correspondent Address: Alban Distributors, Inc.
7330 Northwest 54th Street
Lauderhill FL , 33319
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
ANIMAL ENERGY DRINK	Cancelled - Section 18	77403251	3640676
ANIMAL	Cancelled - Section 18	77058293	3673409

Plaintiff(s)

Name: Universal Protein Supplements Corp. D/B/A Universal Nutrition

Correspondent Address: Maureen Beacom Gorman
Davis McGrath LLC
125 S. Wacker, Suite 1700
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: wmcgrath@davismcgrath.com , mbgorman@davismcgrath.com , cschneider@davismcgrath.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL SNAK	Registered	77394925	3492505
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMALSNAK	Registered	77183850	3421712

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 26, 2009	Dec 05, 2009
3	PENDING, INSTITUTED	Oct 26, 2009	
4	NOTICE OF DEFAULT	Dec 24, 2009	
5	BOARD'S DECISION: GRANTED	Feb 11, 2010	
6	COMMR'S ORDER CANCELLING REGISTRATION	Mar 11, 2010	
7	TERMINATED	Mar 11, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91191054](#)

Filing Date: Jul 15, 2009

Status: Terminated

Status Date: Aug 11, 2011

Interlocutory Attorney: CHERYL A BUTLER

Defendant**Name:** Daryl A. Abrams**Correspondent Address:** MICHAEL S ADLER
TANTALO & ADLER LLP
1901 AVENUE OF THE STARS, SUITE 1000
LOS ANGELES CA , 90067
UNITED STATES**Correspondent e-mail:** madler@ta-llp.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
PARTY ANIMAL	Fourth Extension - Granted	77286086	

Plaintiff(s)**Name:** Universal Protein Supplements Corporation d/b/a Universal Nutrition**Correspondent Address:** MAUREEN BEACOM GORMAN
MARSHALL GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE, 6300 WILLIS TOWER
CHICAGO IL , 60606
UNITED STATES**Correspondent e-mail:** tgehrke@marshallip.com , mgorman@marshallip.com , kking@marshallip.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ANIMALSNAK	Registered	77183850	3421712
ANIMAL PUMP	Section 8 and 15 - Accepted and Acknowledged	78903915	3227727
ANIMAL NITRO	Section 8 and 15 - Accepted and Acknowledged	77052169	3282200
ANIMAL FLEX	Section 8 and 15 - Accepted and Acknowledged	78915936	3227943
ANIMAL STAK	Renewed	78076542	2594433
ANIMAL TEST	Registered	77213112	3577109
A ANIMAL.	Section 8 and 15 - Accepted and Acknowledged	77035974	3281904
ANIMAL PAK	Renewed	78001342	2437306
ANIMAL CUTS	Renewed	78138497	2784232
ANIMAL	Section 8 and 15 - Accepted and Acknowledged	77272214	3439799
ANIMAL BARBELL CLUB	Registered	77384361	3492459
ANIMAL SNAK	Registered	77394925	3492505

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 15, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2009	Aug 24, 2009
3	PENDING, INSTITUTED	Jul 15, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 24, 2009	
5	EXTENSION OF TIME GRANTED	Aug 25, 2009	
6	ANSWER	Sep 25, 2009	
7	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2010	
9	EXTENSION OF TIME GRANTED	Mar 04, 2010	
10	P'S MOTION TO COMPEL DISCOVERY	Mar 29, 2010	
11	SUSPENDED	Apr 01, 2010	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 13, 2010	
13	P's Motion4 Disconf Referred	Apr 16, 2010	

14	BOARD'S ORDER: TRIAL DATES ARE RESET	Apr 30, 2010
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	May 13, 2010
16	CHANGE OF CORRESPONDENCE ADDRESS	May 13, 2010
17	NOTICE OF DEFAULT	Jun 14, 2010
18	D'S RESPONSE TO DEFAULT; ANSWER	Jul 09, 2010
19	TRIAL DATES REMAIN AS PREVIOUSLY SET	Jul 21, 2010
20	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2010
21	EXTENSION OF TIME GRANTED	Aug 12, 2010
22	STIPULATION FOR AN EXTENSION OF TIME	Nov 23, 2010
23	EXTENSION OF TIME GRANTED	Nov 23, 2010
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 18, 2011
25	SUSPENDED	Jan 18, 2011
26	CHANGE OF CORRESPONDENCE ADDRESS	Jan 28, 2011
27	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 24, 2011
28	SUSPENDED	Mar 24, 2011
29	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 25, 2011
30	SUSPENDED	May 26, 2011
31	STIPULATION FOR AN EXTENSION OF TIME	Jun 25, 2011
32	EXTENSION OF TIME GRANTED	Jun 27, 2011
33	WITHDRAWAL OF OPPOSITION	Aug 03, 2011
34	WITHDRAWAL OF OPPOSITION	Aug 04, 2011
35	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 11, 2011
36	TERMINATED	Aug 11, 2011
37	CORRECTION TO BOARD'S ORDER	Aug 12, 2011