

ESTTA Tracking number: **ESTTA723711**

Filing date: **01/29/2016**

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

| | |
|------------------------|--|
| Proceeding | 91215657 |
| Party | Plaintiff Goya Foods, Inc. |
| Correspondence Address | STEPHEN L BAKER BAKER AND RANNELLS PA 92 E. Main St., Suite 302 SOMERVILLE, NJ 08876 UNITED STATES officeac- tions@br-tmlaw.com,s.baker@br-tmlaw.com,k.hnasko@br-tmlaw.com,s.cesaro @br-tmlaw.com |
| Submission | Plaintiff's Notice of Reliance |
| Filer's Name | John M. Rannells |
| Filer's e-mail | jmr@br-tmlaw.com, s.baker@br-tmlaw.com, k.hnasko@br-tmlaw.com |
| Signature | /John M. Rannells/ |
| Date | 01/29/2016 |
| Attachments | GFI 3rd Notice Reliance 91215657 Part1.pdf(5703335 bytes) GFI 3rd Notice Reliance 91215657 Part2.pdf(5665792 bytes) GFI 3rd Notice Reliance 91215657 Part3.pdf(5699789 bytes) GFI 3rd Notice Reliance 91215657 Part4.pdf(5727780 bytes) GFI 3rd Notice Reliance 91215657 Part5.pdf(5746920 bytes) GFI 3rd Notice Reliance 91215657 Part6.pdf(2948682 bytes) |

Exhibit A4 – Frozen yogurt and coffee, tea and Frozen yogurt and chocolate (some with a variety of other food and beverage products Goya sells)

Exhibit A5 – Frozen yogurt and frozen prepared meals (often with other Goya food and beverage products)

Exhibit A6 – Frozen yogurt and a variety of foods and beverages that Goya sells (e.g., salsa, vinegar, sauces, marinade, spices, jelly, jam, flour, burritos, pasta, corn meal, olive oil, crackers, rice, canned beans, canned vegetables, honey, bouillon, etc.)

Exhibit B hereto shows registrations listing “frozen yogurt goods and/or frozen yogurt restaurant or retail store services” along with a variety of other food and beverage products including such products sold by Opposer and also restaurant/café type services that are offered by Opposer under its GOYA marks.

Each of the registrations are relevant to the similarity, relatedness and complementary nature of the goods sold by the parties under their respective marks (2nd DuPont factor), and are relevant to the channels through which goods and/or services of the same nature are marketed, advertised, offered for sale and sold, the consumers to whom they are offered and/or sold (3rd and 4th Dupont factors), and are relevant to the variety of goods/services on which the parties’ respective marks are used (9th Dupont factor), and are relevant to the issue of source or origin of goods of the same type as those sold by the parties in this proceeding, and are relevant to the general issue of likelihood of confusion.

Respectfully submitted,

BAKER and RANNELLS PA

John M. Rannells
Attorney for Opposer
575 Route 28, Suite 102
Raritan, New Jersey 08869
(908) 722-5640
jmr@br-tmlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was forwarded by first class postage prepaid mail by depositing the same with the U.S. Postal Service on this ____ day of January, 2016 to counsel for Applicant at the following address:

Dennis F Gleason
Jardim Meisner & Susser PC
30b Vreeland Rd, Ste 201
Florham Park, NJ 07039

/John M. Rannells/
John M. Rannells

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

| | | |
|----------------------------|---|--|
| GOYA FOODS, INC. | : | Opposition No.: 91215657 |
| | : | |
| Opposer, | : | |
| v. | : | |
| | : |  |
| | : | Mark: |
| | : | Ser. No.: 86060111 |
| GOYOGO FROZEN YOGURT, LLC, | : | |
| | : | Mark: GOYOGO FROZEN YOGURT OUR |
| | : | INGREDIENTS YOUR CREATION |
| Applicant. | : | Ser. No.: 86037364 |

OPPOSER'S THIRD NOTICE OF RELIANCE
PURSUANT TO 37 CFR §2.122(e)

EXHIBIT A1

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INDULGENT RECIPE

Word Mark INDULGENT RECIPE

Goods and Services IC 030. US 046. G & S: Refrigerated desserts, namely, pudding, tapioca and rice pudding; **frozen** desserts, namely, **frozen yogurt**. FIRST USE: 20150618. FIRST USE IN COMMERCE: 20150618

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86345943

Filing Date July 23, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition January 13, 2015

Registration Number 4867870

Registration Date December 8, 2015

Owner (REGISTRANT) Kozy Shack Enterprises, LLC LIMITED LIABILITY COMPANY DELAWARE 4001 Lexington Avenue North Arden Hills MINNESOTA 55126

Attorney of Record Amber Stevens and Katherine Lichty

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RECIPE" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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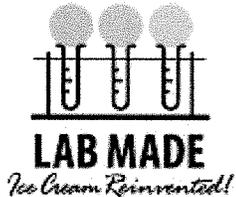
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Word Mark LAB MADE ICE CREAM REINVENTED!

Goods and Services IC 030. US 046. G & S: Cones for ice cream; Dessert mousse; Dessert puddings; Dessert souffles; Edible ices; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen** desserts consisting of flavored ice blocks with toppings; **Frozen** yoghurt; **Frozen yogurt** confections; Ice cream; Ice cream desserts; Ice cream drinks; Ice cream floats; Ice cream gateaux; Ice cream mixes; Ice cream powder; Ice cream sandwiches; Ice cream substitute; Ice milk bars; Ice-cream; Sherbets; Starch-based binding agents for ice cream. FIRST USE: 20101001. FIRST USE IN COMMERCE: 20130101

Mark

Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 19.13.02 - Test tubes

Search 26.01.15 - Circles, exactly three circles; Three circles

Code 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)

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

Serial Number 86240771

Filing Date April 3, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition June 2, 2015

Registration Number 4792889
Registration Date August 18, 2015
Owner (REGISTRANT) LAB MADE LIMITED CORPORATION HONG KONG Room 421, Sino Industrial Plaza 9 Kai Cheung Road, Kowloon Bay HONG KONG CHINA
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ICE CREAM" APART FROM THE MARK AS SHOWN
Description of Mark The color(s) blue, pink, yellow, and black is/are claimed as a feature of the mark. The mark consists of a blue, pink and yellow ball within three black beakers on a black rack with the words "Lab Made" and "Ice Cream Reinvented!" in black directly beneath.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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GOOMBAY

Word Mark GOOMBAY

Goods and Services IC 021. US 002 013 023 029 030 033 040 050. G & S: Glassware, porcelain and earthenware for use in drinking, holding and dispensing beverages, namely, drinking glasses, mugs, cups made of glass and plastic, Cups and mugs; drinking glasses; shot glasses, Drinking glasses, namely, tumblers; dishes; Souvenir plates; shot glasses, serving pitchers made of glass and aluminum, cups and drinking vessels, serving trays not of precious metal, napkin holders, plastic beverage stirrers, cocktail shakers used in bars, drinking tumblers made of glass; ice buckets; speed rails used in bars, namely, holders made of plastic for bottled juice mixers; plastic pouring spouts used in bars; glass and plastic bottles, sold empty. FIRST USE: 20050307. FIRST USE IN COMMERCE: 20130807

IC 025. US 022 039. G & S: Clothing, for women, men and children, namely, shirts, blouses, long-sleeved shirts, T-shirts, under shirts, night shirts, rugby shirts, polo shirts, cardigans, jerseys, uniforms, scrubs not for medical purposes, smocks, dress shirts, pants, trousers, slacks, jeans, culottes, cargo pants, stretch pants, denim jeans, overalls, coveralls, jumpers, jump suits, shorts, boxer shorts, bottoms, tops, stretch tops, tube tops, crop tops, tank tops, tankinis, halter tops, sweat shirts, hooded sweat shirts, sweat jackets, sweat shorts, sweat pants, wraps, warm-up suits, jogging suits, track suits, play suits, blouses, skirts, dresses, gowns, sweaters, vests, fleece vests, pullovers, snow suits, parkas, capes, anoraks, ponchos, cloaks, shrugs, shawls, pashminas, jackets, dinner jackets, reversible jackets, wind-resistant jackets, shell jackets, sports jackets, golf and ski jackets, jean jackets, coats, heavy coats, over coats, top coats, petticoats, blazers, suits, tuxedos, cummerbunds, cuffs, collars, removable collars, collar protectors, turtlenecks, cloth ski bibs, swimwear, beachwear, tennis wear, surf wear, ski wear, layettes, infant wear, infants sleepers, booties, baby bibs not of paper, caps, swim caps, berets, beanies, boat shoes, tennis shoes and dresses, scarves; Clothing, namely, dress shirts, sweatshirts, sport shirts, t-shirts, Polo shirts, blouses, shorts, pants, trousers, sweatpants, jumpers, skirts, shirts, jackets, coats, wind resistant jackets, rain jackets, overalls, turtlenecks, sweaters, vests, ties, belts, suspenders, headbands, sweatbands, scarves, gloves, headwear, namely, caps, visors; footwear; sportswear, namely, sport coats, crew neck sweaters and crew neck t-shirts, athletic wear, namely, gym shorts, sweat shorts, gym suits, gym socks,

jogging suits, aprons. FIRST USE: 20050307. FIRST USE IN COMMERCE: 20130807

IC 030. US 046. G & S: Pastry; candies, cakes, biscuits, bread, buns, chewing gum not for medical purposes; chocolate, edible decorations for cakes; **frozen** confections; **frozen yogurt**; ice cream, sherbets, sorbets, fruit jelly candies, puddings, Cereal-based snack foods; Cookies; Grain-based snack foods; Granola; Granola snacks; Oatmeal; Ready to eat, cereal derived food bars; Ready-to-eat cereals; Rice-based snack foods. FIRST USE: 20050307. FIRST USE IN COMMERCE: 20060206

IC 032. US 045 046 048. G & S: Beverages, namely, drinking waters, flavored waters, mineral and aerated waters; and other non-alcoholic beverages, namely, soft drinks, energy drinks, and sports drinks; fruit drinks and juices; syrups, concentrates and powders for making beverages, namely, flavored waters, mineral and aerated waters, soft drinks, energy drinks, sports drinks, fruit drinks, and non alcoholic cocktails. FIRST USE: 20050307. FIRST USE IN COMMERCE: 20060206

IC 043. US 100 101. G & S: Bar and cocktail bar services; restaurants; catering for the provision of food and drink; provision of facilities in the nature of kitchens and restaurants for the consumption of food and alcoholic and non-alcoholic beverages. FIRST USE: 20050307. FIRST USE IN COMMERCE: 20130807

**Standard
Characters
Claimed**

**Mark
Drawing
Code** (4) STANDARD CHARACTER MARK

**Serial
Number** 86002789

Filing Date July 4, 2013

**Current
Basis** 1A

**Original
Filing Basis** 1B

**Published
for
Opposition** November 26, 2013

**Registration
Number** 4480986

**Registration
Date** February 11, 2014

Owner (REGISTRANT) THE BUGARIE GROUP LIMITED LIABILITY COMPANY FLORIDA 4302 HOLLYWOOD BLVD SUITE 312 HOLLYWOOD FLORIDA 33021

**Type of
Mark** TRADEMARK. SERVICE MARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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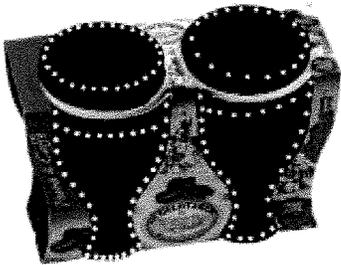
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Word Mark LA GELATERIA DI PIAZZA NAVONA

Translations "The English translation of "PANNA & CAFFE" and "LA GELATERIA DI PIAZZA NAVONA" in the mark is "CREAM AND COFFEE" and "THE ICE-CREAM PARLOR OF NAVONA SQUARE" respectively."

Goods and Services IC 030. US 046. G & S: Bakery desserts; Bakery goods; Bakery goods and dessert items, namely, cakes, cookies, pastries, candies, and **frozen** confections for retail and wholesale distribution and consumption on or off the premises; Bakery goods and dessert items, namely, cheesecakes for retail and wholesale distribution and consumption on or off the premises; Bakery goods, namely, cakes, cookies, pastries, candies, and **frozen** confections for retail and wholesale distribution and consumption on or off the premises; Bakery products; Caramel topping for ice cream; Chocolate based ingredient for use in desserts; Chocolate confections; Chocolate for confectionery and bread; Chocolate-filled dried fig confections; Cocoa-based ingredient in confectionery products; Coffee-based beverages containing ice cream (affogato); Confectioneries, namely, snack foods, namely, chocolate; Confectionery made of sugar; Confectionery made of sugar substitutes; Dessert mousse; Dessert puddings; Dessert souffles; Edible adhesives for confectionery decorating; Flavored, sweetened gelatin desserts; **Frozen** confectionery; **Frozen** confections, namely, freezer bars; **Frozen** confections, namely, freezer pops; **Frozen** confections, namely, ices; **Frozen yogurt**; **Frozen yogurt** confections; Ice cream; Ice cream desserts; Ices and ice creams; Non-dairy **frozen** confections; Pastries; Pastries with fruit; Pastry; Puddings. FIRST USE: 20090303. FIRST USE IN COMMERCE: 20090303

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 11.01.25 - Brushes, basting; Chopsticks; Churns, butter (manual); Cups, measuring; Fruit juices, non-electric; Garlic presses (non-electric); Graters, cheese; Holders, kitchen utensil; Ice cube trays; Juicers, non-electric; Ladles (soup); Measuring cups; Napkin holders; Other non-electric kitchen utensils, utensil holders; Pasta makers, non-electric; Potato peelers; Racks, kitchen tool; Scoops, ice cream; Shakers, cocktail; Sharpeners, knife (non-electric)

19.07.04 - Cartons, flattened; Flattened packages and cartons; Packages, flattened
 26.03.21 - Ovals that are completely or partially shaded

Serial Number 86405889
Filing Date September 25, 2014
Current Basis 1A
Original Filing Basis 1A
Published for Opposition March 10, 2015
Registration Number 4743104
Registration Date May 26, 2015
Owner (REGISTRANT) Bondolce CORPORATION NEW JERSEY 80 Morristown Road, PMB 304 Bernardsville NEW JERSEY 07924
Attorney of Record Gene Pierson
Prior Registrations 3627199;3631599
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LA GELATERIA DI PIAZZA NAVONA" "PANNA & CAFFEE" AND "MADE IN ITALY" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark. The mark consists of a three-dimensional configuration of packaging for two dessert cups where the primary shape of the packaging is rectangular featuring cutout portions matching the contouring of the cups on the inside portion of the rectangle thereby displaying the cups and matching this contouring on the outside of the box; two identical oval-shaped labels within which is a design of buildings and a square and on top of which is the wording "LA GELATERIA DI" and on the bottom of which is the wording "PIAZZA NAVONA", one oval-shaped label being on the top center of the top of the packaging and the other being on the bottom center of the front of the packaging; the wording "PANNA & CAFFEE" running alongside the left contoured side of the packaging; the wording "MADE IN ITALY" within a circle design on the bottom right front of the packaging and also on the bottom right of the top portion of the packaging; photographs of statuary in the middle of the top portion of the packaging, at the bottom right of the top portion of the packaging, on the center front of the packaging and on the bottom right front of the packaging; photographs of multiple coffee beans on the bottom left front of the packaging, the bottom center front of the packaging, and the top right of the top of the packaging. The dotted out portions of the mark consisting of the cups within the packaging and the blacked out desserts therein are not meant to be a black object, but merely blacked out contents of the cup shape and are not part of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL-2(F)
Live/Dead Indicator LIVE

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EFFORTLESS BAKING

Word Mark EFFORTLESS BAKING

Goods and Services IC 030. US 046. G & S: Bakery products; bakery desserts; **frozen**, fresh or packed bakery products, namely, rolls, pizza crusts, pizza, calzones, cream puffs, chocolate puffs, pies, biscuits, cakes, cheesecakes, mousse cake, cookies, brownies, pastries, cinnamon rolls, donuts, cupcakes, croissants, breads, breadsticks, scones, eclairs, muffins, pastries, puff pastries, bagels, pancakes, waffles, crepes, dumplings, donuts, baklava, biscotti, bread pudding, danish, fudge, sticky buns, strudel, tarts, torts, bagels, english muffins, rusks, bear claws, and muffins; puddings; ice cream cake; **frozen yogurt** cakes; ice cream; fruit sorbets; flan; crèmes; custard; trifles; parfaits; pudding; mousse. FIRST USE: 20130301. FIRST USE IN COMMERCE: 20130301

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85853337

Filing Date February 19, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition December 3, 2013

Registration Number 4534541

International Registration Number 1279398

Registration Date May 20, 2014

Owner (REGISTRANT) Rich Products Corporation CORPORATION DELAWARE One Robert Rich Way Buffalo NEW YORK 14213

Attorney of Record Brien E. Turung

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BAKING" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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MILLE-FEUILLE

Word Mark MILLE-FEUILLE

Goods and Services IC 030. US 046. G & S: Almond cake; Apple turnovers; Baguettes; Baked goods, namely, crumbles; Bakery goods and dessert items, namely, cheesecakes for retail and wholesale distribution and consumption on or off the premises; Biscuits; Bonbons; Bread; Bread doughs; Bread rolls; Bread sticks; Breadsticks; Brioche; Brownies; Cake doughs; Candy; Candy bars; Candy decorations for cakes; Candy with cocoa; Chocolate; Chocolate and chocolates; Chocolate bark containing ground coffee beans; Chocolate bars; Chocolate candies; Chocolate chips; Chocolate confections; Chocolate covered cocoa nibs; Chocolate covered cookies; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered popcorn; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate fondue; Chocolate mousse; Chocolate pastes; Chocolate sauce; Chocolate truffles; Chocolates and chocolate based ready to eat candies and snacks; Cinnamon rolls; Cookie dough; Cookie pies; Cookies; Crepes; Croissants; Crème brulee; Crème caramel; Cup cakes; Custard; Custards; Danish; Danish pastries; Dessert mousse; Dessert puddings; Dessert souffles; Eclairs; Flan; Floating islands; Frozen breads; Frozen brownie dough; Frozen cashew-based desserts; Frozen confectionery; Frozen confections; Frozen confections, namely, freezer bars; Frozen confections, namely, freezer pops; Frozen confections, namely, ices; Frozen cookie dough; Frozen cookie, brownie and biscotti dough; Frozen custards; Frozen dessert consisting of fruit and cream or cream substitutes; Frozen desserts consisting of flavored ice blocks with toppings; Frozen juice bars; Frozen pie crusts; Frozen yogurt; Frozen yogurt pies and cakes; Fruit breads; Fruit cakes; Fruit coulis; Fruit pies; Gateaux; Ice cream; Ice cream desserts; Ice creams; Iced cakes; Macarons; Macaroons; Madeleines; Muffins; Pancakes; Parfaits; Pastry cream; Pastry shells; Pies; Pralines; Savarins; Scones; Snack cakes. Sorbet; Sorbets; Vanilla; Vanilla beans; Waffles; Bakery desserts, Bakery goods, Bakery products, Bakery products, namely, sweet bakery goods, Cakes, Pastries, Pastries with fruit, Pastry, all not including mille-feuilles. FIRST USE: 20110510. FIRST USE IN COMMERCE: 20110510

IC 035. US 100 101 102. G & S: Business consulting services in the field of bakery; Demonstration of goods; Dessert shops; Online retail bakery shops; Pastry and dessert shops; Pastry shops; Restaurant management for others; Retail bakery shops; Wholesale store services featuring baked goods. FIRST USE: 20110510. FIRST USE IN COMMERCE: 20110510

IC 040. US 100 103 106. G & S: Bakery services, namely, the manufacture of bakery products other than mille-feuilles to order and/or specification of others; Food processing. FIRST USE: 20110510. FIRST USE IN COMMERCE: 20110510

IC 043. US 100 101. G & S: Cafe services; Catering services; Coffee shops; Food preparation services; Providing of food and drink; Providing temporary kitchen facilities; Restaurant and cafe services; Restaurant and catering services. FIRST USE: 20110510. FIRST USE IN COMMERCE: 20110510

Standard Characters Claimed

Mark

Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85701390

Filing Date August 12, 2012

Current Basis 1A

Original Filing Basis 1B

Published for Opposition February 25, 2014

Registration Number 4527748

Registration Date May 13, 2014

Owner (REGISTRANT) dessyn bakery corp DBA millefeuille bakery cafe CORPORATION NEW YORK 552 laguardia pl new york NEW YORK 10012

Attorney of Record Francois Peyrot

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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LITTLE FARM

Word Mark LITTLE FARM

Goods and Services IC 030. US 046. G & S: Bakery desserts; Cereal based snack food; Combination meals consisting primarily of pasta or rice-based entrees and soup or salad for consumption on or off the premises; Cooked rice; Corn cakes containing combinations of meat, cheese, beans and/or vegetables; Dessert puddings; Dessert souffles; **Frozen** confections; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen yogurt** pies and cakes; Fruit cakes; Fruit ices; Ice cream desserts; Packaged meal kits consisting primarily of pasta or rice; Packaged meal mixes consisting primarily of pasta or rice; Pizza; Rice-based pudding dessert; Rice-based snack foods; Snack cakes; Taco chips; Tacos. FIRST USE: 20131115. FIRST USE IN COMMERCE: 20131115

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85874098

Filing Date March 12, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 3, 2013

Registration Number 4573252

Registration Date July 22, 2014
Owner (REGISTRANT) LITTLE FARM FROZEN FOODS, INC. CORPORATION TEXAS 1919 BILLY MITCHELL BROWNSVILLE TEXAS 78521
Prior Registrations 1427642
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FARM" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Word Mark ZERTS

Goods and Services IC 030. US 046. G & S: Bakery products; bakery desserts; **frozen**, fresh or packed bakery products, namely, rolls, pizza crusts, pizza, calzones, cream puffs, chocolate puffs, pies, biscuits, cakes, cheesecakes, moussecake, cookies, brownies, pastries, cinnamon rolls, donuts, cupcakes, croissants, breads, breadsticks, scones, eclairs, muffins, pastries, puff pastries, bagels, pancakes, waffles, crepes, dumplings, donuts, baklava, biscotti, bread pudding, danish, fudge, sticky buns, strudel, tarts, torts, bagels, english muffins, rusks, bear claws, and muffins; puddings; ice cream cake; **frozen yogurt** cakes; ice cream; fruit sorbets; flan; crèmes; custard; trifles; parfaits; pudding; mousse. FIRST USE: 20140121. FIRST USE IN COMMERCE: 20140121

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.15.18 - More than one drop including teardrops or raindrops; multiple drops (rain, tear, etc.); Raindrops (more than a single drop); Teardrops (more than a single drop)

Serial Number 85872246

Filing Date March 11, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 4, 2013

Registration Number 4523167
Registration Date April 29, 2014
Owner (REGISTRANT) Rich Products Corporation CORPORATION DELAWARE One Robert Rich Way Buffalo NEW YORK 14213
Attorney of Record Brian E. Turung
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "Zerts" with each letter being outlined in black and then white and having three droplets above the letters "e" and "r" to give the appearance of splashing from the word.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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ZERTS

Word Mark ZERTS

Goods and Services IC 030. US 046. G & S: Bakery products; bakery desserts; **frozen**, fresh or packed bakery products, namely, rolls, pizza crusts, pizza, calzones, cream puffs, chocolate puffs, pies, biscuits, cakes, cheesecakes, moussecake, cookies, brownies, pastries, cinnamon rolls, donuts, cupcakes, croissants, breads, breadsticks, scones, eclairs, muffins, pastries, puff pastries, bagels, pancakes, waffles, crepes, dumplings, donuts, baklava, biscotti, bread pudding, danish, fudge, sticky buns, strudel, tarts, torts, bagels, english muffins, rusks, bear claws, and muffins; puddings; ice cream cake; **frozen yogurt** cakes; ice cream; fruit sorbets; flan; crèmes; custard; trifles; parfaits; pudding; mousse. FIRST USE: 20140121. FIRST USE IN COMMERCE: 20140121

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85853371

Filing Date February 19, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 4, 2013

Registration Number 4523113
Registration Date April 29, 2014
Owner (REGISTRANT) Rich Products Corporation CORPORATION DELAWARE One Robert Rich Way
Buffalo NEW YORK 14213
Attorney of Record Brian E. Turung
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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SHEERBLISS

Word Mark SHEERBLISS

Goods and Services IC 030. US 046. G & S: Bakery desserts; Brownies; Cake doughs; Cake mixes; Cakes; Candy; Candy bars; Candy cake decorations; Candy coated popcorn; Candy containing alcoholic beverage content and flavor; Candy mints; Candy with caramel; Candy with cocoa; Chocolate; Chocolate bars; Chocolate candies; Chocolate covered nuts; Chocolate food beverages not being dairy-based or vegetable based; Chocolate powder; Chocolate syrup; Chocolate truffles; Chocolate-based fillings for cakes and pies; Chocolate-based ready-to-eat food bars; Cones for ice cream; Cookie mixes; Cookies; Custard-based fillings for cakes and pies; Dessert mousse; Dessert puddings; Dessert souffles; Edible cake decorations; Edible fruit ices; Filled chocolate; Flavored ices; Flavored, sweetened gelatin desserts; Flavorings, other than essential oils, for cakes; Food package combinations consisting primarily of bread, crackers and/or cookies; Freezable liquid for use in making **frozen** confections; Fried dough cookies (karintoh); **Frozen** confections; **Frozen** custards; **Frozen** pie crusts; **Frozen yogurt**; Fruit cakes; Fruit ice bar; Fruit pies; Gift baskets containing candy; Hot chocolate; Ice cream; Ice cream drinks; Ice cream mixes; Ice cream powder; Ice cream substitute; Ice milk; Ice milk bars; Ice-cream cakes; Iced cakes; Icing; Icing mixes; Meat pies; Milk chocolate; Mincemeat pies; Peppermint candy; Pies; Pot pies; Snack mix consisting primarily of crackers, pretzels and/or popped popcorn; Soy-based ice cream substitute; Sponge cakes; Spread containing chocolate and nuts; Starch-based binding agents for ice cream; Starch-based candies (ame); Sugarless candies; Sweet pounded rice cakes (mochi-gashi). FIRST USE: 20050822. FIRST USE IN COMMERCE: 20050822

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85487204
Filing Date December 5, 2011
Current Basis 1A
Original Filing Basis 1A
Published for Opposition November 20, 2012
Registration Number 4284883
Registration Date February 5, 2013
Owner (REGISTRANT) Barron, Gary A. INDIVIDUAL UNITED STATES 3370 NE 190th Street, Unit 801 Gary A. Barron Aventura FLORIDA 33180
 (LAST LISTED OWNER) PHILLIPS, DEBBIE INDIVIDUAL UNITED STATES 4000 HOLLYWOOD BLVD., SUITE 500 N HOLLYWOOD FLORIDA 33021
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Marci A. Rubin
Prior Registrations 3370304
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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MINGLES

Word Mark MINGLES

Goods and Services IC 030. US 046. G & S: Gelato, **frozen yogurt**, bakery goods, namely, cupcakes, cookies and puddings. FIRST USE: 20130726. FIRST USE IN COMMERCE: 20130726

IC 035. US 100 101 102. G & S: Retail store service featuring baked goods, gelato and **frozen yogurt**. FIRST USE: 20130726. FIRST USE IN COMMERCE: 20130726

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85343432

Filing Date June 10, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition December 4, 2012

Registration Number 4425953

Registration Date October 29, 2013

Owner (REGISTRANT) Yogitalia, LLC LIMITED LIABILITY COMPANY NEW YORK c/o Stephan L. Rosenbaum, Esq. 261 Madison Avenue, 26th Floor New York NEW YORK 10016

Attorney of Record Gloria Tsui-Yip

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator: **LIVE**

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Dulceletts

Word Mark DULCELETTS

Goods and Services IC 030. US 046. G & S: Almond cake; Arrangements of cut fruit comprised of fresh fruits cut into flower shapes and at least partially coated with chocolate; Bakery desserts; Bakery goods; Bakery goods and dessert items, namely, cheesecakes for retail and wholesale distribution and consumption on or off the premises; Bakery goods, namely, alfajores; Bakery products; Bakery products, namely, sweet bakery goods; Bases for bakery goods; Bean-jam filled wafers (monaka); Beverages with a chocolate base; Biscuits and bread; Biscuits, tarts, cakes made with cereals; Bonbons; Bonbons made of sugar; Bread; Bread and buns; Bread and pastry; Bread doughs; Bread rolls; Buttercream fillings for cakes; Cake doughs; Cake frosting; Cake icing; Cake mixes; Cake mixes, namely, cake bases; Cakes; Candies; Candy; Candy bars; Candy cake decorations; Candy coated apples; Candy coated popcorn; Candy containing alcoholic beverage content and flavor; Candy decorations for cakes; Candy for food; Candy mints; Candy with caramel; Candy with cocoa; Caramel topping for ice cream; Cereal based energy bars; Chocolate; Chocolate and chocolates; Chocolate bark containing ground coffee beans; Chocolate bars; Chocolate candies; Chocolate confections; Chocolate covered cookies; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered popcorn; Chocolate covered pretzels; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate fondue; Chocolate food beverages not being dairy-based or vegetable based; Chocolate for confectionery and bread; Chocolate for toppings; Chocolate mousse; Chocolate truffles; Chocolate-based fillings for cakes and pies; Chocolate-based ready-to-eat food bars; Chocolate-covered potato chips; Chocolates and chocolate based ready to eat candies and snacks; Cinnamon-coated nuts; Coconut-based fruit ice. Cones for ice cream; Cones for ice cream; Confectioneries, namely, snack foods, namely, chocolate; Cookie dough; Cookie mixes; Cookie pies; Cookies; Cookies and crackers; Corn bread; Cotton candy; Cream buns; Cream puffs; Cup cakes; Cupcakes that contain alcohol; Dessert mousse; Dessert puddings; Dessert souffles; Dough; Dough-enrobed foods consisting of a dough-based wrapper with fillings consisting primarily of ice cream and other dairy-based desserts; Dough-enrobed foods consisting of a dough-based wrapper with fillings

consisting primarily of pasta and rice; Dulce de leche; Edible cake decorations; Edible decorations for cakes; Edible fruit ices; Edible ices; Edible wafers; Empanada dough; Filled chocolate; Flan; Flan base wafers; Flavored, sweetened gelatin desserts; Food package combinations consisting primarily of bread, crackers and/or cookies; Fresh fruits cut into flower shapes and at least partially coated with chocolate; Fried dough cookies (karintosh); **Frozen** confections; **Frozen** confections, namely, freezer bars; **Frozen** confections, namely, freezer pops; **Frozen** confections, namely, ices; **Frozen** cookie dough; **Frozen** cookie, brownie and biscotti dough; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen** juice bars; **Frozen** pie crusts; **Frozen** soy-based desserts; **Frozen** yoghurt; **Frozen yogurt** confections; **Frozen yogurt** pies and cakes; Fruit breads; Fruit ice bar; Garlic bread; Gift baskets containing candy; Grain-based food bars also containing walnuts; Granola-based snack bars; Gummy candies; Ice candies; Ice cream; Ice cream desserts; Ice cream sandwiches; Ice creams; Ice milk bars; Ice-cream cakes; Iced cakes; Ices and ice creams; Italian ice; Maize-based pudding dessert (mazamorra morada); Mixes for bakery goods; Mixes for bakery goods containing cornmeal. Moon cakes; Non-dairy **frozen** confections; Pastry cream; Peppermint candy; Petits fours; Pie crusts; Pita bread; Pizza dough; Pre-processed mixes for making non-dairy **frozen** confections; Puddings; Puddings for use as desserts; Rice-based pudding dessert; Rice-based pudding dessert (arroz con leche); Rolls; Shaved ice confections; Snack cakes; Snack foods, namely, chocolate-based snack foods; Sponge cakes; Spread containing chocolate and nuts; Starch-based candies (ame); Stuffing mixes containing bread; Sugar wafers; Sugared nuts; Sugarless candies; Sweets; Tarts; Unleavened bread in thin sheets; Vegan cookies; Wafer doughs; Wafers; Wholemeal bread; **Yogurt**-covered nuts. FIRST USE: 20110401. FIRST USE IN COMMERCE: 20110407

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85289690

Filing Date April 7, 2011

Current Basis 1A

Original Filing Basis 1A

Published for August 16, 2011

Opposition

Registration Number 4049148

Registration Date November 1, 2011

Owner(REGISTRANT) Dulce Caramel Co. CORPORATION ILLINOIS 437 Thorndale Ct. Buffalo Grove ILLINOIS 60089

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark GET HEALTHY AMERICA!

Goods and Services IC 029. US 046. G & S: Meats, namely, poultry, pork, beef, veal, lamb, fish; **frozen** entrees consisting primarily of meat, fish, poultry, egg substitute or vegetables; soups. FIRST USE: 20080401. FIRST USE IN COMMERCE: 20080401

IC 030. US 046. G & S: Breads, bagels, tortilla wraps, baked goods, namely, muffins, cakes, cookies, brownies; candy; **frozen** entrees consisting primarily of rice or pasta; **frozen yogurt**; ice cream; **frozen** confectioneries; ice milk; puddings; snack mix consisting primarily of crackers, pretzels, candied nuts and/or popped popcorn; crackers; pretzels; popped corn; sandwiches. FIRST USE: 20080401. FIRST USE IN COMMERCE: 20080401

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 05.07.02 - Bundles, grain; Haystacks; Stalks (grain)
 05.07.25 - Corn, kernel; Grass seed; Popcorn, unpopped
 26.09.14 - Squares, three or more; Three or more squares
 26.09.21 - Squares that are completely or partially shaded

Trademark Search Facility Classification Code NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters, punctuation and mathematical signs, zodiac signs, prescription marks
 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
 VEG Plant life such as trees, flowers, fruits, grains, nuts, wreaths, and leaves

Serial Number 78491667

Filing Date September 29, 2004

Current Basis 1A

Original Filing Basis 1B

Published for Opposition December 12, 2006

Registration Number 3607551

Registration Date April 14, 2009

Owner (REGISTRANT) GHA Distributors, Inc. CORPORATION NEW YORK 148 Manetto Hill Road Plainview NEW YORK 11803

(LAST LISTED OWNER) COHEN, DEBORAH INDIVIDUAL UNITED STATES 148 MANETTO HILL ROAD PLAINVIEW NEW YORK 11803

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Gary H. Fechter

Description of Mark Color is not claimed as a feature of the mark. The mark consists of three boxes with a stylized stalk of grain inside each box.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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SMART SELECTIONS

Word Mark SMART SELECTIONS

Goods and Services IC 030. US 046. G & S: corn-based snack foods, excluding breakfast cereals and cereal bars; grain-based snack foods, excluding breakfast cereals and cereal bars; rice-based snack foods, excluding breakfast cereals and cereal bars; wheat-based snack foods excluding breakfast cereals and cereal bars; puddings; salsa; salad dressing; ketchup; mustard; mayonnaise; horseradish, horseradish sauce; dry powder mixes for making flavored and sweetened gelatins; dry powder mixes for pudding; mixes for bakery goods; ice cream and **frozen yogurt**; **frozen** confections; cookies; tea. FIRST USE: 20130517. FIRST USE IN COMMERCE: 20130517

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77621230

Filing Date November 25, 2008

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 9, 2009

Registration Number 4392450

Registration Date August 27, 2013

Owner (REGISTRANT) Save-A-Lot Food Stores, Ltd. CORPORATION BERMUDA 100 Corporate Office Drive Earth City MISSOURI 63045

Attorney of Record Kim Myrdahl

Type of Mark TRADEMARK

Register PRINCIPAL

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Goods and Services IC 030. US 046. G & S: Bakery desserts; Bakery goods; Bakery products; Beverages made of coffee; Beverages made of tea; Cakes; Candy; Candy decorations for cakes; Chocolate; Chocolate chips; Chocolate mousse; Chocolate pastes; Chocolate powder; Chocolate sauce; Chocolate topping; Chocolate-based fillings for cakes and pies; Cocoa; Cocoa beverages with milk; Cocoa mixes; Cocoa powder; Cocoa spreads; Cocoa-based beverages; Cocoa-based condiments and seasonings for food and drink; Coffee; Coffee and coffee substitutes; Coffee and tea; Coffee based beverages; Coffee substitutes; Coffee-based beverages; Cones for ice cream; Cookie dough; Cookies; Cup cakes; Dipping sauces; Doughnuts; Edible cake decorations; Edible ices; Flavorings, other than essential oils, for cakes; **Frozen** confectionery; **Frozen** cookie dough; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen** flavored waters; **Frozen** pie crusts; **Frozen** soy-based desserts; **Frozen yogurt**; **Frozen yogurt** confections; **Frozen yogurt** mixes; Gelato; Hot chocolate; Ice candies; Ice cream; Ice cream drinks; Ice cream floats; Ice cream sandwiches; Ice cream substitute; Ice milk; Ice milk bars; Ice-cream cakes; Iced cakes; Iced coffee; Iced tea; Ices and ice creams; Icing; Italian ice; Marshmallow topping; Milk chocolate; Milk shakes; Muffins; Non-dairy **frozen** confections; Pastries; Pastry cream; Pies; Popcorn; Puddings; Shakes; Sherbet; Sherbets; Sorbet; Soy-based ice cream substitute; Sweets; Tea; Topping syrup; Vegan cakes; Vegan cookies; Vegan pies. FIRST USE: 20110428. FIRST USE IN COMMERCE: 20110428

IC 035. US 100 101 102. G & S: Retail bakery shops; Retail candy stores; Retail ice cream store services; Take-out bakery services; Wholesale and retail store services featuring ice cream, beverages, candy and bakery products. FIRST USE: 20110428. FIRST USE IN COMMERCE: 20110428

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 11.03.15 - Champagne glasses; Glasses with stems; Goblets; Stemware (glasses); Wine glasses
 26.01.26 - Coils; Spirals; Swirls
 26.07.01 - Diamonds with plain multiple line border; Diamonds with plain single line border

Serial Number 77868463

Filing Date November 9, 2009

Current Basis 1A

Original Filing Basis 1B

Published for Opposition April 13, 2010

Registration Number 4013032

Registration Date August 16, 2011

Owner (REGISTRANT) Annabelle Topacio INDIVIDUAL UNITED STATES 699 Mississippi Street #101 San Francisco CALIFORNIA 94107

Attorney of Record Stephen L. Baker

Description of Mark Color is not claimed as a feature of the mark. The mark consists of three dessert molds of varying heights and sizes, the first is a solid goblet shape, the second is a goblet shape with a swirl application and the third is a goblet shape with a diamond application.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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mỹ linh

a taste of vietnam

Word Mark MY LINH A TASTE OF VIETNAM

Translations The English translation of "MY LINH" in the mark is "Beautiful Linh" or "American Linh".

Goods and Services IC 029. US 046. G & S: Soups, namely, soybean based, seiten, gluten based, wheat free vegetarian, chicken, meat, seafood, fruit, dairy, noodle based soups, congee based soups, and vegetable based soups; salads, namely, vegetable salads, fruit salads, fruit and vegetable salads, meat salads, seafood salads, pomelo salad, grapefruit salad, beet salad, tofu salad, lotus root salad, cucumber salad, mango salad, papaya salad, chicken and cabbage salad, grilled shrimp and watercress salad; prepared entrees consisting primarily of vegetables, soups, fruit salads and vegetable salads; packaged cooked fruits and vegetables; fermented vegetables; pickled vegetables; pickled vegetables in soy sauce, soybean paste or vinegar; preserved fruits and vegetables; processed vegetables, namely, cooked cucumber, daikon, mushrooms, bellflower root, spinach, soybean sprouts and bracken fern stems; vegetable yogurts; packaged ready-to-eat meals consisting primarily of seafood, poultry, meat, game, and vegetarian products; Vegetarian products, namely, processed soy beans, seitan, processed vegetables, tofu, and tempeh; prepared and packaged vegetable-based entrees; prepared meals consisting primarily of meat, fish, poultry or vegetables; prepared vegetable-based entrees; combination meals consisting primarily of a meat or vegetable-based entrée and a soup or salad; seafood, poultry, meat, and game; dairy-based beverages; fruit-based food beverage; milk based beverages containing fruit juice; milk beverages containing fruits; bakery desserts consisting of fruit and cream or cream substitutes; nut products, namely, blanched nuts, candied nuts, nut topping, prepared nuts, roasted nuts, seasoned nuts, and shelled nuts; prepared entrees consisting primarily of vegetables, soups, fruit salads and vegetable salads; cooked fruits and vegetables; cut fruits packaged in plastic cups. dehydrated fruit snacks; dried fruit and vegetables; fruits in preserved form; fruit-based food beverage; fruit-based snack food; milk based beverages containing fruit juice; pickled fruits. FIRST USE: 20081215. FIRST USE IN COMMERCE: 20081215

IC 030. US 046. G & S: Dried herbs; extracts used as flavorings, namely, vanilla extract, pandan extract; Vietnamese deli products, namely, summer rolls, spring rolls, and sandwiches; prepared food products, namely, vermicelli noodles and rice; beverages, namely, coffee, tea, hot or iced coffee with cream, milk, or condensed milk, hot or iced teas with cream, milk, or condensed milk; tea-based beverages with fruit flavoring; desserts, namely, flan or egg custards, cake, pastry, cookies; dessert puddings; flavored, sweetened gelatin desserts; maize-based pudding dessert (mazamorra morada); rice-based pudding dessert; **frozen yogurt** with fruit topping; coconut extract. FIRST USE: 20081215. FIRST USE IN COMMERCE: 20081215

Mark
Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design 26.17.02 - Bands, wavy; Bars, wavy; Lines, wavy; Wavy line(s), band(s) or bar(s)
Search Code 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal
Serial Number 77805767
Filing Date August 17, 2009
Current Basis 1A
Original Filing Basis 1A
Published for Opposition June 5, 2012
Registration Number 4192348
Registration Date August 21, 2012
Owner (REGISTRANT) My Linh A Taste of Vietnam, Inc. CORPORATION NEW YORK 272 Delaware Avenue Albany NEW YORK 12209
Attorney of Record Maxine L. Barasch
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "VIETNAM" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the words, "my linh", disposed above the words, "a taste of vietnam", all in lowercase letters. The letters in "my linh" are in a font about triple the size of that of "a taste of vietnam". The letter, "y", in "my" has a tilde above it.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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HEMINGWAY

Word Mark HEMINGWAY

Goods and Services IC 030. US 046. G & S: Sauces; seasonings; spices; coffee; tea; beverages made of coffee; beverages made of tea; cocoa; cocoa mixes; fudge; bread; cookies; muffins; cakes; pies; pastries; gingerbread; stuffing mixes containing bread; puddings; candy; **frozen yogurt**; ice cream; honey; granola; granola snacks; fajitas; pancake mixes; pancake syrup; ketchup; mustard; relish; pasta; pizza; pizza dough; pretzels; processed cereals; rice; salad dressings; gravy mixes; salsa; taco chips; ginger; vanilla; sushi. FIRST USE: 20080910. FIRST USE IN COMMERCE: 20080910

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 76666356

Filing Date September 20, 2006

Current Basis 1A

Original Filing Basis 1B

Published for Opposition May 1, 2007

Registration Number 3854040

Registration Date September 28, 2010

Owner (REGISTRANT) Hemingway, Ltd. CORPORATION WASHINGTON 276 Fifth Avenue, Suite 600 New York NEW YORK 10001

Attorney of Record Gary B. Schmidt

Prior Registrations 1384390;1681383;1765090;2319754;AND OTHERS

Type of Mark TRADEMARK

Register PRINCIPAL-2(F)

Other Data The name "Hemingway" does not identify a living individual.

Live/Dead Indicator LIVE

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SWEETBLISS

| | |
|---------------------------------|---|
| Word Mark | SWEETBLISS |
| Goods and Services | IC 030. US 046. G & S: CANDY, COOKIES, CAKES, PIES, SCONES, BISCOTTI, BREAD, PASTRIES, BAKERY GOODS MIXES, PANCAKE AND WAFFLE MIXES, SAUCES AND CURRIES, ICE CREAM AND FROZEN YOGURT, CHOCOLATE-COVERED NUTS, PUDDINGS, PIZZA, FOCACCIA, AND SPICES. FIRST USE: 20020205. FIRST USE IN COMMERCE: 20020205 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 76335613 |
| Filing Date | November 6, 2001 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | May 14, 2002 |
| Registration Number | 2687425 |
| Registration Date | February 11, 2003 |
| Owner | (REGISTRANT) Ilene C. Shane, Inc. CORPORATION NEW YORK 40 West 27th Street, 11th Floor New York NEW YORK 10001 |
| Attorney of Record | Lawrence E. Abelman |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130212.
Renewal 1ST RENEWAL 20130212
Live/Dead Indicator LIVE

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Registration Date December 21, 1999

Owner (REGISTRANT) Chefwise, Inc. CORPORATION FLORIDA 3407 Toledo Street Coral Gables FLORIDA 33134

Description of Mark The lining is a feature of the mark and does not indicate color.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 8 (6-YR). SECTION 8(10-YR) 20091019.

Renewal 1ST RENEWAL 20091019

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Published for Opposition October 28, 1997

Registration Number 2243321

Registration Date May 4, 1999

Owner (REGISTRANT) WELLS' DAIRY, INC. CORPORATION IOWA One Blue Bunny Drive, P.O. Box 1310 LeMars IOWA 51031
 (LAST LISTED OWNER) WELLS ENTERPRISES, INC. CORPORATION IOWA ONE BLUE BUNNY DRIVE PO BOX 1310 LE MARS IOWA 51031

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Natalie Hanlon Leh

Prior Registrations 1494418;1528443;1875413;1875414;AND OTHERS

Description of Mark The drawing is lined for the colors red, blue, yellow or gold.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090519.

Renewal 1ST RENEWAL 20090519

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| | |
|---------------------------------|---|
| Word Mark | BESS EATON |
| Goods and Services | IC 030. US 046. G & S: donuts, muffins, pastries, bread, cakes, cookies, crullers, brownies, coffee, tea, pudding, ice cream, frozen yogurt and prepared sandwiches. FIRST USE: 19910701. FIRST USE IN COMMERCE: 19910701 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 26.11.20 - Rectangles inside one another 26.11.21 - Rectangles that are completely or partially shaded |
| Serial Number | 74260881 |
| Filing Date | March 30, 1992 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | February 16, 1993 |
| Registration Number | 1770275 |
| Registration Date | May 11, 1993 |
| Owner | (REGISTRANT) Bess Eaton Donut Flour Co., Inc. CORPORATION CONNECTICUT 79 Tom Harvey Road Westerly RHODE ISLAND 02891 (LAST LISTED OWNER) BESS EATON MANAGEMENT, LLC LIMITED LIABILITY COMPANY RHODE ISLAND 1 HAMILTON ROAD WESTERLY RHODE ISLAND 02891 |

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record David Wolf

Prior Registrations 0591365;0965703

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20030624.

Renewal 1ST RENEWAL 20030624

Other Data "BESS EATON" is a fanciful name and not the name of any particular individual.

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

| | | |
|----------------------------|---|--|
| GOYA FOODS, INC. | : | Opposition No.: 91215657 |
| | : | |
| Opposer, | : | |
| | : | |
| v. | : |  |
| | : | |
| | : | Mark: |
| | : | Ser. No.: 86060111 |
| GOYOGO FROZEN YOGURT, LLC, | : | |
| | : | Mark: GOYOGO FROZEN YOGURT OUR |
| | : | INGREDIENTS YOUR CREATION |
| | : | Ser. No.: 86037364 |
| Applicant. | : | |

OPPOSER'S THIRD NOTICE OF RELIANCE
PURSUANT TO 37 CFR §2.122(e)

EXHIBIT A2



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LE CHEF BAKERY

Word Mark LE CHEF BAKERY

Goods and Services IC 030. US 046. G & S: Bakery products; bread; pastries; bagels; muffins; **frozen yogurt** and **frozen confectionery**; ice-cream; desserts, namely, cookies, cakes, cup cakes, pies, brownies, bars, tortes, tarts, dough shells and doughnuts; pre-baked and thaw and serve pastries and bread. FIRST USE: 19910810. FIRST USE IN COMMERCE: 19920225

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86629041

Filing Date May 14, 2015

Current Basis 1A

Original Filing Basis 1A

Published for Opposition November 3, 2015

Registration Number 4888616

Registration January 19, 2016

Date
Owner (REGISTRANT) Le Pafe, Inc. CORPORATION CALIFORNIA c/o Kevin Matthew Welch P.O. Box 494
Hermosa Beach CALIFORNIA 90254
Attorney of Record Kevin M. Welch
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DEGREES

Word Mark 2 DEGREES

Goods and Services IC 030. US 046. G & S: Food products, namely, breakfast cereals, granola, cookies, **frozen yogurt**, coffee, tea and flavorings for beverages. FIRST USE: 20150924. FIRST USE IN COMMERCE: 20150924

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

Search Code 26.01.21 - Circles that are totally or partially shaded.

Serial Number 86207460

Filing Date February 28, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition August 12, 2014

Registration Number 4863819

Registration Date December 1, 2015

Owner (REGISTRANT) Two Degrees, Inc. CORPORATION DELAWARE 645 Harrison Street, Suite 200 San

Francisco CALIFORNIA 94107

Attorney of Record Karen S. Frank

Prior Registrations 3963725;4505424

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the numeral "2" inside of a circle within a circle and the word "DEGREES" below the circle.

Type of Mark TRADEMARK

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PRIMO GELATO

Word Mark PRIMO GELATO
Goods and Services IC 030. US 046. G & S: ice cream, **frozen** confections, soy-based ice cream substitute, **frozen** ice whipped milk, **frozen yogurt**, ice cream cones and cups, sorbet, flavored ices, cakes, pies, pastries, muffins, cookies, buns, sandwiches, coffees, and teas. FIRST USE: 20041215. FIRST USE IN COMMERCE: 20041215

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86451326

Filing Date November 11, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition September 1, 2015

Registration Number 4854065

Registration November 17, 2015

Date

Owner (REGISTRANT) CP WW Ventures, Inc. CORPORATION DELAWARE Suite 758 215 Main Street
Kirkland WASHINGTON 98052

Attorney of Record E. Russell Tarleton

Prior Registrations 3546278;3612488;3662693

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GELATO" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

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SIXUS

Word Mark SIXUS

Goods and Services IC 030. US 046. G & S: BAKED GOODS, NAMELY, MUFFINS, COOKIES, PASTRIES AND BREADS; COFFEE AND COFFEE-BASED BEVERAGES; **FROZEN** DESSERTS, NAMELY, ICE CREAM, GELATO, ITALIAN ICE AND **FROZEN YOGURT**. FIRST USE: 20150527. FIRST USE IN COMMERCE: 20150527

IC 043. US 100 101. G & S: RESTAURANT AND CATERING SERVICES. FIRST USE: 20150527. FIRST USE IN COMMERCE: 20150527

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86107098

Filing Date October 31, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition April 1, 2014

Registration

Number 4786544

Registration Date August 4, 2015

Owner (REGISTRANT) SIXUS, LLC LIMITED LIABILITY COMPANY MARYLAND 2 Towhee Court
Randallstown MARYLAND 21133

Attorney of Record MORTON J. ROSENBERG

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

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BLUE CHIP FARMS

Word Mark BLUE CHIP FARMS

Goods and Services IC 029. US 046. G & S: Poultry, namely, chicken and turkey; hams; pork; beef; bologna; bratwurst; cheese; corned beef; fruit butters; fruit preserves; fruit spreads; hot dogs; jellies and jams; jerky; pickles; pork rinds; potato chips; potted meats; prepared nuts; processed nuts; processed peanuts; roast beef; roasted nuts; sauerkraut; sausages; seasoned nuts; shelled nuts; soft-ripened cheese; spicy pickles; **yogurt**. FIRST USE: 20150401. FIRST USE IN COMMERCE: 20150401

IC 030. US 046. G & S: Spices; bagels; barbecue sauce; biscuits; bread; bread rolls; breakfast cereals; brown sugar; brownies; bubble gum; buckwheat flour; buns; cakes; candy; candy mints; cannelloni; cannoli; caramel topping for ice cream; cheese flavored snacks, namely, cheese curls; cheesecake; chewing gum; chili sauce; chocolate candies; cinnamon rolls; cocktail sauces; coffee extracts; cookies; corn bread; corn chips; dipping sauces; extracts used as flavoring; flavor-coated popped popcorn; food flavorings; **frozen yogurt**; fudge; honey; hot sauce; ice cream; ice milk; licorice; meat pies; mincemeat pies; pretzels; sauces; seasonings; spices; steak sauce; worcestershire sauce; **yogurt**-covered fruit; **yogurt**-covered nuts; **yogurt**-covered pretzels. FIRST USE: 20150401. FIRST USE IN COMMERCE: 20150401

IC 033. US 047 049. G & S: Champagne; port; red wine; sherry; sparkling wines; sweet wines; white wine; wine. FIRST USE: 20150401. FIRST USE IN COMMERCE: 20150401

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85679536

Filing Date July 17, 2012
Current Basis 1A
Original Filing Basis 1B
Published for Opposition March 5, 2013
Registration Number 4764887
Registration Date June 30, 2015
Owner (REGISTRANT) Northside Meat Co., Inc. CORPORATION INDIANA 2910 Sidney Avenue Cincinnati OHIO 45225
Attorney of Record Roger H Bora
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FARMS" APART FROM THE MARK AS SHOWN
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RARESWEETS

Word Mark RARESWEETS

Goods and Services IC 030. US 046. G & S: Bakery goods and products; fresh and **frozen** bakery goods and products; ice cream; ice cream desserts; ice cream drinks; **frozen yogurt** confections; cakes; **frozen** cakes; cookies; **frozen** cookies; pastries; **frozen** pastries; biscuits; **frozen** biscuits; **frozen** confections; candy; chocolate; snack cakes; snack foods, namely, chocolate-based snack foods, multi-grain based snack foods, granola-based snack foods, sugar-based snack foods; coffee. FIRST USE: 20130306. FIRST USE IN COMMERCE: 20130306

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85831701

Filing Date January 24, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 18, 2013

Registration Number 4523006

Registration Date April 29, 2014

Owner (REGISTRANT) Tomason, Meredith INDIVIDUAL UNITED STATES 131 Joralemon Street, Apt. 43
Brooklyn NEW YORK 11201

Attorney of Record Devon E. White

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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RARESWEETS

Word Mark RARESWEETS

Goods and Services IC 030. US 046. G & S: Bakery goods and products; fresh and **frozen** bakery goods and products; ice cream; ice cream desserts; ice cream drinks; **frozen yogurt** confections; cakes; **frozen** cakes; cookies; **frozen** cookies; pastries; **frozen** pastries; biscuits; **frozen** biscuits; **frozen** confections; candy; chocolate; snack cakes; snack foods, namely, chocolate-based snack foods, multi-grain based snack foods, granola-based snack foods, sugar-based snack foods; coffee. FIRST USE: 20130306. FIRST USE IN COMMERCE: 20130306

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85831701

Filing Date January 24, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 18, 2013

Registration Number 4523006

Registration Date April 29, 2014

Owner (REGISTRANT) Tomason, Meredith INDIVIDUAL UNITED STATES 131 Joralemon Street, Apt. 43
Brooklyn NEW YORK 11201

Attorney of Record Devon E. White

Type of Mark TRADEMARK

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GREEN GOODIES

Word Mark GREEN GOODIES

Goods and Services IC 030. US 046. G & S: Cup cakes, **frozen yogurt**, coffee and cookies made from environmentally friendly ingredients. FIRST USE: 20090711. FIRST USE IN COMMERCE: 20090711

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85735391

Filing Date September 21, 2012

Current Basis 1A

Original Filing Basis 1A

Date Amended to Current Register September 21, 2012

Registration Number 4307046

Registration Date March 19, 2013

Owner (REGISTRANT) GREEN GOODIES BY TIFFANY LLC LIMITED LIABILITY COMPANY
OKLAHOMA 5840 N Classen Blvd, Ste 5 Oklahoma City OKLAHOMA 73118

Attorney of Record Raj Abhyanker

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GOODIES" APART FROM THE MARK AS SHOWN

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Register SUPPLEMENTAL

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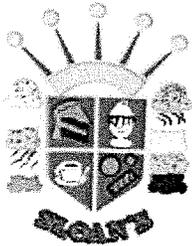
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Word Mark SLOAN'S

Goods and Services IC 030. US 046. G & S: **Frozen** desserts, namely, fruit ice, ice cream and **frozen yogurt**; bakery goods, namely, cookies, pastries and candy; chocolate; chocolate covered nuts and pretzels. FIRST USE: 19991103. FIRST USE IN COMMERCE: 19991103

IC 043. US 100 101. G & S: Carry out and eat-in restaurants featuring ice cream, desserts and snack food. FIRST USE: 19991103. FIRST USE IN COMMERCE: 19991103

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 05.09.11 - Bananas
 08.01.08 - Cakes (foodstuffs); Coffee cake; Muffins
 08.09.01 - Ice cream, sherbet and frozen yogurt in cones; Sundae
 08.09.04 - Other forms of ice cream, sherbet and frozen yogurt
 11.01.01 - Spoons
 11.03.03 - Coffee cups
 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon
 24.11.02 - Crowns open at the top
 26.01.21 - Circles that are totally or partially shaded.
 26.09.21 - Squares that are completely or partially shaded
 26.11.12 - Rectangles with bars, bands and lines
 26.11.21 - Rectangles that are completely or partially shaded
 26.11.25 - Rectangles with one or more curved sides

Serial Number 85351636

Filing Date June 21, 2011

Current Basis 1A
Original Filing Basis 1A
Published for Opposition November 29, 2011
Registration Number 4098741
Registration Date February 14, 2012
Owner (REGISTRANT) Sloan's Inc. CORPORATION FLORIDA 112 Clematis Street West Palm Beach FLORIDA 33401
Attorney of Record Paul J. Kennedy
Prior Registrations 2523569;3666434
Description of Mark Color is not claimed as a feature of the mark. The mark consists of a crest design. The crest contains four sections. An image of a slice of cake appears in the top left section, an image of a sundae is depicted in the top right section, an image of a cup of coffee appears in the bottom left section and geometric shapes are in the bottom right section. Appearing on both sides of the crest are scoops of ice cream. Appearing below the crest is the word "SLOAN'S" within a curved geometric shape, and appearing on each end is an image of a banana.
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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JOYFUL EATING EXPERIENCES

Word Mark JOYFUL EATING EXPERIENCES

Goods and Services IC 030. US 046. G & S: Bakery products; bread; pastries; bagels; muffins; **frozen yogurt** and **frozen** confectionery; ice-cream; desserts, namely cookies, cakes, cup cakes, pies, brownies, bars, tortes, tarts, dough shells and doughnuts; pre-baked and thaw and serve pastries and bread. FIRST USE: 19910810. FIRST USE IN COMMERCE: 19920225

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85195795

Filing Date December 11, 2010

Current Basis 1A

Original Filing Basis 1A

Published for Opposition May 17, 2011

Registration Number 4005569

Registration Date August 2, 2011

Owner (REGISTRANT) Le Pafe, Inc. CORPORATION CALIFORNIA 7547 Telegraph Road Montebello CALIFORNIA 90640

Attorney of Record Kevin M. Welch
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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WELCOME TO THE NEW ICE AGE...NATURALLY...

Word Mark WELCOME TO THE NEW ICE AGE...NATURALLY...
Goods and Services IC 030. US 046. G & S: Coffee and tea-based beverages; Iced tea and iced coffee; Cocoa; Hot chocolate; Bread; Pastries; Edible ice; Ices for refreshment; Flavored ices; Ice cream; Gelato; Sorbets; Sherbets; **Frozen yogurt**; Ice cream drinks, namely, drinks based on gelato, sorbets, sherbets, **frozen yogurt**; Sandwiches; Pizzas; Quiches; Pancakes; Crepes; Tarts; Muffins; Scones; Cookies; Biscuits; Cakes; Pies; Coffee-based and chocolate based **frozen** confections and granita beverages, namely, **frozen** ice beverages; Confectionery, namely, cocoa-based ingredient in confectionery products, and candy; Hard candies made of crystal sugar; Chocolate; Beverages made of cocoa, coffee, chocolate or tea; Sugar in the nature of candy sugar for food, namely, candy. **FIRST USE: 20100501. FIRST USE IN COMMERCE: 20100501**

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85056714
Filing Date June 7, 2010
Current Basis 1A
Original Filing Basis 1B
Published for Opposition December 14, 2010

Registration Number 4324760
Registration Date April 23, 2013
Owner (REGISTRANT) SK Tree Corporation CORPORATION DELAWARE 1540 6th Street, Apt. 405 Santa Monica CALIFORNIA 90401
Attorney of Record Mitchell L. Lampert
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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| | |
|---------------------------------|--|
| Word Mark | SILK CAKES |
| Translations | The non-Latin characters in the mark transliterate to Lai Mo Ping, and this means Judy Lai in English. |
| Goods and Services | IC 030. US 046. G & S: Baked goods, namely, cakes, cupcakes, cookies, pastries, pies, tarts, brownies and breads; candy; chocolate dipped fruit; ice cream; sherbert; sorbets and frozen yogurt. FIRST USE: 20110102. FIRST USE IN COMMERCE: 20110102 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 26.09.08 - Squares comprised of letters, numerals or punctuation and letters, numerals or punctuation forming the perimeter of a square or bordering the perimeter of a square 26.09.21 - Squares that are completely or partially shaded 28.01.03 - Asian characters; Chinese characters; Japanese characters |
| Serial Number | 85013768 |
| Filing Date | April 14, 2010 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | April 26, 2011 |
| Registration Number | 4042871 |
| Registration Date | October 18, 2011 |

Owner (REGISTRANT) Silk Cakes CORPORATION NEW YORK 53 Ludlow Street New York NEW YORK 10002

Attorney of Record Sean R. MacDavitt

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CAKES" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the words "SILK CAKES" imposed on a shaded square containing Chinese characters.

Type of Mark TRADEMARK

Register PRINCIPAL

Other Data The name(s), portrait(s), and/or signature(s) shown in the mark identifies Judy Lai, whose consent(s) to register is made of record.

Live/Dead Indicator LIVE

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LIFE'S DHA

Word Mark LIFE'S DHA

Goods and Services

IC 001. US 001 005 006 010 026 046. G & S: Algal oil for medical research; cultures and fermented preparations of microorganisms other than for medical or veterinary purposes; microbiologically produced materials, namely, algal oil, plant oil, algal powder, and plant powder containing lipids for use in the manufacture of nutritional and dietary supplements and additives, vitamins, and nutritional supplement ingredients. FIRST USE: 20110214. FIRST USE IN COMMERCE: 20110214

IC 005. US 006 018 044 046 051 052. G & S: Nutritional drinks for use as a meal replacement; food additives for use as nutritional supplements; dietary supplement drinks; oils, namely, nutritional oils not for cosmetic purposes. FIRST USE: 20061000. FIRST USE IN COMMERCE: 20061000

IC 029. US 046. G & S: Dairy analogues, namely, soy **yogurt**, soy spread, soy cheese; butter; spreadable edible fat; cheese; milk; dairy-based spreads; fish; salad oil. FIRST USE: 20070200. FIRST USE IN COMMERCE: 20070200

IC 030. US 046. G & S: **frozen** dairy deserts, namely, ice cream, flavored ices, ice milk and **frozen yogurt**; bakery goods, namely, bread, bread rolls, bread loaves, crisp breads, biscuits, pastries, cakes, cookies, tarts and pies; oatmeal; confectioneries, namely, candy and chocolate candy; sauces; rice products, namely, puffed rice, rice bread and rice cakes. FIRST USE: 20080300. FIRST USE IN COMMERCE: 20080300

IC 032. US 045 046 048. G & S: Beverages, namely, fruit drinks. FIRST USE: 20070900. FIRST USE IN COMMERCE: 20070900

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78941005
Filing Date July 31, 2006
Current Basis 1A
Original Filing Basis 1B
Published for Opposition November 20, 2007
Registration Number 4026816
International Registration Number 0941792
Registration Date September 13, 2011
Owner (REGISTRANT) Martek Biosciences Corporation CORPORATION DELAWARE 6480 Dobbin Road Columbia MARYLAND 21045
 (LAST LISTED OWNER) DSM IP ASSETS B.V. LIMITED LIABILITY COMPANY NETHERLANDS HET OVERLOON 1 HEERLEN NETHERLANDS 6411TE
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Tracy-Gene G. Durkin
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DHA" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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JEAN PHILIPPE
PATISSERIE

Word Mark JP JEAN PHILIPPE PATISSERIE
Goods and Services IC 030. US 046. G & S: Bagels; Bakery goods; Beverages made of coffee; Beverages made of tea; Bonbons; Brownies; Cakes; Candy; Candy coated popcorn; Chocolate candies; Chocolate truffles; Coffee; Cones for ice cream; Cookies; Crepes; Eclairs; Flavored ices; **Frozen** custards; **Frozen yogurt**; Gelato; Ice cream; Iced cakes; Muffins; Pasta salad; Pastries; Pies; Sandwiches; Shakes; Tea. FIRST USE: 20050114. FIRST USE IN COMMERCE: 20050114

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 78775340

Filing Date December 16, 2005

Current Basis 1A

Original Filing Basis 1A

Published for Opposition August 29, 2006

Registration Number 3171284

Registration Date November 14, 2006

Owner (REGISTRANT) Maury, Jean-Philippe INDIVIDUAL UNITED STATES 3 Pine Hollow Drive Henderson NEVADA 89052

Attorney of Record Lauri S. Thompson

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PATISSERIE" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a stylized J and P superimposed over the words JEAN PHILIPPE PATISSERIE.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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Typed Drawing

Word Mark WHEN YOU'RE HUNGRY FOR FUN!

Goods and Services IC 029. US 046. G & S: dried fruits, nuts, snack mixes consisting primarily of dried fruits, nuts, yogurt covered raisins and sunflower seeds, beef jerky, pork rinds, apple chips, fruit based snack foods and potato based snack foods. FIRST USE: 20050930. FIRST USE IN COMMERCE: 20050930

IC 030. US 046. G & S: caramel and candy apples, cotton candy, popped popcorn, candy, chocolate, cookies, wheat chips, corn chips, cereal based snack foods and frozen desserts, namely, freezer pops. FIRST USE: 20030929. FIRST USE IN COMMERCE: 20030929

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78236911

Filing Date April 11, 2003

Current Basis 1A

Original Filing Basis 1B

Published for Opposition January 18, 2005

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3036471

Registration Date December 27, 2005

Owner (REGISTRANT) JNR Confection Specialty Corp. DBA Funway CORPORATION CALIFORNIA 6116 Walker Avenue Maywood CALIFORNIA 90270

Attorney of Record Roger W. Blakely, Jr.

Type of Mark TRADEMARK

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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Word Mark 101 101 TEA PLANTATION

Translations The non-Latin characters in the mark transliterate to "tsa yuan" and this means "tea plantation" in English.

Goods and Services IC 030. US 046. G & S: Tea, herbal tea for food purposes, iced tea, tea-based beverages with fruit flavoring, tea syrups, powdered teas, instant teas, ginger tea, ginseng tea, coffee, coffee beans, coffee-based beverage containing milk, chocolate, chocolate syrup, cocoa, candy, tea flavored candy, candy bars, bubble gum, cakes, cookies, crystallized ginger, powdered ginger, honey, ice cream, ice cream drinks, milk shakes, **frozen yogurt**. FIRST USE: 19980600. FIRST USE IN COMMERCE: 19980600

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 05.03.25 - Leaf, single; Other leaves
28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 78112119

Filing Date March 1, 2002

Current Basis 1A

Original Filing Basis 1A

Published for Opposition April 15, 2003

Registration Number 2734750

Registration Date July 8, 2003

Owner (REGISTRANT) 101 TEA, Inc. CORPORATION CALIFORNIA 46859 Warm Springs Blvd. Fremont CALIFORNIA 94539

Attorney of Record Otto O. Lee

Prior Registrations 2166935

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA" and the non-Latin characters that translate to "TEA" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120914.

Renewal 1ST RENEWAL 20120914

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Typed Drawing

Word Mark KRABBY PATTIES

Goods and Services IC 030. US 046. G & S: bread sticks, bubble gum, candy cake decorations, edible cake decorations, cake mixes, cakes, cakes and chocolate based fillings for pies and cakes, candy, candy coated popcorn, caramel popcorn, caramels, cereal based snack food, cheese flavored corn puffed snacks, chewing gum, chocolate chips, corn chips, flour based chips, chocolate, chocolate covered nuts, chocolate powder, chocolate syrup, chocolate topping, cocoa mixes, cones for ice cream, cookies, corn curls, cracker and cheese combinations, crackers, food ready to eat cereal derived food bars, frosting, fruit pies, flavored and sweetened gelatins, granola based snack bars, hot chocolate, popped popcorn, pretzels, puddings, waffles, ice cream, ice milk, flavored ices, **frozen** confections, **frozen yogurt**, **frozen** custard, all relating to television programs. FIRST USE: 20030801. FIRST USE IN COMMERCE: 20030801

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78203497

Filing Date January 15, 2003

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 16, 2003

Registration Number 2900693

Registration Date November 2, 2004

Owner (REGISTRANT) VIACOM INTERNATIONAL INC. CORPORATION DELAWARE 1515 BROADWAY
NEW YORK NEW YORK 10036

(LAST LISTED OWNER) VIACOM INTERNATIONAL INC. CORPORATION DELAWARE 1515
BROADWAY NEW YORK NEW YORK 10036

Assignment Recorded ASSIGNMENT RECORDED

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140204.

Renewal 1ST RENEWAL 20140204

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LE CHEF

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|------------------------------------|---|
| Word Mark | LE CHEF |
| Goods and Services | IC 030. US 046. G & S: Bakery products; bread; pastries; bagels; muffins; frozen yogurt and frozen confectionery; ice-cream; desserts, namely, cookies, cakes, cup cakes, pies, brownies, bars, tortes, tarts, dough shells and doughnuts; pre-baked and thaw and serve pastries and bread. FIRST USE: 19910810. FIRST USE IN COMMERCE: 19920225 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 77653099 |
| Filing Date | January 20, 2009 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | October 6, 2009 |
| Registration Number | 3727523 |
| Registration Date | December 22, 2009 |
| Owner | (REGISTRANT) Le Pafe, Inc. CORPORATION CALIFORNIA 7547 Telegraph Road Montebello CALIFORNIA 90640 |

Attorney of Record Kevin M. Welch
Prior Registrations 1791082
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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Word Mark LP

Goods and Services IC 030. US 046. G & S: Bakery products; bread; pastries; croissants; bagels; muffins; **frozen yogurt** and **frozen** confectionery; parfaits; ice-cream; bakery desserts, namely, cookies, cakes cupcakes, pies, brownies, dessert bars, tortes, and tarts; pre-baked and thaw and serve pastries and breads.
FIRST USE: 20080801. FIRST USE IN COMMERCE: 20080801

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 11.01.01 - Spoons
11.01.03 - Forks
26.09.02 - Plain single line squares; Squares, plain single line
26.09.13 - Squares, exactly two squares; Two squares
26.09.16 - Squares touching or intersecting
26.09.21 - Squares that are completely or partially shaded

Trademark Search Facility Classification Code ART-11.01 Knives; forks; spoons; kitchen utensils (Non-electric)
LETS-2 LP Two letters or combinations of multiples of two letters
SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
SHAPES-MISC Miscellaneous shaped designs

Serial Number 77684555

Filing Date March 5, 2009

Current Basis 1A

Original Filing Basis 1A

Published for Opposition October 6, 2009

Registration Number 3727620

Registration Date December 22, 2009

Owner (REGISTRANT) Le Pafe, Inc. CORPORATION CALIFORNIA 7547 Telegraph Road Montebello CALIFORNIA 90640

Attorney of Record Kevin M. Welch

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a shadowed square with rounded edges and the letters "LP" inside; a fork to the left of the square and a spoon to the right of the square.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Powered By Protein

Word Mark POWERED BY PROTEIN

Goods and Services IC 030. US 046. G & S: Chocolate; Chocolate bars; Chocolate and chocolates; Chocolate candies; Chocolate mousse; Chocolate powder; Chocolates and chocolate based ready to eat candies and snacks; Cocoa beverages with milk; Cocoa mixes; Cocoa powder; Cocoa-based beverages; Coffee-based beverage containing milk; Coffee-based beverages; Cookie dough; Cookie mixes; Cookies; Cookies and crackers; Edible fruit ices; Edible ices; Flavored ice blocks; Flavored ices; **Frozen** confectionery; **Frozen** confections; **Frozen** confections, namely, freezer pops; **Frozen** cookie dough; **Frozen** custards; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen** yoghurt; **Frozen yogurt**; Grain-based snack foods; Granola; Granola snacks; Granola-based snack bars; Hot chocolate; Ice cream; Ice cream desserts; Ice cream drinks; Ice cream floats; Ice cream mixes; Ice cream powder; Ice cream sandwiches; Ice cream substitute; Ice creams; Ice milk; Ice milk bars; Ices and ice creams; Ice-cream; Instant pancake mixes; Instant pudding mixes; Italian ice; Milk chocolate; Milk shakes; Mixes for bakery goods; Oat flakes; Oatmeal; Pancake mixes; Parfaits; Shakes; Sherbet; Sherbets; Snack cakes; Snack foods, namely, chocolate-based snack foods; Sorbets; Tapioca. FIRST USE: 20100102. FIRST USE IN COMMERCE: 20110115

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77918484

Filing Date January 22, 2010

Current Basis 1A
Original Filing Basis 1B
Published for Opposition June 8, 2010
Registration Number 4125947
Registration Date April 10, 2012
Owner (REGISTRANT) FIGO BRANDS INC CORPORATION DELAWARE 15 TURKEY HILL CIRCLE WESTPORT CONNECTICUT 06880
Assignment Recorded ASSIGNMENT RECORDED
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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LE PAFE

Word Mark LE PAFE

Translations The wording "LE PAFE" has no meaning in a foreign language.

Goods and Services IC 030. US 046. G & S: Bakery products; bread; pastries; croissants; bagels; muffins; **frozen yogurt** and **frozen** confectionery; parfaits; ice-cream; bakery desserts, namely, cookies, cakes, cupcakes, pies, brownies, dessert bars, tortes, and tarts; dough shells and doughnuts; pre-baked and thaw and serve pastries and bread. FIRST USE: 20120604. FIRST USE IN COMMERCE: 20120604

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77684312

Filing Date March 5, 2009

Current Basis 1A

Original Filing Basis 1A

Published for Opposition October 27, 2009

Registration Number 4187096

Registration Date August 7, 2012

Owner (REGISTRANT) Le Pafe, Inc. CORPORATION CALIFORNIA 7547 Telegraph Road Montebello
CALIFORNIA 90640

Attorney of Record Kevin M. Welch

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Goods and Services IC 043. US 100 101. G & S: Restaurant services, namely, the preparation and service of beverages, **frozen** confections and baked goods featuring-- slush, lemonade, coffee, soft drinks, juice, smoothies, milk shakes, ice cream, ice cream sundaes, ice cream cakes, ice cream pies, ice cream pizzas, ice cream sandwiches, Italian ice, sugar-less ice cream, low fat **frozen** [diary] * dairy * desserts, **frozen yogurt**, sherbet, apple crisp, cookies and pretzels all for on and off premise consumption. FIRST USE: 20000731. FIRST USE IN COMMERCE: 20000731

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 02.01.35 - Snowmen
 09.03.12 - Gloves, golf; Gloves, winter; Gloves, Work; Holders, pot; Mittens; Work gloves
 09.05.02 - Top hats
 16.03.07 - Eyeglasses; Frames, eyeglass; Glasses, eye; Glasses, safety; Goggles; Safety goggles; Spectacles; Sunglasses

Trademark Search Facility Classification Code ART-09.03 Clothing
 ART-09.05 Headwear
 ART-09.07 Footwear
 ART-16.03 Photography; cinematography; optics
 GROT-HUM Exaggerated depiction of a human

Serial Number 77120481
Filing Date March 2, 2007
Current Basis 1A
Original Filing Basis 1A

Published for Opposition December 4, 2007

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3384233

Registration Date February 19, 2008

Owner (REGISTRANT) Celico Incorporated CORPORATION RHODE ISLAND 14 Governor Avenue Westerly RHODE ISLAND 02891

(LAST LISTED OWNER) GRANIERI, INC. CORPORATION RHODE ISLAND 1135 MAIN STREET WYOMING RHODE ISLAND 02898

Assignment Recorded ASSIGNMENT RECORDED

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a snowman design..

Type of Mark SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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RICH'S

Word Mark RICH'S**Goods and Services**

IC 029. US 046. G & S: dairy and nondairy whipped, nonwhipped, fruit and nut toppings, all being **frozen** or non-**frozen**, and being ready-to-use; dairy and non-dairy whipped, nonwhipped and fruit-based fillings, all being **frozen** or non-**frozen**, and being ready-to-use or not ready-to-use; fruit toppings and fillings for bakery products, pastry and confectionery; Carmel nut topping for bakery products, pastry and confectionery, creams for use in the manufacture of bakery goods or confectionery; barbecue poultry and barbecue pork; smoked beef, pork and poultry; **frozen** meals consisting primarily of meat and poultry, namely, pork barbecue, beef barbecue, poultry barbecue, and barbecue sandwiches; whipped vegetable spread used as a substitute for margarine or butter; processed meats; **frozen** or refrigerated processed meat and meat entrees; artificial dairy based beverages and concentrates and bases thereof; and vegetable-based food beverages and concentrates and bases therefore; **frozen** meals consisting primarily of beef with a gravy meat sauce. FIRST USE: 19450301. FIRST USE IN COMMERCE: 19450301

IC 030. US 046. G & S: Icings being **frozen** or non-**frozen** and being ready-to-use or not ready-to-use; chocolate, artificial chocolate, marshmallow and artificial marshmallow toppings for cakes and desserts, being **frozen** or non-**frozen**, and being ready-to-use or not ready-to-use; chocolate and artificial chocolate toppings, icings and fillings; liquid topping syrup for cakes and desserts; bakery products; bakery desserts, **frozen** dough; **frozen**, fresh or packed bakery products, namely rolls, pizza crusts, Bavarian cream puffs, chocolate puffs, pies, cakes, cookies, brownies, pastries, croissants, breads, breadsticks, scones, puff pastries, bagels, and muffins; mixes for making bakery products; mixes for making desserts in the nature of cakes, cheesecakes, brownies, cookies, pies, or cupcakes; puddings; moussecake; cheesecake; ice cream cake; **frozen yogurt** cakes; ice cream; fruit sorbets; fondants for use in the manufacture of bakery goods or confectionery; gravy mixes; dry versions of gravy sauces and cheese sauces; stuffed pasta shells; bases for making milk shakes. FIRST USE: 19450301. FIRST USE IN COMMERCE: 19450301

IC 032. US 045 046 048. G & S: concentrates and bases for making fruit drinks and smoothies. FIRST USE: 20001020. FIRST USE IN COMMERCE: 20001020

IC 035. US 100 101 102. G & S: retail bakery store services; [bushiness] * business * consultation services, namely, providing marketing information specially designed for improving sales and enhancing customer service in the food service, in-store bakery, and commercial bakery industries; electronic and mail order catalog services directed towards food service businesses, featuring equipment, supplies, apparel, training materials and promotional materials. FIRST USE: 19900101. FIRST USE IN COMMERCE: 19900101

IC 041. US 100 101 107. G & S: educational services, namely conducting in-store pie and cake decorating classes. FIRST USE: 19721201. FIRST USE IN COMMERCE: 19721201

IC 043. US 100 101. G & S: restaurant services; consultation services, namely consulting with food service entities in the field of recipe enhancement, menu planning and presentation techniques for Italian food preparers. FIRST USE: 19721201. FIRST USE IN COMMERCE: 19721201

Mark Drawing Code (1) TYPED DRAWING
Serial Number 76344214
Filing Date November 30, 2001
Current Basis 1A
Original Filing Basis 1B
Published for Opposition August 23, 2005
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 3107162
Registration Date June 20, 2006
Owner (REGISTRANT) Rich Products Corporation CORPORATION DELAWARE One Robert Rich Way Buffalo NEW YORK 14213
Attorney of Record Brian E. Turung
Prior Registrations 0843306;1033994;1034011;AND OTHERS
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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SMART SWEET

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|---------------------------------|--|
| Word Mark | SMART SWEET |
| Goods and Services | IC 030. US 046. G & S: Granular sugar substitutes; dry packaged mixes for bakery goods, including cookies, cakes, pies and brownies; candy, fudge, ice cream and frozen yogurt . FIRST USE: 20000624. FIRST USE IN COMMERCE: 20000624 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 76033151 |
| Filing Date | April 24, 2000 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | January 15, 2002 |
| Registration Number | 2618704 |
| Registration Date | September 10, 2002 |
| Owner | (REGISTRANT) Global Sweet Polyols, LLC CORPORATION MASSACHUSETTS 125 Tremont St. Rehoboth MASSACHUSETTS 02769 |
| Disclaimer | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SWEET" APART FROM THE MARK AS SHOWN |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Affidavit Text | SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130323. |

Renewal 1ST RENEWAL 20130323
Live/Dead
Indicator **LIVE**

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| | |
|---|---|
| Word Mark | SLOAN'S |
| Goods and Services | <p>IC 025. US 022 039. G & S: T-shirts, hats; aprons; sweatshirts. FIRST USE: 19991103. FIRST USE IN COMMERCE: 19991103</p> <p>IC 030. US 046. G & S: Frozen desserts, namely, fruit ice, ice cream and frozen yogurt; [crepes;] bakery goods, namely, [muffins, scones, biscuits,] cookies, pastries; candy; [caramel popcorn;] chocolate; chocolate covered nuts; pretzels. FIRST USE: 19991103. FIRST USE IN COMMERCE: 19991103</p> <p>IC 035. US 100 101 102. G & S: Retail store services located on the premises of a restaurant, featuring gifts. FIRST USE: 19991103. FIRST USE IN COMMERCE: 19991103</p> <p>IC 042. US 100 101. G & S: Carry out and eat-in restaurants featuring ice cream, desserts and snack food. FIRST USE: 19991103. FIRST USE IN COMMERCE: 19991103</p> |
| Mark Drawing Code | (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM |
| Serial Number | 75633301 |
| Filing Date | February 3, 1999 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Date Amended to Current Register | March 22, 2001 |

Registration Number 2523569
Registration Date December 25, 2001
Owner (REGISTRANT) Sloan's, Inc. CORPORATION FLORIDA 112 Clematis Street West Palm Beach FLORIDA 33401
Attorney of Record Paul J. Kennedy
Description of Mark The lining and stippling in the drawing are features of the mark and do not indicate color or shading.
Type of Mark TRADEMARK. SERVICE MARK
Register SUPPLEMENTAL
Affidavit Text SECT 8 (6-YR). SECTION 8(10-YR) 20111231.
Renewal 1ST RENEWAL 20111231
Live/Dead Indicator LIVE

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Goods and Services IC 030. US 046. G & S: breakfast cereals, cake mixes, cocoa, crackers, grain-based and corn-based snack foods, food bars, candy, chewing gum; bakery products, coffee, cookies, cakes, **frozen** confections, ice cream, **frozen yogurt**, and pies for consumption on and off the premises. **FIRST USE: 19980900. FIRST USE IN COMMERCE: 19980900**

Mark Drawing Code (2) DESIGN ONLY

Design 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men

Search Code 02.01.19 - Athletes (men); Golfer; Men, athletes, strongmen; Strongmen
 02.09.19 - Diving, humans; Humans, including men, women and children, depicted playing games or engaged in other sports; Playing games or sports, humans
 23.03.01 - Cannons; Mortars

Serial Number 75537346

Filing Date August 17, 1998

Current Basis 1A

Original Filing Basis 1B

Published for Opposition November 9, 1999

Registration Number 2423810

Registration Date January 23, 2001

Owner (REGISTRANT) NBA Properties, Inc. CORPORATION NEW YORK Olympic Tower 645 Fifth Avenue
New York NEW YORK 10022

Attorney of Record Anil V. George

Prior Registrations 1525782;1609765;1622682;1715549;1722026;1832819;1833902;1835437;1901528;
1966924;1968507;1969989;1992917;AND OTHERS

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100209.

Renewal 1ST RENEWAL 20100209

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SMOOSHIES

Word Mark SMOOSHIES

Goods and Services IC 030. US 046. G & S: Cookies; bakery goods, candy and **frozen** confections. FIRST USE: 20141010. FIRST USE IN COMMERCE: 20150226

IC 035. US 100 101 102. G & S: Retail store services featuring candy, confections, ice cream, **frozen yogurt**, baked goods and gift items, namely, candles, perfume, toys, clothing, greeting cards, books and gift baskets. FIRST USE: 20141010. FIRST USE IN COMMERCE: 20141010

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86977199

Filing Date July 22, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition December 16, 2014

Registration Number 4833819

Registration Date October 13, 2015
Owner (REGISTRANT) Smooshies LLC LIMITED LIABILITY COMPANY FLORIDA 400 Arvida Parkway Coral Gables FLORIDA 33156
Attorney of Record Janet C. Moreira
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Typed Drawing

| | |
|---------------------------------|--|
| Word Mark | BROTHERS INTERNATIONAL DESSERTS |
| Goods and Services | IC 030. US 046. G & S: frozen confections, novelty frozen confections, ice creams, frozen yogurts , sorbets, ices, pies, cakes and cookies. FIRST USE: 19830419. FIRST USE IN COMMERCE: 19830419 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 74627985 |
| Filing Date | January 31, 1995 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | February 4, 1997 |
| Registration Number | 2056595 |
| Registration Date | April 29, 1997 |
| Owner | (REGISTRANT) BROTHERS INTERNATIONAL DESSERTS, INC. CORPORATION CALIFORNIA 1682 KETTERING STREET IRVINE CALIFORNIA 92614 |
| Attorney of Record | L. S. Van Landingham, Jr. |
| Disclaimer | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DESSERTS" APART FROM THE MARK AS SHOWN |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Affidavit Text | SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070603. |
| Renewal | 1ST RENEWAL 20070603 |
| Live/Dead Indicator | LIVE |

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Typed Drawing

Word Mark HEALTHY USA
Goods and Services (CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: [dietary supplements and dietary food supplements]. FIRST USE: 19940103. FIRST USE IN COMMERCE: 19940103

IC 029. US 046. G & S: meat, seafood, gelatins, unflavored/unsweetened; salad dressings; sandwich dressings; jellies; **frozen** entrees consisting primarily of meat, seafood or poultry; snack foods; namely, potato chips, potato crisps and pork rinds; processed poultry. FIRST USE: 19931103. FIRST USE IN COMMERCE: 19931103

IC 030. US 046. G & S: bakery goods and mixes for making bakery goods; **frozen yogurt**; gelatins, flavored sweetened; **frozen** entrees consisting primarily of pasta and rice; condiments; namely, mustard, ketchup; relish and horseradish; sauces, excluding applesauce and cranberry sauce; snack foods; namely, candy, puffed corn snacks, corn chips, taco chips, tortilla chips, pretzels, cookies, crackers and wafers. FIRST USE: 19940103. FIRST USE IN COMMERCE: 19940103

IC 032. US 045 046 048. G & S: fruit juice drinks containing water. FIRST USE: 19940103. FIRST USE IN COMMERCE: 19940103

Mark Drawing Code (1) TYPED DRAWING
Serial Number 74168157
Filing Date May 20, 1991
Current Basis 1A
Original Filing Basis 1B
Published for Opposition May 12, 1992
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 1968714

Registration Date April 16, 1996

Owner (REGISTRANT) POCAHONTAS FOODS USA, INC. CORPORATION VIRGINIA 7420 Ranco Road
Richmond VIRGINIA 23228

(LAST LISTED OWNER) PERFORMANCE FOOD GROUP, INC. CORPORATION COLORADO
12500 WEST CREEK PARKWAY RICHMOND VIRGINIA 23238

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record GARRETT M. WEBER

Prior Registrations 1616888

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). PARTIAL SECTION 8(10-YR) 20060712.

Renewal 1ST RENEWAL 20060712

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Typed Drawing

Word Mark MORNING FRESH FARMS

Goods and Services IC 029. US 046. G & S: PROCESSED FOODS, NAMELY, FRUIT BASED SNACK FOODS, **FROZEN** FRUITS, CANNED FRUITS, **FROZEN** VEGETABLES, **FROZEN** POTATOES, TOMATO PASTE, TOMATO PUREE, PREPARED **FROZEN** ENTREES CONSISTING PRIMARILY OF MEAT, FISH AND VEGETABLES, FISH, SOUPS, PROCESSED NUTS, PROCESSED COCONUT, SHORTENING AND LARD, VEGETABLE OIL, MAYONNAISE, SALAD DRESSINGS, PICKLES, FRUIT BASED SPREADS, FRUIT PRESERVES, PEANUT BUTTER; DAIRY PRODUCTS, NAMELY, MILK, BUTTER, CREAM, DIPS, EGGNOG, EGG SUBSTITUTE AND POWDERED EGGS. FIRST USE: 19891116. FIRST USE IN COMMERCE: 19891116

IC 030. US 046. G & S: GRAIN BASED SNACK FOODS, BREAKFAST CEREALS, COFFEE, TOMATO SAUCE, NOODLES; BAKING PRODUCTS, NAMELY, FLOUR, BREAD, BREAD MIX (FRESH AND **FROZEN**); DESSERT PRODUCTS, NAMELY, CAKES, COOKIES, **FROZEN** CONFECTIONS, PIES, SOUFFLES, GELATINS AND PUDDINGS; AND **FROZEN** DAIRY PRODUCTS, NAMELY, ICE CREAM, ICE MILK AND **FROZEN** YOGURT. FIRST USE: 19891116. FIRST USE IN COMMERCE: 19891116

Mark Drawing Code (1) TYPED DRAWING

Serial Number 74001522

Filing Date November 16, 1989

Current Basis 1A

Original Filing Basis 1B

Published for Opposition October 3, 1995

Registration Number 2169762

Registration Date June 30, 1998

Owner (REGISTRANT) MERCHANTS DISTRIBUTORS, INC. CORPORATION NORTH CAROLINA PO BOX 800 120 4TH STREET, SW HICKORY NORTH CAROLINA 28603

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Michael D. McCoy

Prior Registrations 0881389;0975620;1278165;1395045;1507378;1509405;1512891;1533074;1534254;1536367;1549358;1549359;1551180;1553061;AND OTHERS

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FRESH" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080707.

Renewal 1ST RENEWAL 20080707

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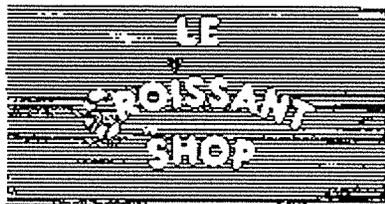
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| | |
|---------------------------------|--|
| Word Mark | LE CROISSANT SHOP |
| Goods and Services | IC 029. US 046. G & S: MILK, VEGETABLE SALADS, AND SOUP FOR CONSUMPTION ON OR OFF THE PREMISES. FIRST USE: 19810507. FIRST USE IN COMMERCE: 19810507 IC 030. US 046. G & S: BEVERAGES-NAMELY COFFEE AND TEA-QUICHES, FROZEN YOGURT AND SOY BASED NON-DAIRY FROZEN CONFECTION FOR CONSUMPTION ON OR OFF THE PREMISES. FIRST USE: 19810507. FIRST USE IN COMMERCE: 19810507 IC 032. US 045 046. G & S: BEVERAGES-NAMELY PURE FRUIT JUICES AND SOFT DRINKS FOR CONSUMPTION ON OR OFF THE PREMISES. FIRST USE: 19810507. FIRST USE IN COMMERCE: 19810507 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards 08.01.04 - Croissants 26.11.21 - Rectangles that are completely or partially shaded 27.03.05 - Objects forming letters or numerals |
| Serial Number | 73488396 |
| Filing Date | July 5, 1984 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | April 28, 1987 |

Registration Number 1448724
Registration Date July 21, 1987
Owner (REGISTRANT) FRANCE CROISSANT, LTD. CORPORATION NEW YORK 227 WEST 40 STREET NEW YORK NEW YORK 10018
Attorney of Record Howard Natter
Prior Registrations 1230692
Description of Mark THE DRAWING IS LINED FOR THE COLORS BLUE AND RED.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070609.
Renewal 1ST RENEWAL 20070609
Live/Dead Indicator LIVE

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

GOYA FOODS, INC.

Opposer,

v.

GOYOGO FROZEN YOGURT, LLC,

Applicant.

: **Opposition No.: 91215657**

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: Mark:

: Ser. No.: 86060111

: Mark: GOYOGO FROZEN YOGURT OUR
INGREDIENTS YOUR CREATION

: Ser. No.: 86037364

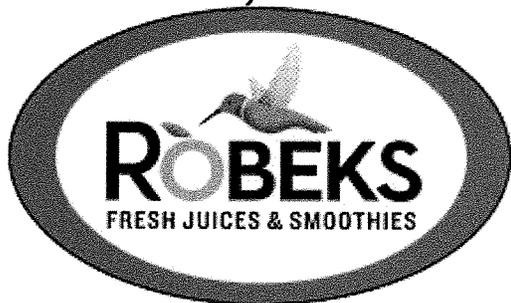
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PURSUANT TO 37 CFR §2.122(e)

EXHIBIT A3


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Word Mark ROBEKS FRESH JUICES & SMOOTHIES

Goods and Services IC 029. US 046. G & S: Milk shakes; **Yogurt** drinks; **Yogurt**-based beverages. FIRST USE: 20140422. USED IN ANOTHER FORM The mark was first used anywhere in a different form other than that sought to be registered at least as early as 02/12/2002. FIRST USE IN COMMERCE: 20140422

 IC 030. US 046. G & S: **Frozen yogurt**; Ice cream drinks; Sherbet. FIRST USE: 20140422. USED IN ANOTHER FORM The mark was first used anywhere in a different form other than that sought to be registered at least as early as 02/12/2002. FIRST USE IN COMMERCE: 20140422

IC 032. US 045 046 048. G & S: Fruit drinks; Fruit juices; Smoothies; Vegetable drinks; Vegetable juices; Vegetable-fruit juices. FIRST USE: 20140422. USED IN ANOTHER FORM The mark was first used anywhere in a different form other than that sought to be registered at least as early as 02/12/2002. FIRST USE IN COMMERCE: 20140422

IC 035. US 100 101 102. G & S: Franchising, namely, offering business management assistance in the establishment and/or operation of restaurants. FIRST USE: 20140422. USED IN ANOTHER FORM The mark was first used anywhere in a different form other than that sought to be registered at least as early as 02/12/2002. FIRST USE IN COMMERCE: 20140422

IC 043. US 100 101. G & S: Restaurant services. FIRST USE: 20140422. USED IN ANOTHER FORM The mark was first used anywhere in a different form other than that sought to be registered at least as early as 02/12/2002. FIRST USE IN COMMERCE: 20140422

Mark
Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 03.15.19 - Birds or bats in flight or with outspread wings

Search Code 03.15.25 - Cardinals; Crows; Doves; Other birds; Pigeons; Ravens; Robins; Woodpeckers

05.03.25 - Leaf, single; Other leaves
26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric
26.03.21 - Ovals that are completely or partially shaded

Serial Number 86608025

Filing Date April 23, 2015

Current Basis 1A

Original Filing Basis 1A

Published for Opposition September 22, 2015

Registration Number 4866255

Registration Date December 8, 2015

Owner (REGISTRANT) Robeks Corporation CORPORATION CALIFORNIA 5220 Pacific Concourse Drive, Suite 395 Los Angeles CALIFORNIA 90045

Attorney of Record Jodi A. DeSchane

Prior Registrations 2805044;2805045;2970588

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FRESH JUICES & SMOOTHIES" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) red, black, white, orange, and green is/are claimed as a feature of the mark. The mark consists of an oval with the word "ROBEKS" below a hummingbird with a leaf above of the letter "O", and the words "FRESH JUICES & SMOOTHIES" under the word "ROBEKS", all inside the oval. The outer ring of the oval is red with a black border, the inside of the oval is white. The letter "O" in "ROBEKS" is orange and the leaf above the letter "O" is green, all other lettering is black. The hummingbird's head is red, body is green, and beak is black. The Stippling is a feature of the mark.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark SILK

Goods and Services IC 030. US 046. G & S: non-dairy **frozen** confections; **frozen yogurt**. FIRST USE: 20130808. FIRST USE IN COMMERCE: 20130808

IC 032. US 045 046 048. G & S: smoothies; fruit-based beverages; fruit juices. FIRST USE: 20040719. FIRST USE IN COMMERCE: 20040719

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 86976161

Filing Date February 14, 2014

Current Basis 1A

Original Filing Basis 1A;1B

Published for Opposition July 22, 2014

Registration Number 4745275

Registration Date May 26, 2015

Owner (REGISTRANT) WhiteWave Services, Inc. CORPORATION DELAWARE 12002 Airport Way Broomfield COLORADO 80021

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Larry H. Tronco

Prior Registrations 3254327;3341564;3979192;AND OTHERS

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the term "SILK" in stylized lettering.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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FRESH BLENDS

Word Mark FRESH BLENDS

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Vitamin enriched beverages, namely, nutritional supplemented smoothies. FIRST USE: 20140500. FIRST USE IN COMMERCE: 20140500

IC 030. US 046. G & S: Coffee based beverages, ice cream; **frozen yogurt**. FIRST USE: 20140500. FIRST USE IN COMMERCE: 20140500

IC 032. US 045 046 048. G & S: Smoothies, non-alcoholic beverages, namely, non-alcoholic beverages containing fruit juices; non-alcoholic **frozen** beverages, namely, non-carbonated non-alcoholic **frozen** flavored beverages; fruit juices; vegetable juices; concentrates and/or syrups for use in the preparation of smoothie drinks, fruit and/or vegetable based drinks, blends or mixes. FIRST USE: 20140500. FIRST USE IN COMMERCE: 20140500

IC 043. US 100 101. G & S: Restaurant services; smoothie bar services; snack bar services; carry-out food services. FIRST USE: 20140500. FIRST USE IN COMMERCE: 20140500

Standard Characters Claimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number 86575517

Filing Date March 25, 2015

Current 1A

Basis

Original Filing Basis 1B

Date

Amended to Current Register July 15, 2015

Registration Number 4801492

International

Registration Number 1262657

Registration Date August 25, 2015

Owner (REGISTRANT) BEVERAGE INNOVATIONS (INTERNATIONAL) LTD. LIMITED LIABILITY COMPANY BAHAMAS Sassoon House Shirley & Victoria St. Nassau New Providence BAHAMAS

Attorney of Record MICHAEL J. STRIKER

Type of Mark TRADEMARK. SERVICE MARK

Register SUPPLEMENTAL

Live/Dead Indicator LIVE

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TSDR ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

JUST FRESHDIRECT

Word Mark JUST FRESHDIRECT
Goods and Services IC 029. US 046. G & S: Eggs; milk; butter; cheese; cooking oil; frozen vegetables, premium dried fruits; processed nuts; peanut butter; fruit preserves, canned vegetables; yogurt; specialty cheese; deli products, namely, meat and cheese; frozen fruit; dairy products, namely, milk products, butter, cheese, yogurt, eggs; frozen entrees consisting primarily of meat fish poultry or vegetables; processed meat; potato chips; potato puffs; veggie chips. FIRST USE: 20131127. FIRST USE IN COMMERCE: 20131127

IC 030. US 046. G & S: Processed cereal; sugar; flour; salad dressing; vinegar; frozen hors d'oeuvres; pasta; pasta sauce; chocolate based spreads; salty snacks, namely, tortilla chips, pretzels, pita chips, bagel chips, cream puffs; corn chips; cookies; frozen yogurt; bread; fresh pasta; coffee; condiments, namely, ketchup, mustard, mayonnaise, barbeque sauce, pepper sauce. FIRST USE: 20131127. FIRST USE IN COMMERCE: 20131127

IC 032. US 045 046 048. G & S: Bottled water; fruit juices, namely, refrigerated and shelf-stable fruit juices. FIRST USE: 20131127. FIRST USE IN COMMERCE: 20131127

Standard Characters Claimed Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86006840

Filing Date July 10, 2013

Current Basis 1A
Original Filing Basis 1B
Published for Opposition March 11, 2014
Registration Number 4657141
Registration Date December 16, 2014
Owner (REGISTRANT) Fresh Direct, LLC LIMITED LIABILITY COMPANY DELAWARE 23-30 Borden Avenue Long Island City NEW YORK 11101
Attorney of Record Howard J. Shire
Prior Registrations 2836743;3236688
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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BONICE

Word Mark BONICE

Goods and Services IC 030. US 046. G & S: Edible fruit ices; Flavored and sweetened gelatins; Flavored, sweetened gelatin desserts; Freezable liquid for use in making frozen confections; **Frozen** confections; **Frozen** confections, namely, freezer pops; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen** flavoured waters; **Frozen** juice bars; **Frozen** yoghurt; **Frozen** yogurt; **Frozen** yogurt confections; **Frozen** yogurt mixes; Fruit ice; Fruit ice bar; Fruit ices; Non-dairy frozen confections; Pre-processed mixes for making non-dairy frozen confections; Shaved ice confections; **Yogurt**-covered fruit. FIRST USE: 20111001. FIRST USE IN COMMERCE: 20111001

IC 032. US 045 046 048. G & S: Aerated fruit juices; Aloe vera juices; Apple juice beverages; Aromatized beverages based on fruit, protein, cordial, sugar and other fluid nutrients, namely, carbohydrates drinks for use as a food fillers; Aromatized beverages based on fruit, protein, cordial, sugar and other fluid nutrients, namely, protein drinks for use as a food fillers and not for use as a meal replacement; Beauty beverages, namely, fruit juices and energy drinks containing nutritional supplements; Coconut juice; Concentrated fruit juice; **Frozen** fruit beverages; **Frozen** fruit drinks; **Frozen** fruit-based beverages; Fruit beverages; Fruit concentrates and purees used as ingredients of beverages; Fruit drinks; Fruit drinks and fruit juices; Fruit drinks and juices; Fruit flavored drinks; Fruit flavored soft drinks; Fruit flavoured drinks; Fruit juice; Fruit juice bases; Fruit juice concentrates; Fruit juices; Fruit juices and fruit drinks; Fruit nectars; Fruit punch; Fruit-based beverages; Fruit-based soft drinks flavored with tea; Fruit-flavored beverages; Fruit-flavoured beverages; Grape juice beverages; Herbal juices; Iced fruit beverages; Juice base concentrates; Lemon juice for use in the preparation of beverages; Mixed fruit juice; Non-alcoholic beverages containing fruit juices; Non-alcoholic fruit extracts used in the preparation of beverages; Non-alcoholic fruit juice beverages; Non-carbonated, non-alcoholic frozen flavored beverages; Oat-based beverages with fruit juice not for food purposes; Orange juice; Orange juice beverages; Pineapple juice beverages; Pop; Smoothies. FIRST USE: 20111001. FIRST USE IN COMMERCE: 20111001

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 85139082

Filing Date September 27, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition March 8, 2011

Registration Number 4091925

Registration Date January 24, 2012

Owner (REGISTRANT) Gonzalez A Bertha INDIVIDUAL UNITED STATES 4105 Catawba Ave. Carrollton TEXAS 75010

(LAST LISTED OWNER) GUTIERREZ, AMALIA INDIVIDUAL MEXICO 306 VICEROY DR HOUSTON TEXAS 77034

Assignment Recorded ASSIGNMENT RECORDED

Description of Mark The color(s) white, green, and blue is/are claimed as a feature of the mark. The mark consists of the letters "BON" are bold in green with a blue border, the words "ICE" are bold white with a blue border.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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CREATIVE JUICE

Word Mark CREATIVE JUICE

Goods and Services IC 029. US 046. G & S: Salads, namely, garden salads, fruit salads, vegetable salads; prepared meals consisting primarily of meat, fish, poultry or vegetables; processed nuts; fruit-based nutritional meal replacement bars for boosting energy; trail mix consisting primarily of processed nuts, seeds, and dried fruit; snack foods, namely, soy-based snack foods, fruit-based snack foods and vegetable-based snack foods; milk-based beverages containing added nutrients, coffee, chocolate or fruit juice; **yogurt**; nut-based milk; soybean milk (soy milk); soy-based food beverage used as a milk substitute; rice milk for use as a milk substitute; hemp milk used as a milk substitute; shakes. FIRST USE: 20131228. FIRST USE IN COMMERCE: 20131228

IC 030. US 046. G & S: Prepared meals consisting primarily of grain, pasta or rice; snack foods, namely, wheat-based snack foods and grain-based snack foods; granola; sandwiches; muffins; salads, namely, pasta, rice and processed quinoa salads; cereal based nutrition bars; **frozen yogurt**; ice cream; ice cream drinks; ice milk; soy-based ice cream substitute; **frozen confections**; **frozen yogurt confections**; non-dairy **frozen confections**; **frozen juice bars**. FIRST USE: 20131228. FIRST USE IN COMMERCE: 20131228

IC 032. US 045 046 048. G & S: Fruit juices but not fruit juice concentrate; vegetable juices; bottled water, flavored waters, energy drinks; beverages, namely, coconut-based beverages; smoothies; soy-based beverages not being milk substitutes. FIRST USE: 20131228. FIRST USE IN COMMERCE: 20131228

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85646678
Filing Date June 8, 2012
Current Basis 1A
Original Filing Basis 1B
Published for Opposition May 14, 2013
Registration Number 4696314
Registration Date March 3, 2015
Owner (REGISTRANT) Juice Creations LLC LIMITED LIABILITY COMPANY DELAWARE 14 Vanderverter Ave, Ste 255 Port Washington NEW YORK 11050

Attorney of Record Barry L. Saret

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE" FOR INTERNATIONAL CLASSES 32 AND 43 AND "FRUIT-BASED NUTRITIONAL MEAL REPLACEMENT BARS FOR BOOSTING ENERGY ", "MILK-BASED BEVERAGES CONTAINING ADDED NUTRIENTS, COFFEE, CHOCOLATE OR FRUIT JUICE; YOGURT; SOYBEAN MILK [SOY MILK]; SOY-BASED FOOD BEVERAGE USED AS A MILK SUBSTITUTE; RICE MILK FOR USE AS A MILK SUBSTITUTE; HEMP MILK USED AS A MILK SUBSTITUTE; SHAKES " IN CLASS 29 AND "CEREAL BASED NUTRITION BARS; FROZEN YOGURT; ICE CREAM; ICE CREAM DRINKS; ICE MILK; SOY-BASED ICE CREAM SUBSTITUTE; FROZEN CONFECTIONS; FROZEN YOGURT CONFECTIONS; NON-DAIRY FROZEN CONFECTIONS; FROZEN JUICE BARS" IN CLASS 30 APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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RIDGEFIELD'S

Word Mark RIDGEFIELD'S

Goods and Services IC 030. US 046. G & S: **Frozen yogurt**; ready to eat, **frozen** flavored juices. FIRST USE: 19880205. FIRST USE IN COMMERCE: 19880205

IC 032. US 045 046 048. G & S: Flavored juices for use in machines for making and dispensing semi-frozen fruit drinks. FIRST USE: 20010131. FIRST USE IN COMMERCE: 20010131

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85167070

Filing Date November 2, 2010

Current Basis 1A

Original Filing Basis 1A

Published for Opposition June 28, 2011

Registration Number 4025242

Registration Date September 13, 2011

Owner (REGISTRANT) The Ridgefield's Brand Corporation CORPORATION MARYLAND P.O. Box 87149 Montgomery Village MARYLAND 20886

Attorney of Record Karol A. Kepchar

Type of Mark TRADEMARK

Register **PRINCIPAL**

Live/Dead Indicator **LIVE**

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HOOD

Word Mark HOOD

Goods and Services IC 029. US 046. G & S: AERATED CREAM; CHEESE; COTTAGE CHEESE; CULTURED BUTTERMILK; DAIRY CREAMERS; EGGNOG; FLUID CREAM; FLUID MILK; HALF AND HALF; LOW-FAT COTTAGE CHEESE; LOW-FAT YOGURT; NON-DAIRY CREAMERS; NON-FAT COTTAGE CHEESE; SOUR CREAM; LOW-FAT SOUR CREAM; FAT-FREE SOUR CREAM; YOGURT; DAIRY-BASED DRINKS AND BEVERAGES. FIRST USE: 19720831. FIRST USE IN COMMERCE: 19720831

IC 030. US 046. G & S: DAIRY SHAKES AND DAIRY SHAKE MIXES; FLAVORED WATER ICES; FROZEN LOW-FAT YOGURT; FROZEN NON-FAT YOGURT; FROZEN YOGURT; FROZEN YOGURT CONFECTIONS; FROZEN YOGURT CONFECTIONS IN STICK FORM; FROZEN YOGURT AND ICE CREAM MIXES; ICE CREAM; ICE CREAM BAR CONFECTIONS; ICE CREAM CONFECTIONS IN STICK FORM; ICE CREAM SANDWICHES AND SUNDAES; LIGHT ICE CREAM; MILK SHERBET; MIXES AND FLAVORINGS FOR MAKING FROZEN YOGURT; MIXES AND FLAVORINGS FOR MAKING ICE CREAM; CULTURED MILK MIXES AND FLAVORINGS FOR MAKING FROZEN YOGURT; NON-FAT ICE CREAM; SHERBET; WATER ICE AND FROZEN CONFECTIONS IN STICK, SANDWICH, OR IN BAR FORM; FROZEN DAIRY DESSERTS; ICED TEA. FIRST USE: 19720831. FIRST USE IN COMMERCE: 19720831

IC 032. US 045 046 048. G & S: APPLE JUICE; BOTTLED WATER; NATURAL SPRING WATER; FRUIT JUICE DRINKS; MIXED FRUIT JUICE; ORANGE JUICE. FIRST USE: 19970831. FIRST USE IN COMMERCE: 19970831

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77716062

Filing Date April 17, 2009

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 15, 2009

Registration Number 3754004

Registration Date March 2, 2010

Owner (REGISTRANT) HP Hood LLC LIMITED LIABILITY COMPANY DELAWARE Six Kimball Lane
Lynnfield MASSACHUSETTS 01940

Attorney of Record Gloria A. Pinza

Prior Registrations 0645833;2071426;2719266;AND OTHERS

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Redkiwi

| | |
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| Word Mark | REDKIWI |
| Goods and Services | IC 025. US 022 039. G & S: Clothing and apparel for men, women and children, namely, t-shirts, tank tops, shirts, knit shirts, sweat shirts, sweaters, pants, sweat pants, skirts, dresses, jeans, jackets, hats, scarves, gloves, heels, sandals, slippers and thongs. FIRST USE: 20060601. FIRST USE IN COMMERCE: 20070201 |
| | IC 030. US 046. G & S: Frozen yogurt , ice cream, shaved ice confections, cakes, cup cakes, cookies, coffee, tea, cappuccino and espresso. FIRST USE: 20060601. FIRST USE IN COMMERCE: 20070201 |
| | IC 032. US 045 046 048. G & S: Smoothies, fruit juices and bottled water. FIRST USE: 20060601. FIRST USE IN COMMERCE: 20070201 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 77239712 |
| Filing Date | July 26, 2007 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Date Amended to Current Register | December 3, 2008 |

Registration Number 3674670
Registration Date August 25, 2009
Owner (REGISTRANT) Penny Lane Stores, Inc. CORPORATION FLORIDA 17673 Middlebrook Way
Boca Raton FLORIDA 33496

(LAST LISTED OWNER) DESERTZ LLC LIMITED LIABILITY COMPANY FLORIDA 818
VENETIA AVENUE CORAL GABLES FLORIDA 33134
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Vano Haroutunian
Type of Mark TRADEMARK
Register SUPPLEMENTAL
Live/Dead Indicator LIVE

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|------------------------------|---|
| Word Mark | LOUIS TRAUTH DAIRY, INC. |
| Goods and Services | <p>IC 001. US 001 005 006 010 026 046. G & S: Distilled water. FIRST USE: 19850000. FIRST USE IN COMMERCE: 19850000</p> <p>IC 029. US 046. G & S: Milk, buttermilk, half and half, egg nog, whipping cream, cottage cheese, sour cream, dips, non-dairy creamers, butter, and eggs. FIRST USE: 19200000. FIRST USE IN COMMERCE: 19770000</p> <p>IC 030. US 046. G & S: Flavored tea, ice cream, frozen yogurt, sorbet, sherbet, frozen confections and ice cream mixes. FIRST USE: 19910000. FIRST USE IN COMMERCE: 19910000</p> <p>IC 032. US 045 046 048. G & S: Orange juice, fruit drinks and spring water. FIRST USE: 19590000. FIRST USE IN COMMERCE: 19590000</p> <p>(CANCELLED) IC 035. US 100 101 102. G & S: [Distributorships in the field of dairy products, ice cream, fruit juices and water]. FIRST USE: 19950000. FIRST USE IN COMMERCE: 19950000</p> |
| Mark Drawing Code | (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM |
| Serial Number | 75676906 |
| Filing Date | April 8, 1999 |
| Current Basis | 1A |
| Original Filing Basis | 1A |

Published for Opposition August 22, 2000

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 2403496

Registration Date November 14, 2000

Owner (REGISTRANT) Louis Trauth Dairy, Inc. CORPORATION DELAWARE 16 East Eleventh Street
Newport KENTUCKY 41071

(LAST LISTED OWNER) DEAN FOODS COMPANY CORPORATION DELAWARE 2711 NORTH
HASKELL AVENUE, SUITE 3400 DALLAS TEXAS 75204

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Mark Niermann

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

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. PARTIAL SECT 8 (6-YR). SECTION 8(10-YR) 20101120.

Renewal 1ST RENEWAL 20101120

Other Data The name "LOUIS TRAUTH" does not identify a living individual.

Live/Dead Indicator LIVE

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Original Filing Basis 1A

Published for Opposition August 26, 1997

Registration Number 2114143

Registration Date November 18, 1997

Owner (REGISTRANT) QUALITY CHEKD DAIRIES, INC. (COOPERATIVE) COOPERATIVE CORPORATION WISCONSIN 901 Warrenville Road Suite 405 Lisle ILLINOIS 60532

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record SCOTT W PETERSEN

Prior Registrations 0763625;0836037;1102383;1220168;AND OTHERS

Description of Mark The mark is lined for the colors red and blue, and color is claimed as a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070721.

Renewal 1ST RENEWAL 20070721

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

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| GOYA FOODS, INC. | : | Opposition No.: 91215657 |
| | : | |
| Opposer, | : | |
| | : | |
| v. | : |  |
| | : | |
| | : | Mark: |
| | : | Ser. No.: 86060111 |
| GOYOGO FROZEN YOGURT, LLC, | : | |
| | : | Mark: GOYOGO FROZEN YOGURT OUR |
| | : | INGREDIENTS YOUR CREATION |
| | : | Ser. No.: 86037364 |
| Applicant. | : | |

OPPOSER'S THIRD NOTICE OF RELIANCE
PURSUANT TO 37 CFR §2.122(e)

EXHIBIT A4



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Prinkipia

Word Mark PRINKIPIA
Goods and Services IC 030. US 046. G & S: Frozen yogurt, coffee, tea. FIRST USE: 20110901. FIRST USE IN COMMERCE: 20120201
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 86417803
Filing Date October 8, 2014
Current Basis 1A
Original Filing Basis 1A
Published for Opposition June 30, 2015
Registration Number 4811292
Registration Date September 15, 2015
Owner (REGISTRANT) PARK, BYOUNG INDIVIDUAL UNITED STATES 315 NORTH PUENTE STREET, SUITE G BREA CALIFORNIA 92821
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Christopher J. Day
Prior Registrations 4202525

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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ROYAL CROWN

Word Mark ROYAL CROWN

Goods and Services IC 030. US 046. G & S: staple foods, namely, bagels, bakery desserts, bakery goods, bakery products, biscuits, bread, breadsticks, breadcrumbs, brioches, brownies, buns, cakes, cappucino, cinammon rolls, coffee, coffee beans, cookies, crepes, croissants, crumpets, custard-based filling for cakes and pies, danish pastries, Dessert souffles, dough, doughnuts, eclairs, espresso, flavored and sweetened gelatines, flavored ices, flour, frostings, **frozen confections, frozen custards, frozen yogurt,** fruit ice, fruit pies, gingerbread, hot chocolate, ice cream, marzipan, mixes for bakery goods, muffins, pasta, pasties, pies, pizza, pizza crust, pizza dough, pizza sauce, rolls, sandwiches, sauces, sorbet, tomato sauce, and Vinegar. FIRST USE: 19871100. FIRST USE IN COMMERCE: 19871100

IC 035. US 100 101 102. G & S: advertising and business services, namely, gourmet food stores, retail bakery shops, retail delicatessen services. FIRST USE: 19871100. FIRST USE IN COMMERCE: 19871100

IC 043. US 100 101. G & S: restaurants, restaurant services, take-out restaurants. FIRST USE: 19871100. FIRST USE IN COMMERCE: 19871100

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85875086

Filing Date March 13, 2013

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 10, 2013

Registration Number 4487404

Registration Date February 25, 2014

Owner (REGISTRANT) Yeasty Secret, Inc. CORPORATION NEW YORK 708 Sharrotts Road Staten Island NEW YORK 10309

Attorney of Record DENNIS S. PRAHL

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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UMIX

| | |
|------------------------------------|--|
| Word Mark | UMIX |
| Goods and Services | IC 030. US 046. G & S: Coffee and tea; Frozen yogurt; Frozen yogurt confections; Frozen yogurt mixes ; Iced tea; Mixes in the nature of concentrates, syrups or powders used in the preparation of tea based beverages; Parfaits; Tea-based beverages. FIRST USE: 20000100. FIRST USE IN COMMERCE: 20000100 |
| | IC 043. US 100 101. G & S: Restaurant and cafe services. FIRST USE: 20000100. FIRST USE IN COMMERCE: 20000100 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 85868640 |
| Filing Date | March 6, 2013 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | December 3, 2013 |
| Registration Number | 4483829 |

Registration Date February 18, 2014

Owner (REGISTRANT) U-Mix Franchising, LLC LIMITED LIABILITY COMPANY TEXAS Suite A-10 1805
E. Ruben M. Torres Brownsville TEXAS 78526

Attorney of Record Christianne Edlund

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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CHOCO CARD

Word Mark CHOCO CARD**Goods and Services**

IC 030. US 046. G & S: Arrangements of cut fruit comprised of fresh fruits cut into flower shapes and at least partially coated with chocolate; baked goods, namely, crumbles; bakery desserts; bakery goods; bakery goods and dessert items, namely, cheesecakes for retail and wholesale distribution and consumption on or off the premises; bakery products; bakery products, namely, sweet bakery goods; bars of sweet jellied bean paste (Yohkan); beverages with a chocolate base; biscotti; biscuits; biscuits and bread; biscuits, tarts, cakes made with cereals; bonbons; bonbons made of sugar; brown sugar; brownie mixes; brownies; bubble gum; butter biscuits; cake mixes; cakes; cakes of sugar-bounded millet or popped rice (okoshi); candy; candy bars; candy cake decorations; candy decorations for cakes; candy for food; candy mints; candy sprinkles; candy with caramel; candy with cocoa; candy, namely, dragées; cereal based energy bars; cereal based snack food; cereal-based snack foods; chewing gum; chewing gum with vitamins; chewing gum, not for medical purposes; chewing gums; chocolate; chocolate and chocolates; chocolate bark containing ground coffee beans; chocolate bars; chocolate candies; chocolate chips; chocolate confections; chocolate confections, namely, chocolate candy; chocolate covered cocoa nibs; chocolate covered cookies; chocolate covered fruit; chocolate covered nuts; chocolate covered popcorn; chocolate covered pretzels; chocolate covered raisins; chocolate covered roasted coffee beans; chocolate fondue; chocolate food beverages not being dairy-based or vegetable based; chocolate for confectionery and bread; chocolate for toppings; chocolate mousse; chocolate pastes; chocolate powder; chocolate sauce; chocolate syrup; chocolate topped pretzels; chocolate topping; chocolate truffles; chocolate-based beverages; chocolate-based beverages with milk. chocolate-based fillings for cakes and pies; chocolate-based meal replacement bars; chocolate-based ready-to-eat food bars; chocolate-covered potato chips; chocolates and chocolate based ready to eat candies and snacks; chocolates containing nutrients; cinnamon-coated nuts; cocoa; cocoa; cocoa beverages with milk; cocoa extracts for human consumption; cocoa mixes; cocoa powder; cocoa spreads; cocoa-based beverages; cocoa-based condiments and seasonings for food and drink;

cocoa-based ingredient in confectionery products; coffee; coffee; coffee and artificial coffee; coffee and coffee substitutes; coffee and tea; coffee based beverages; coffee beans; coffee beverages with milk; coffee capsules containing coffee for brewing; coffee essences; coffee essences for use as substitutes for coffee; coffee extracts; coffee extracts for use as substitutes for coffee; coffee flavored syrup used in making food beverages; coffee pods; coffee substitutes; coffee substitutes; coffee-based beverage containing milk; coffee-based beverages; cones for ice cream; cones for icecream; confectioner's coatings in the nature of edible shellac coatings for foods; confectioneries, namely, snack foods, namely, chocolate; confectionery chips for baking; confectionery for decorating christmas trees; confectionery made of sugar; confectionery, namely, pastilles; cookie mixes; cookie pies; cookies; cookies and crackers; crepes; croissants; cup cakes; cupcakes that contain alcohol; danish pastries; dried sugared cakes of rice flour (rakugan); edible wafers; filled chocolate; flan; flan base wafers; fondants; food package combinations consisting primarily of bread, crackers and/or cookies; fresh fruits cut into flower shapes and at least partially coated with chocolate; fried dough cookies (karintosh); **frozen** confectionery; **frozen** confections; **frozen** confections, namely, freezer bars; **frozen** confections, namely, freezer pops. **frozen** confections, namely, ices; **frozen** cookie dough; **frozen** cookie, brownie and biscotti dough; **frozen** desserts consisting of flavored ice blocks with toppings; **frozen** juice bars; **frozen** yoghurt; **frozen yogurt**; **frozen yogurt** confections; **frozen yogurt** mixes; **frozen yogurt** pies and cakes; fructose for food; fruit breads; fruit cakes; fruit ice; fruit ice bar; fruit ices; fruit jelly candy; fudge; gelato; glazed popcorn; grain-based chips; grain-based snack foods; granola; granola snacks; granola-based snack bars; granulated sugar; gum sweets; gummy candies; honey; honey; honey and treacle; honey buns; honey substitutes; hot chocolate; ice; ice blocks; ice candies; ice cream; ice cream desserts; ice cream drinks; ice cream floats; ice cream mixes; ice cream powder; ice cream sandwiches; ice cream substitute; ice creams; ice milk bars; ice-cream; ice-cream cakes; iced cakes; Italian ice; malt biscuits; malt extracts for food; malt extracts used as flavoring; malt for food purposes; maltose for food; marshmallow; marshmallow squares; marshmallow topping; marshmallows; marzipan; marzipan substitutes; milk chocolate; mixes for bakery goods; mixes for bakery goods containing cornmeal; mixes for candy making; mixes for making baking batters; muesli; muesli bars; muffin mixes; muffins; nougat; oat flakes; oatmeal; pancakes; panini; parfaits; pastries; pastries with fruit; pastries, namely, pasties; pastry; pastry cream; pastry mixes; pastry shells; pastry shells for monaka; peanut brittle; peanut butter confectionery chips; pecan logs; peppermint candy; peppermint for confectionery; peppermint sweets; prepared cocoa and cocoa-based beverages; prepared coffee and coffee-based beverages; pretzels. processed cereal-based food to be used as a breakfast food, snack food or ingredient for making other foods; processed cereals; processed oats; processed popcorn; ready to eat, cereal derived food bars; rice cakes; rice crackers; roasted coffee beans; rolled oats; rolled oats and wheat; rolls; royal jelly for food purposes; sesame sticks; shaved ice confections; snack food chews made primarily from brown rice syrup; snack foods, namely, chocolate-based snack foods; snack mix consisting primarily of crackers, pretzels and/or popped popcorn; sugar; sugar and sugar substitutes; sugar substitutes; sugar wafers; sugar-coated almonds; sugar-coated coffee beans; sugar-coated hard caramels; sugar-free chewing gum; sugared beans (ama-natto); sugared nuts; sugarfree chewing gum; sugarfree sweets; sugarless candies; sugarless chewing gum; sugarless sweets; sweet bean jam coated with sugared-bean based soft shell; sweetened **yogurt** covered raisins; sweetmeats; sweets; toast; toffee; toffees; vanilla; vanilla beans; vanilla flavorings; wafer doughs; wafers; waffles; **yogurt**-covered fruit; **yogurt**-covered nuts; **yogurt**-covered pretzels; zwieback. FIRST USE: 20130401. FIRST USE IN COMMERCE: 20130401

Standard Characters Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85573725

Filing Date

March 19, 2012

Current Basis

1A

Original Filing Basis

1B

Published for Opposition August 7, 2012

Registration Number 4365579

Registration Date July 9, 2013

Owner (REGISTRANT) Hess, Markus G INDIVIDUAL FED REP GERMANY Hinterdorfstr. 17 Sisseln SWITZERLAND 4334

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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| | |
|--|---|
| Word Mark | MENGNIU |
| Translations | The non-Latin character(s) in the mark transliterates into MENGNIU, and this means COVER and COW in English. The English translation of the mark is MENGNIU, and this means COVER and COW. |
| Goods and Services | IC 030. US 046. G & S: Tea-based beverages, namely, tea-based beverages with fruit flavoring; sweetmeats; candy; caramels; biscuits; custards; ice cream; chocolate food beverages not being dairy-based or vegetable based; hot chocolate; cocoa products, namely, biscuits, candy and pastries; coffee; coffee-based beverages containing milk; prepared coffee and coffee-based beverages; prepared cocoa and cocoa-based beverages; chocolate; alimentary paste; puddings; bread; pastries; convenient noodles; frozen yogurt ; flavored ices; ice cubes; edible fruit ices; seasonings; spices; cocoa-based beverages containing milk. FIRST USE: 20050801. FIRST USE IN COMMERCE: 20051028 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 01.11.02 - Moons, crescent; Moons, half; Partial moons, including half moons and crescent moons (not a moon with craters) 26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles) 26.01.21 - Circles that are totally or partially shaded. 26.09.21 - Squares that are completely or partially shaded 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved 28.01.03 - Asian characters; Chinese characters; Japanese characters |
| Trademark Search Facility Classification Code | NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks SHAPES-ASTRO Astronomical shapes consisting of celestial bodies, globes and geographical maps SHAPES-BAR-BANDS Designs with bar, bands or lines SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles |

SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals, and polygons

Serial Number 78431373
Filing Date June 7, 2004
Current Basis 1A
Original Filing Basis 1B
Published for Opposition February 28, 2006
Registration Number 3313457
Registration Date October 16, 2007
Owner (REGISTRANT) Inner Mongolia Mengniu Dairy (Group) Co., Ltd. CORPORATION CHINA Shengle Economic Zone, Helingeer County Huhhot, Inner Mongolia CHINA
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Joe McKinney Muncy
Description of Mark Color is not claimed as a feature of the mark. The mark consists of two Chinese characters and a black square device with a line separating a moon device and a word MENGNIU being the transliteration of the two Chinese characters.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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B Skinny

Word Mark B SKINNY

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; Nutraceuticals for use as a dietary supplement; Therapeutic agents for weight control and appetite suppression. FIRST USE: 20080915. FIRST USE IN COMMERCE: 20080915

IC 030. US 046. G & S: Beverages made of coffee; Caffeine-free coffee; Candies; Chocolate and chocolates; Chocolate candies; Chocolate covered roasted coffee beans; Chocolates and chocolate based ready to eat candies and snacks; Coffee; Coffee based beverages; Coffee beans; Coffee pods; Crackers; Espresso; **Frozen** confections; **Frozen yogurt**; Ground coffee beans; Ice cream substitute; Ices and ice creams; Natural sweetener; Roasted coffee beans; Snack cakes; Sugar substitutes; Sugarless candies; Sugarless sweets. FIRST USE: 20080915. FIRST USE IN COMMERCE: 20080915

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Search Facility Classification Code LETS-1 B A single letter, multiples of a single letter or in combination with a design

Serial Number 77690511

Filing Date March 13, 2009

Current Basis 1A

Original Filing Basis 1B
Date Amended to Current Register May 29, 2009
Registration Number 3652891
Registration Date July 7, 2009
Owner (REGISTRANT) Boresha International, Inc. CORPORATION CALIFORNIA Suite A 936 Detroit Avenue Concord CALIFORNIA 94518
Attorney of Record Steven A. Richards
Type of Mark Register TRADEMARK SUPPLEMENTAL
Live/Dead Indicator LIVE

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RED MANGO

| | |
|------------------------------------|--|
| Word Mark | RED MANGO |
| Goods and Services | IC 030. US 046. G & S: Frozen yogurt; frozen yogurt confections; frozen yogurt mixes; frozen yogurt parfaits; yogurt-based shakes; shakes; parfaits; coffee and tea; tea-based beverages; iced tea; mixes in the nature of concentrates, syrups or powders used in the preparation of tea based beverages. FIRST USE: 20070700. FIRST USE IN COMMERCE: 20070700 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 77872175 |
| Filing Date | November 13, 2009 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | February 8, 2011 |
| Registration Number | 4029359 |
| Registration Date | September 20, 2011 |
| Owner | (REGISTRANT) Red Mango, Inc. CORPORATION CALIFORNIA 2811 McKinney Avenue, Suite 18 Dallas TEXAS 75204 |

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Debra L. Witter

Prior Registrations 3506567;3661896

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MANGO" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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| | |
|---|--|
| Word Mark | GURTZBERRY YOGURT EXTRAORDINAIRE |
| Goods and Services | IC 030. US 046. G & S: Beverages made of coffee; Beverages made of tea; Caffeine-free coffee; Chocolate covered fruit; Chocolate food beverages not being dairy-based or vegetable based; Cocoa beverages with milk; Cocoa-based beverages; Coffee; Coffee and artificial coffee; Coffee and coffee substitutes; Coffee and tea; Coffee based beverages; Coffee beverages with milk; Coffee-based beverage containing milk; Coffee-based beverages; Edible fruit ices; Edible ices; Extracts used as flavoring; Flavored ices; Flavoring syrup; Flavorings; Flavorings for beverages; Food flavorings; Frozen confectionery; Frozen confections; Frozen dessert consisting of fruit and cream or cream substitutes; Frozen soy-based desserts; Frozen yoghurt; Frozen yogurt ; Frozen yogurt mixes; Fruit ice; Fruit ice bar; Fruit ices; Fruit jellies; Ice; Ice cream; Ice cream drinks; Ice cream floats; Ice cream mixes; Ice cream powder; Ice cream substitute; Ice creams; Ice for refreshment; Ice-cream; Ice-cream cakes; Iced coffee; Iced tea; Instant coffee; Prepared coffee and coffee-based beverages; Shaved ice confections; Tea-based beverages with fruit flavoring; Water ice. FIRST USE: 20080907. FIRST USE IN COMMERCE: 20080907 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches 05.09.01 - Berries; Raspberries; Strawberries 26.01.02 - Circles, plain single line; Plain single line circles 26.01.15 - Circles, exactly three circles; Three circles 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved |
| Trademark Search Facility Classification | SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors SHAPES-MISC Miscellaneous shaped designs |

Code VEG Plant life such as trees,flowers,fruits,grains,nuts,wreaths,and leaves
Serial Number 77589922
Filing Date October 9, 2008
Current Basis 1A
Original Filing Basis 1B
Published for Opposition July 28, 2009
Registration Number 3745317
Registration Date February 2, 2010
Owner (REGISTRANT) Gurtzberry, Inc. CORPORATION FLORIDA 124 E. Morse Boulevard Winter Park FLORIDA 32789
Attorney of Record Kristina Nubaryan
Prior Registrations 3617229;3617284;3640825
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "YOGURT EXTRAORDINAIRE" APART FROM THE MARK AS SHOWN
Description of Mark The color(s) purple, green, blue, orange, red, and fuchsia is/are claimed as a feature of the mark. The mark consists of the stylized word "Gurtzberry" in purple lettering with three leaves in light green to the left of the stylized letter "G". There is a light blue arch above the letters "urtz". On top of the arch, there are three circles of different sizes and colors. The first circle is of orange color. The middle circle is red, and the third circle is fuchsia. Underneath the word "Gurtzberry" is the phrase "Yogurt Extraordinaire" in a much smaller font, and purple color.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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|--|--|
| Word Mark | P B |
| Goods and Services | IC 030. US 046. G & S: Sandwiches; Toast; Biscuits; Ice cream; Cakes; Bean jam buns; Bread; Green tea; Coffee; Coffee-based beverages containing milk; bread rolls; edible decorations for cakes; candy for food; caramels; chocolate; confectionery for decorating Christmas trees; cocoa-based beverages; cookies; corn flakes; crackers; custard; dressing for salad; fondants; frozen yogurt ; fruit jellies; iced tea; ketchup; tomato sauce; leaven; mayonnaise; macaroni; pasta; spaghetti; pies; pizzas; pudding; ribbon vermicelli; rusk; sherbets; sponge cake; black tea; unleavened bread; waffles; cream puff; ice cakes; lump sugar; sugar; cinnamon powder; cooking salt. FIRST USE: 20040604. FIRST USE IN COMMERCE: 20051014 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 07.09.07 - Eiffel Tower 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved |
| Trademark Search Facility Classification Code | ART-07.09 Monuments, stadiums and fountains BLDG-AND-SCEN A type of building or a type of scenery LETS-2 PB Two letters or combinations of multiples of two letters SHAPES-BAR-BANDS Designs with bar, bands or lines |
| Serial Number | 77342978 |
| Filing Date | December 3, 2007 |
| Current Basis | 1A;44E |
| Original Filing Basis | 1A;44E |

Published for Opposition November 25, 2008

Registration Number 3571356

Registration Date February 10, 2009

Owner (REGISTRANT) Paris Croissant Co., Ltd. CORPORATION REPUBLIC OF KOREA Songnam-shi, 149-3, Sangdaewon-dong, Joongwon-ku Kyoungki-do REPUBLIC OF KOREA 462-807

Attorney of Record James H. Walters

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the letters "PB" with a representation of a tower there between and an arc.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 8 (6-YR).

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Every Flavor is a Masterpiece

Word Mark EVERY FLAVOR IS A MASTERPIECE

Goods and Services IC 030. US 046. G & S: Flavored ices; **Frozen yogurt**; Fruit ice; Fruit ice bar; Fruit ices; Ice cream; Ice creams; **Frozen yogurt**; Coffee; Coffee and tea; Coffee beans; Coffee-based beverages; Ground coffee beans; Instant coffee; Roasted coffee beans; Beverages made of tea; Flavourings of tea; Fruit teas; Tea; Tea bags and Tea for infusions. FIRST USE: 20100414. FIRST USE IN COMMERCE: 20100414

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77392990

Filing Date February 8, 2008

Current Basis 1A

Original Filing Basis 1B

Published for Opposition February 10, 2009

Registration Number 3900984

Registration Date January 4, 2011

Owner (REGISTRANT) WELSZ, JORDAN INDIVIDUAL UNITED STATES 32-51 42ND STREET
ASTOR LA NEW YORK 11103

Assignment Recorded ASSIGNMENT RECORDED

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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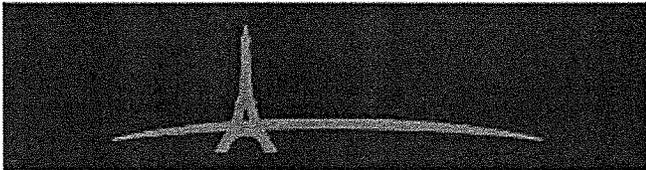
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Goods and Services IC 030. US 046. G & S: Sandwiches; Toast; Biscuits; Ice cream; Cakes; Bean jam buns; Bread; Green tea; Coffee; Coffee-based beverages containing milk; bread rolls; edible decorations for cakes; candy for food; caramels; chocolate; confectionery for decorating Christmas trees; cocoa-based beverages; cookies; corn flakes; crackers; custard; dressing for salad; fondants; **frozen yogurt**; fruit jellies; iced tea; ketchup; tomato sauce; leaven; mayonnaise; macaroni; pasta; spaghetti; pies; pizzas; pudding; ribbon vermicelli; rusk; sherbets; sponge cake; black tea; unleavened bread; waffles; cream puff; ice cakes; lump sugar; sugar; cinnamon powder; cooking salt. FIRST USE: 20040602. FIRST USE IN COMMERCE: 20051014

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 07.09.07 - Eiffel Tower
26.11.21 - Rectangles that are completely or partially shaded
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Trademark Search Facility Classification Code ART-07.09 Monuments, stadiums and fountains
SHAPES-COLORS-2 Design listing or lined for two colors
SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
SHAPES-MISC Miscellaneous shaped designs

Serial Number 77342993

Filing Date December 3, 2007

Current Basis 1A

Original Filing Basis 1A

Published for Opposition May 19, 2009

Registration Number 3662454

Registration Date August 4, 2009

Owner (REGISTRANT) Paris Croissant Co., Ltd. CORPORATION REPUBLIC OF KOREA Songnam-shi, 149-3, Sangdaewon-dong, Joongwon-ku Kyoungki-do REPUBLIC OF KOREA 462-807

Attorney of Record James H. Walters

Prior Registrations 3308466

Description of Mark The color(s) blue and red is/are claimed as a feature of the mark. The mark consists of a red tower and arc set in a blue background.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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TROPICAL DREAMS

Word Mark TROPICAL DREAMS
Goods and Services IC 030. US 046. G & S: bakery goods, bases for making milk shakes, bonbons, candy, cappuccino, chocolate, chocolate covered nuts, chocolate syrup, chocolate topping, chocolate-based fillings for cakes and pies, cocoa, coffee, coffee beans, coffee-based beverage containing milk, cones for ice cream, custards, espresso, flavored ices, flavoring syrup, **frozen yogurt, frozen** confections, frostings, fruit ice, glazed popcorn, herbal tea, honey, hot chocolate, ice cream, ice cream drinks, ice milk, iced tea, icing, malt for food purposes, marshmallow topping, milk shakes, parfait, popped popcorn, unpopped popcorn, puddings, shakes, sherbet, sorbet, tapioca, tea, tea-based beverages with fruit flavoring, topping syrup.
 FIRST USE: 19830100. FIRST USE IN COMMERCE: 19830100

Mark Drawing Code (1) TYPED DRAWING
Serial Number 76440657
Filing Date August 15, 2002
Current Basis 1A
Original Filing Basis 1A
Published for Opposition July 8, 2003
Registration Number 2768985
Registration Date September 30, 2003

Owner (REGISTRANT) Edney, John R. INDIVIDUAL UNITED STATES 66-1250 LALAMILO FARM ROAD
KAMUELA HAWAII 96743

Attorney of Record DONN K. HARMS

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TROPICAL" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20131223.

Renewal 1ST RENEWAL 20131223

Live/Dead Indicator LIVE

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Word Mark SUPERMI
Goods and Services IC 030. US 046. G & S: Noodles; pasta; macaroni; vermicelli; flour; ketchup; tomato sauce; chili sauce; spices; seasonings; wheat-based snack foods; rice-based snack foods; barley meal; cereal; biscuits; confectionery, namely, candy, chocolate and **frozen yogurt**; corn meal; curry; ice cream; tea; herbal food beverages; coffee. FIRST USE: 19810101. FIRST USE IN COMMERCE: 20030131
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.11.21 - Rectangles that are completely or partially shaded
Serial Number 76440313
Filing Date August 12, 2002
Current Basis 1A;44E
Original Filing Basis 1B;44E
Published for Opposition July 29, 2003
Registration Number 2830638
Registration Date April 6, 2004
Owner (REGISTRANT) PT Indofood Sukses Makmur Tbk CORPORATION INDONESIA Sudirman Plaza - Indofood Tower 25th Fl. Jl.Jend.Sudirman Kav.76-78 Jakarta INDONESIA 12910
Attorney of Record Allan I. Zackler

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "SUPERMI" in script.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140327.
Renewal 1ST RENEWAL 20140327
Live/Dead Indicator LIVE

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Word Mark CALIFORNIA PIZZA KITCHEN CPK

Goods and Services IC 029. US 046. G & S: salads of vegetables, meats and seafoods and soups. FIRST USE: 19850325. FIRST USE IN COMMERCE: 19850325

IC 030. US 046. G & S: pizzas, calzones, pastas, sandwiches, cakes, pies, sorbets, ice creams, frozen yogurts, coffee, espresso, cappuccino, hot chocolate and tea consumed on and off the premises. FIRST USE: 19850325. FIRST USE IN COMMERCE: 19850325

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 05.01.03 - Palm trees
26.07.12 - Diamonds with bars, bands and lines
26.07.21 - Diamonds that are completely or partially shaded

Serial Number 74308906

Filing Date August 31, 1992

Current Basis 1A

Original Filing Basis 1A

Published for Opposition November 2, 1993

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 1818052

Registration Date January 25, 1994

Owner (REGISTRANT) CALIFORNIA PIZZA KITCHEN, INC. CORPORATION CALIFORNIA 6053 W. CENTURY BOULEVARD 11TH FLOOR Los Angeles CALIFORNIA 900456442

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record JOAN KUPERSMITH LARKIN
Prior Registrations 1423372;1637904;1724501
Description of Mark The lining is a feature of the mark and does not indicate color.
Type of Mark TRADEMARK
Register PRINCIPAL-2(F)-IN PART
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20030605.
Renewal 1ST RENEWAL 20030605
Live/Dead Indicator LIVE
Distinctiveness Limitation Statement as to "CALIFORNIA PIZZA KITCHEN"

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Heaven Help Me

Word Mark HEAVEN HELP ME

Goods and Services IC 030. US 046. G & S: Chocolate; Chocolate and chocolates; Chocolate bars; Chocolate candies; Chocolate confections; Chocolate covered cookies; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered popcorn; Chocolate covered pretzels; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate decorations for cakes; Chocolate fondue; Chocolate for confectionery and bread; Chocolate for toppings; Chocolate topped pretzels; Chocolate truffles; Chocolate-coated nuts; Chocolate-covered potato chips; Chocolates and chocolate based ready to eat candies and snacks; Confectioneries, namely, snack foods, namely, chocolate; Filled chocolate; **Frozen yogurt; Frozen yogurt** confections; **Frozen yogurt** mixes; **Frozen yogurt** pies and cakes; Milk chocolate; Snack foods, namely, chocolate-based snack foods. FIRST USE: 19950614. FIRST USE IN COMMERCE: 19950614

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86657916

Filing Date June 10, 2015

Current Basis 1A

Original Filing Basis 1A

Published

for October 27, 2015

Opposition

Registration Number 4885742

Registration Date January 12, 2016

Owner (REGISTRANT) Watson's Candies, Inc. CORPORATION NEW YORK 750 Ensminger Road Ste 112
Tonawanda NEW YORK 14150

Type of Mark TRADEMARK

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Word Mark CRYSTAL ISLAND

Translations The non-Latin characters in the mark transliterate to "shui jing dao" and this means "CRYSTAL ISLAND" in English. The English translation of "shui jing dao" in the mark is "crystal island".

Goods and Services IC 030. US 046. G & S: Artificial coffee and tea; Asian noodles; Bagels; Baguettes; Bakery products; Beverages made of coffee; Beverages made of tea; Biscuits and bread; Bread and buns; Brownies; Cakes; Candy; Chinese steamed dumplings (shumai, cooked) ; Chocolate; Chocolate-based beverages; Cocoa; Cocoa-based beverages; Cookies and crackers; Cooking sauces; Flavoring Syrup; Flour; Food flavourings; **Frozen** confectionery; **Frozen yogurt**; Ginseng tea; Herb tea; Honey and treacle; Ice cream; Instant noodles; Pancakes; Pasta and noodles; Pastries; Pies; Pizza; Ready-made sauces; Salad dressing; Sandwiches; Sauces; Seasonings; Spaghetti; Tacos; Tarts. FIRST USE: 20130101. FIRST USE IN COMMERCE: 20130601

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 85924800

Filing Date May 6, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition October 1, 2013

Registration Number 4496273
Registration Date March 11, 2014
Owner (REGISTRANT) MARFORD INTERNATIONAL LIMITED LIMITED LIABILITY COMPANY HONG KONG 18/F., Parkview Comm. Bldg. 9-11 Shelter St. Causeway Bay HONG KONG
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the stylized wording "CRYSTAL ISLAND" and 3 Chinese characters.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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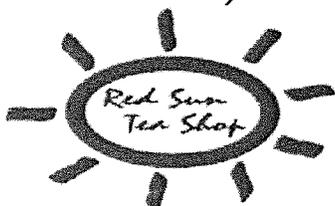
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RED SUN

RED SUN INTERNATIONAL TEA CHAIN CO.LTD

Word Mark RED SUN TEA SHOP RED SUN RED SUN INTERNATIONAL TEA CHAIN CO. LTD
Goods and Services IC 030. US 046. G & S: beer vinegar; chocolate-based beverages; cocoa-based beverages; starch-based binding agents for ice cream; chocolate; chocolate beverages with milk; cocoa; cocoa beverages with milk; cocoa products, namely, cocoa extracts, cocoa powder; ice cream; edible ices; flavorings, other than essential oils, for beverages; **frozen yogurt**; ice for refreshment; natural or artificial ice; powder for edible ices; puddings; sherbets. FIRST USE: 20031201. FIRST USE IN COMMERCE: 20120701

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 01.05.04 - Sun with rays but neither partially exposed nor with facial features

Search Code 26.11.21 - Rectangles that are completely or partially shaded

Serial Number 85371529

Filing Date July 14, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 26, 2012

Registration Number 4296205

Registration Date February 26, 2013

Owner (REGISTRANT) Hsieh, Tsung-Tse INDIVIDUAL TAIWAN No. 20, Lane 30, Sec. 2, Hewei Rd, Tainan City TAIWAN

Attorney of Record Joe McKinney Muncy

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA SHOP" AND "INTERNATIONAL TEA CHAIN CO. LTD." APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the design of a sun with the words "RED SUN TEA SHOP" therein as well as the words "RED SUN" with the words "RED SUN INTERNATIONAL TEA CHAIN CO. LTD." underneath.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Record 1409 out of 3466**TSDR****ASSIGN Status****TTAB Status***(Use the "Back" button of the Internet Browser to return to TESS)*

Choco Letter

Word Mark CHOCO LETTER

Goods and Services IC 030. US 046. G & S: Arrangements of cut fruit comprised of fresh fruits cut into flower shapes and at least partially coated with chocolate; Baked goods, namely, crumbles; Bakery desserts; Bakery goods; Bakery goods and dessert items, namely, cheesecakes for retail and wholesale distribution and consumption on or off the premises; Bakery goods, namely, chocolate related; Bakery products; Bakery products, namely, sweet bakery goods; Beverages with a chocolate base; Brown sugar; Brownie mixes; Brownies; Candies; Candy; Candy bars; Candy cake decorations; Candy coated popcorn; Candy containing alcoholic beverage content and flavor; Candy decorations for cakes; Candy for food; Candy mints; Candy sprinkles; Candy with caramel; Candy with cocoa; Candy, namely, dragées; Cereal based snack food; Cereal-based snack foods; Chewing gum; Chewing gum with vitamins; Chewing gum, not for medical purposes; Chewing gums; Chocolate; Chocolate and chocolates; Chocolate bark containing ground coffee beans; Chocolate bars; Chocolate based ingredient for use in chocolate; Chocolate candies; Chocolate chips; Chocolate confections; Chocolate confections, namely, chocolate candy; Chocolate covered cocoa nibs; Chocolate covered cookies; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered popcorn; Chocolate covered pretzels; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate fondue; Chocolate food beverages not being dairy-based or vegetable based; Chocolate for confectionery and bread; Chocolate for toppings; Chocolate mousse; Chocolate pastes; Chocolate powder; Chocolate sauce; Chocolate syrup; Chocolate topped pretzels; Chocolate topping; Chocolate truffles; Chocolate-based beverages with milk; Chocolate-based fillings for cakes and pies; Chocolate-based ready-to-eat food bars; Chocolate-covered potato chips; Chocolates and chocolate based ready to eat candies and snacks. Chocolates containing nutrients; Cocoa; Cocoa; Cocoa beverages with milk; Cocoa extracts for human consumption; Cocoa mixes; Cocoa powder; Cocoa spreads; Cocoa-based beverages; Cocoa-based condiments and seasonings for food and drink; Cocoa-based ingredient in confectionery products; Coconut sugar; Coconut-based fruit ice; Coffee; Coffee; Coffee and artificial coffee; Coffee and coffee substitutes; Coffee and tea; Coffee

based beverages; Coffee beans; Coffee beverages with milk; Coffee capsules containing coffee for brewing; Coffee essences; Coffee essences for use as substitutes for coffee; Coffee extracts; Coffee extracts for use as substitutes for coffee; Coffee flavored syrup used in making food beverages; Coffee pods; Coffee substitutes; Coffee substitutes; Coffee-based beverage containing milk; Coffee-based beverages; Cones for ice cream; Cones for icecream; Confectioner's coatings in the nature of edible shellac coatings for foods; Confectioneries, namely, snack foods, namely, chocolate; Confectionery chips for baking; Confectionery made of sugar; Confectionery, namely, pastilles; Cookies; Cookies and crackers; Danish pastries; Doughnuts; Filled chocolate; Fresh fruits cut into flower shapes and at least partially coated with chocolate; **Frozen** appetizers consisting primarily of cornmeal; **Frozen** breads; **Frozen** cashew-based desserts; **Frozen** confectionery; **Frozen** confections; **Frozen** confections, namely, freezer bars; **Frozen** confections, namely, freezer pops; **Frozen** confections, namely, ices; **Frozen** cookie dough; **Frozen** cookie, brownie and biscotti dough; **Frozen** custards; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen** desserts consisting of flavored ice blocks with toppings; **Frozen** juice bars; **Frozen** soy-based desserts; **Frozen** yoghurt; **Frozen** yogurt; **Frozen** yogurt confections; **Frozen** yogurt mixes; **Frozen** yogurt pies and cakes; Fructose for food; Fruit breads. Fruit cakes; Fruit cobblers; Fruit ice; Fruit ice bar; Fruit ices; Fruit jellies; Gelato; Gift baskets containing candy; Grain-based food bars also containing chocolate; Hot chocolate; Ice candies; Ice cream; Ice cream desserts; Ice cream drinks; Ice cream floats; Ice cream mixes; Ice cream powder; Ice cream sandwiches; Ice cream substitute; Ice creams; Ice milk bars; Ice-cream; Ice-cream cakes; Marzipan; Marzipan substitutes; Milk chocolate; Muesli; Muesli bars; Muffins; Nougat; Pastries; Pastries with fruit; Pastries, namely, pasties; Pastry; Pastry mixes; Pralines; Processed cacao; Processed cereal-based food to be used as a breakfast food, snack food or ingredient for making other foods; Processed cereals; Rolls; Snack foods, namely, chocolate-based snack foods; Spread containing chocolate and nuts; Zwieback. FIRST USE: 20120415. FIRST USE IN COMMERCE: 20120601

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85333411

Filing Date May 30, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition October 25, 2011

Registration Number 4207195

Registration Date September 11, 2012

Owner (REGISTRANT) Dr. Hess, Markus, G INDIVIDUAL FED REP GERMANY Rheinstrasse 4 Eglisau SWITZERLAND 8193

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Typed Drawing

Word Mark NICK CANDY

Goods and Services IC 030. US 046. G & S: BREAD, BREAD STICKS, BUBBLE GUM, CANDY CAKE DECORATIONS, EDIBLE CAKE DECORATIONS, CAKE MIXES, CAKES, CHOCOLATE BASED FILLINGS FOR PIES AND CAKES, CANDY, CANDY COATED POPCORN, CARAMEL POPCORN, CARAMELS, CEREAL BASED SNACK FOOD, CHEESE FLAVORED CORN PUFFED SNACKS, CHEWING GUM, CHOCOLATE CHIPS, CORN CHIPS, FLOUR BASED CHIPS, CHOCOLATE, CHOCOLATE COVERED NUTS, CHOCOLATE POWDER, CHOCOLATE SYRUP, CHOCOLATE TOPPING, COCOA MIXES, CONES FOR ICE CREAM, COOKIES, CORN CURLS, CRACKER AND CHEESE COMBINATIONS, CRACKERS, READY TO EAT CEREAL DERIVED FOOD BARS, FROSTING, FRUIT PIES, FLAVORED AND SWEETENED GELATINS, GRANOLA BASED SNACK BARS, HOT CHOCOLATE, POPPED POPCORN, PRETZELS, PUDDINGS, WAFFLES; ICE CREAM, ICE MILK, FLAVORED ICES, FROZEN CONFECTIONS, FROZEN YOGURT, FROZEN CUSTARD. FIRST USE: 20030630. FIRST USE IN COMMERCE: 20030630

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78215156

Filing Date February 14, 2003

Current Basis 1A

Original Filing Basis 1B

Published for Opposition August 5, 2003

Registration Number 2902341

Registration Date November 9, 2004

Owner (REGISTRANT) VIACOM INTERNATIONAL INC. CORPORATION DELAWARE 1515 BROADWAY
NEW YORK NEW YORK 10036

(LAST LISTED OWNER) VIACOM INTERNATIONAL INC. CORPORATION DELAWARE 1515
BROADWAY NEW YORK NEW YORK 10036

**Assignment
Recorded** ASSIGNMENT RECORDED

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CANDY" APART FROM THE MARK AS
SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140210.

Renewal 1ST RENEWAL 20140210

**Live/Dead
Indicator** LIVE

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GOURMET GUILD

Word Mark GOURMET GUILD

Goods and Services IC 030. US 046. G & S: Coffee and tea-based beverages; Iced tea and iced coffee; Cocoa; Hot chocolate; Bread; Pastries; Edible ice; Ices for refreshment; Flavored ices; Ice cream; Gelato; Sorbets; Sherbets; **Frozen yogurt**; Ice cream drinks, namely, drinks based on gelato, sorbets, sherbets, **frozen yogurt**; Sandwiches; Pizzas; Quiches; Pancakes; Crepes; Tarts; Muffins; Scones; Cookies; Biscuits; Cakes; Pies; Coffee-based and chocolate based slushies and granita beverages; Confectionery, namely, cocoa-based ingredient in confectionary products, candy and **frozen** confections; Crystal sugar pieces, namely, confectionery; Chocolate; Beverages made of cocoa, coffee, chocolate or tea; Sugar in the nature of candy sugar for food. FIRST USE: 20100401. FIRST USE IN COMMERCE: 20100712

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77871427

Filing Date November 12, 2009

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 1, 2010

Registration Number 3941553
Registration Date April 5, 2011
Owner (REGISTRANT) SK TREE CORPORATION CORPORATION DELAWARE 1540 6TH STREET, APT. 405 SANTA MONICA CALIFORNIA 90401
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Mitchell L. Lampert
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GOURMET" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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초록마을

Translations The first two non-Latin characters in the mark transliterate to Cho Rok, and the second two non-Latin characters in the mark transliterate to Ma Eul. The foreign wording in the mark translates into English as GREEN VILLAGE.

Goods and Services IC 030. US 046. G & S: Husked barley, husked oats, husked rice, farina, wheat flour (for food), barley flour, buckwheat flour, corn flour, rice flour, cereal-based snack foods, instant noodles, dumplings, somen noodles being very thin uncooked wheat noodle, udon noodles uncooked, corn flakes, pizza, hot dog sandwiches, confectionery chips for baking, biscuits and bread, bread and pastry, **frozen** dessert consisting of fruit and cream or cream substitutes, fruit ice bars, candy, biscuits, chewing gum, bubble gum, **frozen yogurt**, bread with soy bean, donuts, butter biscuits, chocolate, chocolates, filled chocolate, cream puffs, baguettes, bagels, bakery goods, bakery products, iced cakes, pancakes, sugar, soy sauce, hot pepper paste, soy bean paste, mayonnaise, ketchup, hot pepper powder being a spice, green tea, mugicha being tea of parched powder of barley with husk, coffee, artificial coffee, beverages made of coffee, caffeine-free coffee, coffee, coffee and coffee substitutes, coffee based beverages, coffee beans, coffee beverages with milk, coffee essences, coffee extracts, coffee flavored syrup used in making food or beverages, coffee-based beverage containing milk, coffee-based beverages, iced coffee, instant coffee, cocoa, cocoa, cocoa mixes, cocoa powder, cocoa spreads, cocoa-based beverages, cocoa-based ingredient in confectionery products, prepared cocoa and cocoa-based beverages, cocoa beverages with milk, cocoa extracts for human consumption, black tea, fruit teas, herb tea, herbal tea, iced tea, instant tea, lime tea, Oolong tea, sage tea, kombucha being tea of salty kelp powder, tea-based beverages with fruit flavoring, theine-free tea sweetened with sweeteners. FIRST USE: 20080501. FIRST USE IN COMMERCE: 20080501

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 28.01.03 - Asian characters; Chinese characters; Japanese characters

Trademark Search Facility Classification Code NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks

Serial Number 77451661

Filing Date April 18, 2008

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 30, 2009

Registration Number 3818938

Registration Date July 13, 2010

Owner (REGISTRANT) CHOROKMAEUL CO., LTD CORPORATION DEM REP OF KOREA 33-1 MAPO-DONG, MAPO-GU SEOUL DEM REP OF KOREA

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Andrea J. Mealey

Description of Mark Color is not claimed as a feature of the mark. The mark consists of Korean characters which translate in English to green village.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Typed Drawing

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| Word Mark | KIRKLAND SIGNATURE |
| Goods and Services | IC 030. US 046. G & S: bakery goods; bread; rolls; cakes; pies; fruit pies; cheesecake; Danish pastries; cookies; [biscotti;] candy; chocolate; chocolate covered nuts; chocolate covered raisins; chocolate truffles; jelly beans; frozen yogurt; coffee. FIRST USE: 19950531. FIRST USE IN COMMERCE: 19950531 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 75976623 |
| Filing Date | March 23, 1995 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | June 11, 1996 |
| Registration Number | 2133429 |
| International Registration Number | 1046219; 1242618 |
| Registration Date | January 27, 1998 |
| Owner | (REGISTRANT) Costco Wholesale Corporation CORPORATION WASHINGTON 999 Lake Drive Issaquah WASHINGTON 98027 |
| Attorney of Record | Mark J. Nielsen |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Affidavit Text | SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070325. |
| Renewal | 1ST RENEWAL 20070325 |

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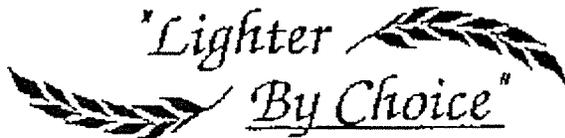
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| | |
|---------------------------------|---|
| Word Mark | "LIGHTER BY CHOICE" |
| Goods and Services | IC 029. US 046. G & S: packaged food products, namely entrees consistig primarily of meat, fish, poultry and vegetables. FIRST USE: 19950500. FIRST USE IN COMMERCE: 19950500 IC 030. US 046. G & S: packaged food products, namely entrees consisting primarily of pasta and rice, packaged desserts, namely, cakes, pies, cookies, ice cream, frozen yogurt and sandwiches. FIRST USE: 19950500. FIRST USE IN COMMERCE: 19950500 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 05.03.25 - Leaf, single; Other leaves 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters |
| Serial Number | 74546583 |
| Filing Date | July 7, 1994 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | December 19, 1995 |
| Registration Number | 2057789 |
| Registration Date | April 29, 1997 |

Owner (REGISTRANT) Lackmann Food Service, Inc. CORPORATION NEW YORK 303 Crossways Park Drive Woodbury NEW YORK 11797

(LAST LISTED OWNER) COMPASS GROUP USA, INC. CORPORATION DELAWARE 2400 YORKMONT ROAD CHARLOTTE NORTH CAROLINA 28217

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record MICHAEL J. BROWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070530.

Renewal 1ST RENEWAL 20070530

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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| GOYA FOODS, INC. | : | Opposition No.: 91215657 |
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| Opposer, | : | |
| | : | |
| v. | : |  |
| | : | |
| | : | Mark: |
| | : | Ser. No.: 86060111 |
| GOYOGO FROZEN YOGURT, LLC, | : | |
| | : | Mark: GOYOGO FROZEN YOGURT OUR |
| | : | INGREDIENTS YOUR CREATION |
| | : | Ser. No.: 86037364 |
| Applicant. | : | |

OPPOSER'S THIRD NOTICE OF RELIANCE
PURSUANT TO 37 CFR §2.122(e)

EXHIBIT A5



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A DELICIOUS WAY TO LIVE

Word Mark A DELICIOUS WAY TO LIVE

Goods and Services IC 029. US 046. G & S: Dairy products excluding ice cream, ice milk and **frozen yogurt**; Fresh eggs; **Frozen** non-dairy cream substitute; Milk; Flavored milk; Lactose-free milk; Acidophilus milk; Chocolate milk; Pasteurized liquid egg product; Fat-free non-dairy liquid creamer; Flavored fat-free non-dairy liquid creamer; **Yogurt**; Cheese; Sour cream; **Yogurt** drinks; Whipping cream; Half and half; Butter; Cottage cheese; Buttermilk; **Frozen** french fries; **Frozen** vegetables; **Frozen** dinners, namely, **frozen** meals consisting primarily of meat, fish, poultry or vegetables. FIRST USE: 19920201. FIRST USE IN COMMERCE: 19920201

IC 030. US 046. G & S: Dairy products and **frozen** dairy products, namely, ice cream, ice milk, and **frozen yogurt**; Ice cream cakes; Ice cream sandwiches; **Frozen** confections, namely, freezer pops; **Frozen** confections, namely, freezer bars; Cones for ice cream; Edible ices; Kits comprised of ingredients for making ice cream; **Frozen** confections; **Frozen** pizza; **Frozen** dinners, namely, **frozen** meals consisting primarily of pasta or rice. FIRST USE: 19920201. FIRST USE IN COMMERCE: 19920201

IC 035. US 100 101 102. G & S: Wholesale and retail store services featuring food, wholesale distributorship services in the field of food, on-line retail and wholesale store services featuring food, and distributorship services in the field of dairy products, **frozen** dairy products, ice creams, and food products, such as pizza, **frozen** vegetables, French fries, **frozen** foods, branded drinks, juices, and other foods. FIRST USE: 19920201. FIRST USE IN COMMERCE: 19920201

Standard
Characters
Claimed

Mark
Drawing
Code (4) STANDARD CHARACTER MARK

Serial Number 86440185

Filing Date October 30, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition August 25, 2015

Registration Number 4868164

Registration Date December 8, 2015

Owner (REGISTRANT) Bon Suisse, Inc. CORPORATION CALIFORNIA 11860 Community Road, Suite 100 Poway CALIFORNIA 92064

Attorney of Record Maria Johnson

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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LIVESMART

Word Mark
Goods and Services

LIVESMART

IC 029. US 046. G & S: Frozen entrees consisting primarily of meat, poultry, pork, and vegetables; omelets; frozen vegetables; frozen fruits; soups; seafood; chili; pork; meatballs; poultry. FIRST USE: 20040101. FIRST USE IN COMMERCE: 20040101

IC 030. US 046. G & S: Frozen entrees consisting primarily of pasta or rice; dough-enrobed foods consisting of a dough-based wrapper with a cheese filling; dough-enrobed foods consisting of a dough-based wrapper with fillings consisting primarily of meats, poultry, fish, fruits and vegetables and cheese; pizza; pasta; frozen confections; frozen novelties in the nature of confections; frozen yogurt; ice cream; sherbet; rice; muffins; frozen cookie dough; bread; pancakes; tamales; enchiladas. FIRST USE: 20040101. FIRST USE IN COMMERCE: 20040101

IC 032. US 045 046 048. G & S: Frozen fruit juice. FIRST USE: 20040101. FIRST USE IN COMMERCE: 20040101

IC 035. US 100 101 102. G & S: Online retail store services provided via a website featuring frozen food products. FIRST USE: 20050101. FIRST USE IN COMMERCE: 20050101

IC 043. US 100 101. G & S: Providing an online computer database to consumers featuring information about recipes, ingredients and cooking information. FIRST USE: 20050101. FIRST USE IN COMMERCE: 20050101

Standard Characters Claimed Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number 85321523
Filing Date May 16, 2011
Current Basis 1A
Original Filing Basis 1A
Published for Opposition January 15, 2013
Registration Number 4311342
Registration Date April 2, 2013
Owner (REGISTRANT) Schwan's IP, LLC LIMITED LIABILITY COMPANY MINNESOTA 115 W. College Drive Marshall MINNESOTA 56258
Attorney of Record Dale E. Bock
Prior Registrations 3362204
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Healthy Choice

Word Mark HEATHY CHOICE

Goods and Services IC 029. US 046. G & S: **Frozen**, prepared or packaged meals consisting primarily of meat, seafood, poultry and/or vegetables; soups; **frozen**, prepared or packaged side dishes consisting of vegetables or fruit. FIRST USE: 20090101. FIRST USE IN COMMERCE: 20090101

IC 030. US 046. G & S: **Frozen**, prepared or packaged meals consisting primarily of pasta or rice; pizza; **frozen** novelties, namely, ice cream, ice milk, ice cream bars, ice cream sandwiches; **frozen yogurt**; bread; pasta sauce; flour; **frozen**, prepared or packaged side dishes consisting of pasta, rice or grains. FIRST USE: 20090101. FIRST USE IN COMMERCE: 20090101

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 77676789

Filing Date February 24, 2009

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 2, 2009

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3948295

Registration Date April 19, 2011

Owner (REGISTRANT) ConAgra Foods RDM, Inc. CORPORATION DELAWARE One ConAgra Drive Omaha NEBRASKA 68102

Attorney of Record Alan S. Nemes

Prior Registrations 1743392;1783153;1967461;AND OTHERS

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "HEA!THY" with an exclamation point serving as the letter "L" along with the word "CHOICE" underneath.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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LA DOÑA

| | |
|------------------------------------|--|
| Word Mark | LA DOÑA |
| Translations | The English translation of "LA DOÑA" in the mark is "the lady" or "the Mrs." |
| Goods and Services | IC 029. US 046. G & S: Soups; potato and ham croquettes; olive oil and other edible oils and fats; frozen foods , namely, meals consisting primarily of meat, pork, chicken and seafood. FIRST USE: 20110727. FIRST USE IN COMMERCE: 20110727 |
| | IC 030. US 046. G & S: Dairy products, namely, frozen yogurt ; flour; bread, namely, bread crumbs. FIRST USE: 20110727. FIRST USE IN COMMERCE: 20110727 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 77828359 |
| Filing Date | September 17, 2009 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | March 15, 2011 |
| Registration Number | 4543683 |
| Registration Date | June 3, 2014 |

Owner (REGISTRANT) Arnold's Food Distributors Corporation. CORPORATION FLORIDA 420 Ware
Blvd Tampa FLORIDA 33619

Attorney of Record Daniel R. Frijouf

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Typed Drawing

Word Mark GREEN GURU

Goods and Services IC 029. US 046. G & S: prepared foods, namely **frozen** and **non-frozen** entrees and side dishes consisting primarily of meat, poultry, fish and/or vegetables. FIRST USE: 19970327. FIRST USE IN COMMERCE: 19970327

IC 030. US 046. G & S: prepared foods, namely **frozen** and **non-frozen** entrees and side dishes consisting primarily of rice and/or pasta and cooking sauces and spices and desserts, namely ice cream, ice milk, **frozen yogurt**, pies, cakes, cookies and pastries. FIRST USE: 19970327. FIRST USE IN COMMERCE: 19970327

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75976489

Filing Date September 1, 1994

Current Basis 1A

Original Filing Basis 1B

Published for Opposition October 7, 1997

Registration Number 2125868

Registration Date December 30, 1997

Owner (REGISTRANT) DEEP FOODS, INC. CORPORATION NEW JERSEY 1090 SPRINGFIELD ROAD UNION NEW JERSEY 07083

Attorney of Record LAWRENCE D. MANDEL

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20071030.

Renewal 1ST RENEWAL 20071030

Live/Dead Indicator LIVE

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| GOYA FOODS, INC. | : | Opposition No.: 91215657 |
| | : | |
| Opposer, | : | |
| | : | |
| v. | : |  |
| | : | |
| | : | Mark: |
| | : | Ser. No.: 86060111 |
| GOYOGO FROZEN YOGURT, LLC, | : | |
| | : | Mark: GOYOGO FROZEN YOGURT OUR |
| | : | INGREDIENTS YOUR CREATION |
| | : | Ser. No.: 86037364 |
| Applicant. | : | |

OPPOSER'S THIRD NOTICE OF RELIANCE
PURSUANT TO 37 CFR §2.122(e)

EXHIBIT A6

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FITNESS FREAK

Word Mark FITNESS FREAK

Goods and Services IC 030. US 046. G & S: Cereal bars; **Frozen confections; Frozen yogurt;** Ice cream; Macaroni salad; Salsa. FIRST USE: 20150602. FIRST USE IN COMMERCE: 20150602

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86652616

Filing Date June 5, 2015

Current Basis 1A

Original Filing Basis 1A

Published for Opposition October 20, 2015

Registration Number 4881473

Registration Date January 5, 2016

Owner (REGISTRANT) Ronald J. Gilchrist INDIVIDUAL UNITED STATES 1795B Janney Lane Yardley PENNSYLVANIA 19067

Attorney of Record Eric A. LaMorte

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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CATALO

Word Mark CATALO

Goods and Services IC 030. US 046. G & S: Rice; tapioca; sago; flour; preparations made from cereals, namely, breakfast cereals, cereal bars, cereal based snack food, processed cereals, ready-to-eat cereals; bread; pastry; confectionery, namely, confectionery made of sugar; sugar; honey; treacle; yeast; baking-powder; salt; mustard; vinegar; sauces; spices; milk products, namely, ice cream, ice milk, **frozen yogurt**. FIRST USE: 20030100. FIRST USE IN COMMERCE: 20030100

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86249841

Filing Date April 11, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition March 10, 2015

Registration Number 4742059

Registration Date May 26, 2015

Owner (REGISTRANT) Catalo Trademark Limited limited company (ltd.) HONG KONG POB 51688 Idaho Falls IDAHO 83405

Prior Registrations 4049120

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark LUVO**Translations** The wording "LUVO" has no meaning in a foreign language.

Goods and Services IC 029. US 046. G & S: Prepared and prepackaged meals and entrees consisting primarily of egg with one or more of meat, fish, poultry, vegetable, cheese or onion; Prepared entrees consisting primarily of vegetables, soups, fruit salads and vegetable salads; **Frozen**, prepared, and packaged entrees consisting primarily of meat, fish, poultry or vegetables; **Frozen**, prepared, and packaged vegetable-based entrees. FIRST USE: 20140115. FIRST USE IN COMMERCE: 20140115

IC 030. US 046. G & S: Breakfast burritos; **Frozen yogurt** confections; **Frozen**, prepared, and packaged entrees consisting primarily of pasta or rice. FIRST USE: 20140115. FIRST USE IN COMMERCE: 20140115

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.15.25 - Coal; Dust; Light rays; Liquids, spilling; Pouring liquids; Sand; Spilling liquids

Serial Number 86204772

Filing Date February 26, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition July 22, 2014

Registration Number 4616967

Registration

Date October 7, 2014

Owner (REGISTRANT) Lyfe Kitchen Retail, Inc. CORPORATION DELAWARE 2859 Paces Ferry Road Suite 1170 Atlanta GEORGIA 30339

(LAST LISTED OWNER) LUVU, INC. CORPORATION DELAWARE 250 H STREET, PMB 4600 BLAINE WASHINGTON 98230

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Ann K. Ford

Description of Mark The color(s) orange and grey is/are claimed as a feature of the mark. The mark consists of the word "LUVU" stylized with the letters "L", "V", and "O" in grey and the letter "U" in orange with an orange stylized accent. The background is translucent and not part of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark LA HUERTA

Translations The English translation of "LA HUERTA" in the mark is "THE FARM".

Goods and Services IC 030. US 046. G & S: Cereal based snack food; Combination meals consisting primarily of pasta or rice-based entrees and soup or salad for consumption on or off the premises; Cooked rice; Corn cakes containing combinations of meat, cheese, beans and/or vegetables; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen yogurt** pies and cakes; Fruit ices; Ice cream desserts; Packaged meal kits consisting primarily of pasta or rice; Pasta; Pizza; Rice-based snack foods; Snack cakes; Taco chips; Tacos. FIRST USE: 20131115. FIRST USE IN COMMERCE: 20131115

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 05.01.02 - Maple tree; Trees or bushes with a generally rounded shape, including deciduous trees
06.01.04 - Mountains (landscapes); Scenery with mountains
06.09.05 - Other cultivated areas
07.01.02 - Farmhouse

Serial Number 85876836

Filing Date March 15, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 3, 2013

Registration Number 4576819

Registration Date July 29, 2014

Owner (REGISTRANT) FRIGORIZADOS LA HUERTA, S.A. DE C.V. CORPORATION MEXICO CALLE 1, #140, COL. MEDIO KILO AGUASCALIENTES MEXICO 2350

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LA HUERTA" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) white, light green, dark green, yellow, red, and brown is/are claimed as a feature of the mark. The mark consists of the wording "LA HUERTA" appearing in white against a light green and dark green landscape containing a dark green tree. The colors red, brown, white appear on the farmhouse and the farmhouse is surrounded by yellow vegetation.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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CHEVONDAIRE

Word Mark CHEVONDAIRE

Goods and Services IC 030. US 046. G & S: Goat Milk Ice Cream; **Frozen**, prepared, packaged meals consisting primarily of pasta or rice; Bakery Products; Burgers contained in bread rolls; Burritos; Cooked Rice; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen Yogurt**; **Frozen Yogurt** Pies and Cakes; Fruit breads; Fruit Cakes; Fruit Cobblers; Fruit pies; Fudge; Ice Creams; Ice Milk; Ice Cream Desserts; Meat Pies; Pies; Sandwiches; Veggie Burger Sandwiches; Vegan Pies. FIRST USE: 20110119. FIRST USE IN COMMERCE: 20110119

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85673810

Filing Date July 11, 2012

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 11, 2012

Registration Number 4295576

Registration Date February 26, 2013

Owner (REGISTRANT) Consult First Toxicology DBA Goat First Network LIMITED LIABILITY COMPANY
FLORIDA 16824 Mahan Drive Tallahassee FLORIDA 32309

Attorney of Record Matthew H. Swyers

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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| | |
|---------------------------------|---|
| Word Mark | MASCORN |
| Goods and Services | IC 030. US 046. G & S: corn flour, corn flakes, corn meal, popcorn, processed corn, roasted corn, processed maize, roasted maize, maize flakes, maize meal, processed oats and frozen yogurt . FIRST USE: 20080704. FIRST USE IN COMMERCE: 20080704 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 05.07.01 - Corn, stalks 27.03.04 - Plants forming letters or numerals |
| Serial Number | 77806953 |
| Filing Date | August 18, 2009 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | July 12, 2011 |
| Registration Number | 4030291 |
| Registration Date | September 27, 2011 |
| Owner | (REGISTRANT) Marine Gold Marketing SDN. BHD. COMPANY MALAYSIA No. 1, Jalan SU 30, Taman Perindustrian Batu Caves, Selangor MALAYSIA 68100 |
| Attorney of Record | Tawnya Wojciechowski |

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "MASCORN" with a fanciful depiction of an ear of corn replacing the letter "o".

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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ARCHER FARMS

| | |
|---------------------------------|---|
| Word Mark | ARCHER FARMS |
| Goods and Services | IC 030. US 046. G & S: ice cream, frozen yogurt pasta, pasta sauce, salsa, breakfast cereal, bread, buns. FIRST USE: 19970215. FIRST USE IN COMMERCE: 19970215 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 75600085 |
| Filing Date | December 1, 1998 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | August 10, 1999 |
| Registration Number | 2290302 |
| Registration Date | November 2, 1999 |
| Owner | (REGISTRANT) Dayton Hudson Corporation CORPORATION MINNESOTA 33 South Sixth Street Minneapolis MINNESOTA 55402 (LAST LISTED OWNER) TARGET BRANDS, INC. CORPORATION MINNESOTA TPS-3165 1000 NICOLLET MALL MINNEAPOLIS MINNESOTA 55403 |
| Assignment Recorded | SSIGNMENT RECORDED |

Attorney of Record ANN DUNN WESSBERG
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FARMS" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20091026.
Renewal 1ST RENEWAL 20091026
Live/Dead Indicator LIVE

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陳記點心
CHAN KEEDIM SUM

Word Mark CK CHANKEEDIMSUM

Translations The non-Latin characters in the mark transliterate to "CHANKEEDIMSUM" and this has no meaning in a foreign language. The wording "CHANKEEDIMSUM" has no meaning in a foreign language.

Goods and Services IC 029. US 046. G & S: Abalones, not live; Animal oils and fats ; Bacon; Beef; Beef bouillon; Beverages having a milk base; Bouillon concentrates; Broth ; Candied fruit; Canned cooked meat; Canned fish; Canned fruits and vegetables; Chicken; Cooked fruits and vegetables; Cooking oil; Dim sum; Dried fruit and vegetables; Edible oils and edible fats; Fish and meat preserves; Fresh meat; **Frozen** pre-packaged entrees consisting primarily of seafood; Ham; Meat; Meat, **frozen**; Olive oil; Packaged meats; Pork; Prepared entrees consisting primarily of seafood; Prepared meals consisting primarily of meat substitutes; Roast beef; Roast duck; Sausages; Seafood, not live; Shellfish, not live; Soups and preparations for making soups; Tinned meat; Tinned seafood. FIRST USE: 20120901. FIRST USE IN COMMERCE: 20150701

IC 030. US 046. G & S: Artificial coffee and tea; Asian noodles; Bagels; Baguettes; Bakery products; Beverages made of coffee; Beverages made of tea; Biscuits and bread; Bread and buns; Brownies; Cakes; Candy; Chinese steamed dumplings (shumai, cooked) ; Chocolate; Chocolate-based beverages; Cocoa; Cocoa-based beverages; Cookies and crackers; Cooking sauces; Steamed dim sum consisting primarily of a dough wrapper also containing meat and/or seafood; Dumpling; Syrup for flavoring use on food and beverages; Flour; Food flavourings; **Frozen** confectionery; **Frozen yogurt**; Ginseng tea; Herb tea; Honey and treacle; Ice cream; Instant noodles; Pancakes; Pasta and noodles; Pastries; Pies; Puddings; Pizza; Ready-made sauces; Salad dressing; Sandwiches; Sauces; Seasonings; Spaghetti; Tacos; Tarts. FIRST USE: 20120901. FIRST USE IN COMMERCE: 20150701

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 11.03.07 - Bowl (filled); Soup bowls, filled; Sugar bowls, filled

Search Code 28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 86516286

Filing Date January 27, 2015

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 7, 2015

Registration Number 4878611

Registration Date December 29, 2015

Owner (REGISTRANT) CHAN KEE FOODS LIMITED LIMITED LIABILITY COMPANY HONG KONG Flat/Rm 1601, 16/F., Texaco Centre 138 Texaco Road Tsuen Wan, NT HONG KONG

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a stylized cooking pot bearing the stylized letters "CK", Chinese characters in the middle and stylized English wording of "CHANKEEDIMSUM" on the bottom.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark BON DIM

Translations The non-Latin characters in the mark transliterate to "BON DIM" and this has no meaning in a foreign language.

Goods and Services IC 029. US 046. G & S: Abalones, not live ; Animal oils and fats ; Bacon; Beef; Beef bouillon; Beverages having a milk base; Bouillon concentrates; Broth ; Candied fruit; Canned cooked meat; Canned fish; Canned fruits and vegetables; Chicken; Cooked fruits and vegetables; Cooking oil; Dried fruit and vegetables; Edible oils and edible fats; Fish and meat preserves; Fresh meat; **Frozen** pre-packaged entrees consisting primarily of seafood; Ham; Meat; Meat, **frozen**; Olive oil; Packaged meats; Pork; Prepared entrees consisting primarily of seafood; Prepared meals consisting primarily of meat substitutes; Roast beef; Roast duck; Sausages; Seafood, not live; Shellfish, not live; Soups and preparations for making soups; Tinned meat; Tinned seafood; Turkey. FIRST USE: 20080101. FIRST USE IN COMMERCE: 20090101

IC 030. US 046. G & S: Artificial coffee and tea; Asian noodles; Bagels; Baguettes; Bakery products; Beverages made of coffee; Beverages made of tea; Biscuits and bread; Bread and buns; Brownies; Cakes; Candy; Chinese steamed dumplings (shumai, cooked) ; Chocolate; Chocolate-based beverages; Cocoa; Cocoa-based beverages; Cookies and crackers; Cooking sauces; Flavoring syrup for food or beverages; Flour; Food flavourings; **Frozen** confectionery; **Frozen yogurt**; Ginseng tea; Herb tea; Honey and treacle; Ice cream; Instant noodles; Pancakes; Pasta and noodles; Pastries; Pies; Pizza; Ready-made sauces; Salad dressing; Sandwiches; Sauces; Seasonings; Spaghetti; Tacos; Tarts. FIRST USE: 20080101. FIRST USE IN COMMERCE: 20090101

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search 01.05.04 - Sun with rays but neither partially exposed nor with facial features
26.01.02 - Circles, plain single line; Plain single line circles

Code 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; Lines, vertical; Vertical line(s), band(s) or bar(s)
 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal
 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Serial Number 86433327

Filing Date October 24, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition May 12, 2015

Registration Number 4814690

Registration Date September 15, 2015

Owner (REGISTRANT) MARFORD INTERNATIONAL LIMITED LIMITED LIABILITY COMPANY HONG KONG
 18/F., Parkview Comm. Bldg. 9-11 Shelter St. Causeway Bay HONG KONG

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the literal element "BON DIM" with an image of the sun between the two terms and the equivalent Chinese characters appearing above and below.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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LOVE FOODS THAT LOVE YOU BACK

Word Mark LOVE FOODS THAT LOVE YOU BACK

Goods and Services IC 029. US 046. G & S: beef; canned fruits; canned fruits and vegetables; canned or bottled fruits; canned or bottled vegetables; canned tomatoes; canned vegetables; dehydrated fruit snacks; dried fruits; **frozen** fruits; **frozen** vegetables; instant potatoes; potato chips; potato-based snack foods; poultry; snack mix consisting of dehydrated fruit and processed nuts; snack mix consisting of primarily of processed nuts and salted squash seeds and also including toasted corn; snack mix consisting of wasabi peas, processed nuts, dehydrated fruit and/or raisins; snack mix consisting primarily of dehydrated fruits, processed nuts and also including sesame sticks; snack mix consisting primarily of processed fruits, processed nuts and/or raisins; soups; **yogurt**; **yogurt** drinks; chocolate milk; condensed milk; evaporated milk; goat milk; milk; powdered milk; rice milk for use as a milk substitute; protein based, nutrient dense snack bars; dehydrated fruit based fruit bars; soy-based food beverage used as a milk substitute; prepared entrees consisting primarily of meat, poultry or vegetables; prepared meals consisting primarily of meat, poultry or vegetables; **frozen** pre-packaged entrees consisting primarily of chicken, beef, pork or seafood; meat extenders consisting primarily of vegetables, grains or soy; cheeses; and **yogurt**-based beverages. FIRST USE: 20130300. FIRST USE IN COMMERCE: 20130300

IC 030. US 046. G & S: beverages made of tea; ketchup; macaroni and cheese; mustard; pasta; pasta sauce; pizza; popcorn; pretzels; ready-to-eat cereals; relish; salad dressings; tomato sauce; baking powder; barbecue sauce; beverages made of coffee; bread and buns; bread and pastry; bread crumbs; brown sugar; bruschetta-topped bread; caffeine-free coffee; celery salt; cereal-based snack foods; chili sauce; chocolate sauce; cocoa; prepared cocoa and cocoa-based beverages, cocoa powder; cocoa based beverages; coffee; coffee based beverages; coffee beans; coffee pods; crystal sugar; enriched rice; flavored ices; **frozen** confections; **frozen** confections, namely, freezer pops; **frozen yogurt** confections; garlic bread; granulated sugar; ground coffee beans; honey and treacle; ice cream; ice cream drinks; ice creams; ice-cream cakes; instant coffee; Italian ice; maple syrup; mineral salt for human consumption; natural brown sugar; onion salt; pancake syrup; pastries; pita bread; powdered sugar; puffed rice; rice; rice cakes; rice pudding; rice-based snack foods; roasted coffee beans; rolls; salad sauces; salt; sauce mixes;

soy sauce; steak sauce; stuffing mixes containing bread; sugar; sugar substitutes; sugar wafers; table salt; table syrup; tapioca; tartar sauce; toaster pastries; vinegar; white sugar; wholemeal bread; wholemeal rice; wine vinegar; worcestershire sauce; yeast; and oatmeal, regular and instant; salad dressings containing **yogurt**; **frozen** pre-packaged entrees consisting primarily of pasta or rice; granola-based snack bars; granola-based snacks; candy, namely, sugar reduced and sugar free candies; gummy candies; cereal based energy bars. FIRST USE: 20130300. FIRST USE IN COMMERCE: 20130300

IC 032. US 045 046 048. G & S: energy drinks; fruit drinks; fruit juices; aerated mineral waters; aerated water; bottled drinking water; drinking water with vitamins; mineral water; non-alcoholic beer; soda water; sparkling water; spring water; still water; syrups for making beverages; drinking water with added fiber. FIRST USE: 20130300. FIRST USE IN COMMERCE: 20130300

**Standard
Characters
Claimed**

**Mark
Drawing
Code** (4) STANDARD CHARACTER MARK

**Serial
Number** 85918544

Filing Date April 30, 2013

**Current
Basis** 1A

**Original
Filing Basis** 1B

**Published
for
Opposition** October 1, 2013

**Registration
Number** 4553001

**Registration
Date** June 17, 2014

Owner (REGISTRANT) Wholesome Goodness, LLC LIMITED LIABILITY COMPANY DELAWARE 6522 Saddle Ridge Lane Long Grove ILLINOIS 60047

**Attorney of
Record** Melissa A. Vallone

**Description
of Mark** Color is not claimed as a feature of the mark.

**Type of
Mark** TRADEMARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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Word Mark MAALIKAYA BRAND

Translations The English translation of "MAALIKAYA" in the mark is "Happy".

Goods and Services IC 029. US 046. G & S: Meat; Fish; Chicken; Preserved, dried, **frozen** and cooked fruits and vegetables; Jellies; Jams; Processed beans and nuts; Dried, **frozen** seafood; Dried edible seaweed; Seafood extract; Canned cooked meat; Canned seafood; Canned vegetables; Evaporated milk; Eggs; Milk; Condensed milk; Coconut milk powder; Cheese; **Yogurt**; Edible oils and fats; Potato chips; Soup; Soup mixes. FIRST USE: 19840203. FIRST USE IN COMMERCE: 19840203

IC 030. US 046. G & S: Jasmine Rice; Sweet pounded rice cakes; Brown Rice; Baking powder; baking soda; Biscuits; Breads; Processed cereals; Breakfast cereals; Bubble gum; Cakes and cake mixes; Pies; Candy; Caramel popcorn; Caramels; Chili powders; Cookies; Crackers and cheese combinations; Crackers; Dumplings; Egg rolls and egg roll wrappers; Food starch; Flour; Fruit sauces excluding cranberry sauce and apple sauce; Ginger; Gluten; Coffee; Tea; Processed herbs; Spices and seasonings; Ice cream; Cones for ice cream; Flavored ices; Ketchup; Pasta; Prepared meals consisting primarily of pasta; Noodles; Oatmeal; Processed oats; Pancakes; Pancake mixes; Table syrup; Corn syrup; Flavoring syrups; Pickled ginger in the nature of sliced pickled ginger; Pickle relish; Puddings; Rice; Rice cakes; Salt; Sauces; Salad dressing; Sugar; Sushi ; Tortilla chips; Vinegar; Wafers; Waffles; Processed wheat; Won tons and won ton wrappers; Yeast; **Frozen yogurt**. FIRST USE: 19840203. FIRST USE IN COMMERCE: 19840203

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 02.03.06 - Mexican women; Spaniards (women); Women, Spaniards or Mexicans
 02.03.22 - Busts of women in profile; Heads of women in profile; Portraiture of women in profile; Women - head, portraiture or busts in profile
 02.03.24 - Women, stylized, including women depicted in caricature form

05.13.04 - Bamboo; Canes, sugar; Sugar cane

09.05.05 - Sombreros, cowboy hats (10 gallon hats), other broad-brimmed hats

11.03.25 - Coasters, beverage; Cookie sheets; Corn poppers, non-electric; Kettles, cooking; Popcorn poppers, non-electric; Trays, serving; Woks (non-electric)

Serial Number 85014240

Filing Date April 14, 2010

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 21, 2010

Registration Number 3928032

Registration Date March 8, 2011

Owner (REGISTRANT) Phil-Am Trading, Inc CORPORATION NEW JERSEY 324-330 Hoboken Avenue Jersey City NEW JERSEY 07306

(LAST LISTED OWNER) PHIL-AM TRADING, INC CORPORATION NEW JERSEY 324 HOBOKEN AVENUE JERSEY CITY NEW JERSEY 07306

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Cecilia L. Yu

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BRAND" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the wording "MAALIKAYA BRAND", with the word "MAALIKAYA" in a bamboo type font, and a design of an incomplete rectangle with rounded sides containing a design of a woman wearing a hat and holding a basket of rice plants standing in front of a rice field with a haystack with bags of rice in front of it, below a cloudy sky with birds.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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PIREES

Word Mark PIREES

Translations The wording "PIREES" has no meaning in a foreign language.

Goods and Services IC 029. US 046. G & S: Meat, fish, poultry and game; fried chicken; roasted chicken; baked chicken; cooked chicken; meat burger patties, fish burger patties; poultry burger patties, chicken burger patties; game burger patties; pork burger patties; lamb burger patties; meat salads; fish salads; poultry salads; chicken salads; game salads; fruit salads; vegetable salads; potato salads; prepared green salads; prepared meals consisting wholly or mainly of chicken; prepared snacks, namely, meat-based snack foods; prepared meals consisting primarily of fish; meat extracts; preserved, **frozen**, dried or cooked fruits and vegetables; jellies, jams, compotes; milk; milk products excluding ice cream, ice milk and **frozen yogurt**; milk preparations, namely, milk shakes; edible oils and fats; foods prepared from meat, beef, lamb, pork, fish, chicken or poultry, namely, prepared meals consisting primarily of meat, beef, lamb, fish, chicken and poultry; sandwich fillings, namely, processed chicken, and processed lettuce and tomato; eggs, cheese, pickles; **yogurt** based desserts, namely, **yogurt** drinks; cooked and **frozen** foods, namely, chicken; snack foods containing chicken, namely, fried chicken skins, fried chicken wings, fried chicken legs, and fried chicken breasts; prepared snacks containing chicken and poultry, namely, fried chicken skins, fried chicken wings, fried chicken legs, fried chicken breast and prepared meals consisting primarily of chicken or poultry; snacks foods, namely, potato chips, garden salads, and hamburger patties; prepared meals consisting primarily of meat; milk based desserts, namely, milk shakes; **yogurt** based desserts, namely, fruit flavored **yogurt**; condiments, namely, pepper oil. FIRST USE: 20150614. FIRST USE IN COMMERCE: 20150614

IC 030. US 046. G & S: Milk based desserts, namely, ice cream; **yogurt** based desserts, namely, **frozen yogurt** and fruit flavored **frozen yogurts**; coffee; cocoa; chocolate; rice; tapioca; sago; artificial coffee; coffee substitutes; sugar; tea; pastries; confectionary, namely, fruit jellies; rolls, biscuits, breads, cakes; edible ices; honey; treacle; yeast, baking-powder; salt; vinegar; sauces; mustard; spices; ice; edible sandwiches, meat sandwiches, pork sandwiches, fish sandwiches, chicken sandwiches, beef sandwiches, lamb sandwiches; sandwiches containing salads; pita bread; pita bread sandwiches; pita bread

sandwiches containing chicken; pita bread sandwiches containing meat; pita bread sandwiches containing fish; pita bread sandwiches containing poultry; pita bread sandwiches containing game; pita bread sandwiches containing pork; pita bread sandwiches containing lamb; pita bread sandwiches containing salad; wraps, namely, sandwiches in a tortilla-based wrap; fish wraps, namely, fish sandwiches in a tortilla-based wrap; beef wraps, namely, beef sandwiches in a tortilla-based wrap; lamb wraps, namely, lamb sandwiches in a tortilla-based wrap; salad dressings; seasonings; pasta salads; hamburger sandwiches; sandwich fillings, namely, mayonnaise; snack foods, namely, hamburger sandwiches and sandwiches. FIRST USE: 20150614. FIRST USE IN COMMERCE: 20150614

IC 043. US 100 101. G & S: Restaurant services; cafes, cafeterias, snack bars and catering. FIRST USE: 20150614. FIRST USE IN COMMERCE: 20150614

Standard Characters Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85791581

Filing Date

November 30, 2012

Current Basis

1A

Original Filing Basis

1B

Published for Opposition

June 11, 2013

Registration Number

4822461

Registration Date

September 29, 2015

Owner

(REGISTRANT) PEPE'S PIRI PIRI LIMITED private limited company UNITED KINGDOM 925 Finchley Road London, NW11 7PE UNITED KINGDOM

Attorney of Record

William C. Wright

Type of Mark

TRADEMARK. SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

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Word Mark SUN VOI

Translations The non-Latin characters in the mark transliterate to "Hsian Yang" and this means "Elephant Sun" in English. The English translation of "Sun Voi" in the mark is "Elephant Sun".

Goods and Services IC 029. US 046. G & S: Canned fruits and vegetables; Cheese; Chicken; Condensed milk; Cooked fruits and vegetables; Dried fruit and vegetables; Edible oils and fats; Eggs; Fish, not live; **Frozen** fruits; **Frozen** vegetables; Fruit preserves; Jellies, jams; Meat; Milk; Potato chips; Preserved fruit and vegetables; Processed beans; Processed nuts; Seafood, not live; **Yogurt**. FIRST USE: 20040131. FIRST USE IN COMMERCE: 20040131

IC 030. US 046. G & S: Baking powder; Baking soda; Biscuits; Bread; Bubble gum; Cake mixes; Cakes; Candy; Caramel popcorn; Caramels; Chili powders; Coffee; Cones for ice cream; Cookies; Corn syrup; Cracker and cheese combinations; Crackers; Dumplings; Egg rolls; Flavored ices; Flavoring syrup; Flour; Food starch; **Frozen yogurt**; Ice cream; Ketchup; **Maize** gluten feed, namely, maize gluten and corn gluten all for human consumption; Noodles; Oatmeal; Pancake mixes; Pancakes; Pasta; Pickle relish; Pickled ginger; Pies; Preserved ginger; Processed herbs; Processed oats; Processed wheat; Puddings; Rice; Rice cakes; Rice noodles; Sauces; Seasonings; Spices; Sugar; Sushi; Table syrup; Tea; Tortilla chips; Vinegar; Wafers; Waffles; Won ton wrappers; Won tons; Yeast; Prepared meals consisting primarily of pasta or rice. FIRST USE: 20040131. FIRST USE IN COMMERCE: 20040131

IC 032. US 045 046 048. G & S: Coconut milk. FIRST USE: 20040131. FIRST USE IN COMMERCE: 20040131

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 01.05.04 - Sun with rays but neither partially exposed nor with facial features

Search Code 03.03.01 - Elephants; Mammoths; Mastodons
 28.01.25 - Cyrillic characters (Russian); Hieroglyphic characters; Inscriptions in other non-Latin characters; Russian characters (Cyrillic)

Serial Number 85927037

Filing Date May 8, 2013

Current Basis 1A

Original Filing Basis 1A

Published for Opposition October 8, 2013

Registration Number 4454687

Registration Date December 24, 2013

Owner (REGISTRANT) Walong Marketing, Inc. CORPORATION CALIFORNIA 6281 Regio Avenue Buena Park CALIFORNIA 906201042

Attorney of Record Paul S. Chan

Prior Registrations 3142551

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the words "Sun Voi", non-Latin characters that transliterate to "Hsian Yang" and mean "Elephant Sun" in English, a depiction of a sun, and a depiction of an elephant.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark CRYSTAL ISLAND

Translations The non-Latin characters in the mark transliterate to "shui jing dao" and this means "CRYSTAL ISLAND" in English. The English translation of "shui jing dao" in the mark is "crystal island".

Goods and Services IC 030. US 046. G & S: Artificial coffee and tea; Asian noodles; Bagels; Baguettes; Bakery products; Beverages made of coffee; Beverages made of tea; Biscuits and bread; Bread and buns; Brownies; Cakes; Candy; Chinese steamed dumplings (shumai, cooked) ; Chocolate; Chocolate-based beverages; Cocoa; Cocoa-based beverages; Cookies and crackers; Cooking sauces; Flavoring Syrup; Flour; Food flavourings; **Frozen confectionery**; **Frozen yogurt**; Ginseng tea; Herb tea; Honey and treacle; Ice cream; Instant noodles; Pancakes; Pasta and noodles; Pastries; Pies; Pizza; Ready-made sauces; Salad dressing; Sandwiches; Sauces; Seasonings; Spaghetti; Tacos; Tarts. FIRST USE: 20130101. FIRST USE IN COMMERCE: 20130601

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 85924800

Filing Date May 6, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition October 1, 2013

Registration Number 4496273
Registration Date March 11, 2014
Owner (REGISTRANT) MARFORD INTERNATIONAL LIMITED LIMITED LIABILITY COMPANY HONG KONG 18/F., Parkview Comm. Bldg. 9-11 Shelter St. Causeway Bay HONG KONG
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the stylized wording "CRYSTAL ISLAND" and 3 Chinese characters.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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ROYAL CROWN

Word Mark ROYAL CROWN

Goods and Services IC 030. US 046. G & S: staple foods, namely, bagels, bakery desserts, bakery goods, bakery products, biscuits, bread, breadsticks, breadcrumbs, brioches, brownies, buns, cakes, cappucino, cinammon rolls, coffee, coffee beans, cookies, crepes, croissants, crumpets, custard-based filling for cakes and pies, danish pastries, Dessert souffles, dough, doughnuts, eclairs, espresso, flavored and sweetened gelatines, flavored ices, flour, frostings, **frozen** confections, **frozen** custards, **frozen yogurt**, fruit ice, fruit pies, gingerbread, hot chocolate, ice cream, marzipan, mixes for bakery goods, muffins, pasta, pasties, pies, pizza, pizza crust, pizza dough, pizza sauce, rolls, sandwiches, sauces, sorbet, tomato sauce, and Vinegar. FIRST USE: 19871100. FIRST USE IN COMMERCE: 19871100

IC 035. US 100 101 102. G & S: advertising and business services, namely, gourmet food stores, retail bakery shops, retail delicatessen services. FIRST USE: 19871100. FIRST USE IN COMMERCE: 19871100

IC 043. US 100 101. G & S: restaurants, restaurant services, take-out restaurants. FIRST USE: 19871100. FIRST USE IN COMMERCE: 19871100

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85875086

Filing Date March 13, 2013

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 10, 2013

Registration Number 4487404

Registration Date February 25, 2014

Owner (REGISTRANT) Yeasty Secret, Inc. CORPORATION NEW YORK 708 Sharrotts Road Staten Island NEW YORK 10309

Attorney of Record DENNIS S. PRAHL

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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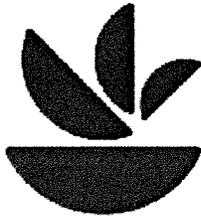
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Goods and Services IC 001. US 001 005 006 010 026 046. G & S: Artificial sweeteners. FIRST USE: 20100500. FIRST USE IN COMMERCE: 20100500

IC 008. US 023 028 044. G & S: Tableware, namely, knives, forks and spoons. FIRST USE: 20100600. FIRST USE IN COMMERCE: 20100600

IC 021. US 002 013 023 029 030 033 040 050. G & S: Paper cups, plastic cups, foam cups, paper plates, plastic plates, foam plates, paper bowls, plastic bowls, foam bowls, plastic drinking glasses, tumblers and mugs. FIRST USE: 20100200. FIRST USE IN COMMERCE: 20100200

IC 029. US 046. G & S: Cheese, cheese spread, milk, buttermilk, chocolate milk, soy milk, cream, half and half, non-dairy creamer, cream cheese, cottage cheese, sour cream, **yogurt**, whipped topping, butter, butter substitutes, margarine, egg substitute, non-alcoholic egg nog, eggs, dairy-based dips, dips, shelled and roasted nuts, canned fruits, dried fruits, **frozen** fruits, fruit-based snacks, canned vegetables, **frozen** vegetables, **frozen** berries, potato chips, vegetable-based snack foods, **frozen** fish, canned fish, processed chicken, pickles, processed olives, **frozen** onion rings, peanut butter, apple butter, jam, jelly, fruit preserves, fruit-based pie fillings, applesauce, cranberry sauce, flaked coconut, dried beans, canned soups, dried soup mixes, vegetable oils for cooking, luncheon meats, fresh and processed shrimp and seafood, vegetable salads, garden salads, potato salads, fresh, canned, processed and **frozen** meats, bacon, processed vegetable bits being a food that contain protein and are bacon-flavored, **frozen** entrees consisting primarily of meat, fish, poultry and vegetables, prepared entrees consisting primarily of meat, fish, poultry and vegetables. FIRST USE: 20090614. FIRST USE IN COMMERCE: 20090614

IC 030. US 046. G & S: Bread, bagels, **frozen** waffles, **frozen** pancakes, **frozen** strudel, rolls, **frozen** bread dough, soft pretzels, fresh or **frozen** pizza, ice cream, **frozen** confections, **frozen** yogurt,

sherbets, pasta, prepared pie crust, refrigerated dough for biscuits, rolls, breadsticks and pizza crust, tortillas, cookies, candies, crackers, honey, breadcrumbs, seasoned coatings for meat, fish and poultry, croutons, stuffing mixes containing bread, flavored, sweetened gelatin, dessert pudding, chocolate chips for baking, flour, baking soda, baking powder, corn starch, sugar, brown sugar, salt, pancake syrup, pancake mixes, spices, extracts used for flavoring not of essential oils, coffee, tea, cocoa, chocolate syrup, processed unpopped popcorn, gravy, ketchup, mustard, pickle relish, picante sauce, soy sauce, hot sauce, pizza sauce, teriyaki sauce, barbecue sauce, worcestershire sauce, cocktail sauce, tartar sauce, spaghetti sauce, tomato sauce, pasta sauce, salsa, mayonnaise, salad dressings, vinegar, breakfast cereal, cereal-based snack bars, wheat-based snack bars, processed oats and oatmeal, grits, breakfast pastries, rice, rice cakes, packaged mixes consisting primarily of pasta or rice, rice salads, bagged ice, pasta salads, deli sandwiches, corn-based snack foods, pretzels, **frozen** entrees consisting primarily of pasta or rice, prepared entrees consisting primarily of pasta or rice. FIRST USE: 20090115. FIRST USE IN COMMERCE: 20090115

IC 032. US 045 046 048. G & S: Concentrates, syrups or powders used in the preparation of soft drinks; drinking water; fruit drinks; fruit flavored soft drinks; fruit juices; fruit-flavored beverages; mineral water; seltzer water; soft drinks, namely, carbonated soft drinks; spring water; vegetable juice. FIRST USE: 20090913. FIRST USE IN COMMERCE: 20090913

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 26.01.06 - Circles, semi; Semi-circles
26.01.11 - Circles comprised of animals; Circles comprised of geometric figures; Circles comprised of humans; Circles comprised of letters or numerals; Circles comprised of plants; Circles comprised of punctuation; Letters, numerals, punctuation, geometric figures, objects, humans, plants or animals comprising a circle
26.01.21 - Circles that are totally or partially shaded.

Serial Number 85547002

Filing Date February 20, 2012

Current Basis 1A

Original Filing Basis 1A

Published for Opposition May 15, 2012

Registration Number 4183451

Registration Date July 31, 2012

Owner (REGISTRANT) Ahold Licensing Sarl LIMITED LIABILITY COMPANY SWITZERLAND 2 Rue Jean-Petitot Geneva SWITZERLAND 1204

Attorney of Record Michael A. Doctrow

Prior Registrations 3945990;3962111;4029084;AND OTHERS

Description of Mark Color is not claimed as a feature of the mark. The mark consists of four wedge designs, depicted in varying sizes and degrees of rotation. The first wedge is largest and portrayed as horizontal. The second wedge is smaller than the first, and appears at an approximately 45 degree angle. The third wedge is smaller than the second, and is portrayed as vertical. The fourth wedge is smallest, and appears at an approximately 135 degree angle; i.e., both the second and fourth wedges are disposed approximately 45 degrees from the third wedge.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE



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Marine boy

Word Mark MARINE BOY

Goods and Services IC 030. US 046. G & S: Muesli, Rice, Husked oats, Husked barley, Arrowroot starch, Potato flour for food, Sweet potato starch for food; spices, namely, Perilla powder for food, Buckwheat flour, Wheat flour, Barley flour, Sago palm starch for food, processed semolina, Rice flour, Corn flour, Job's tear flour, Soya flour, Tapioca flour, Brown rice flour, Flour for fry; Almond paste, Capers; Cereal sausage, Cereal soup, Farinaceous food pastes, Noodles, Oat flakes, Naeng-myun (Korean buckwheat noodles), Dang-myun (Chinese noodles, Packed boiled rice, instant noodles, namely, Ra-myun, Ravioli, Ribbon vermicelli, Macaroni, Dumpling shells, Wheat bran, Vermicelli, Bindae-ddeok (green bean pancake), Sandwiches, Spaghetti, Oatmeal, Jeun (slice grilled pancake); Sushi, Corn flakes, Couscous, Quiches, Tabbouleh, Tacos, Toast, Pasta, Pizzas, Hot dogs; Fermenting malted grains, Meju, namely, fermented soybeans; Baking powder, Yeast powder, Leaven; Malt for food purposes. Tortillas, Liquorice, Glutinous confectionery frizzled in oil, Dry cakes, Hardtack, **Frozen yogurt**, Nougat, Da-sik (Pattern-pressed candy made from sesame, chestnut, green pea flour and honey), Doughnuts, Drops, Peanut confectionery, Rusks, Lollypops, Marzipan, Macaroons, Malt biscuit, Bavarois, Peppermint sweets, Balls of sweets, Bonbon, Biscuits, Chewing gum not for medical purposes, Sherbets, Sweetmeats, Candied fruits or vegetables, San-ja, Shortbread, Cream puff, Candy for food, Almond confectionery, Ice candy, Ice cakes, Ice cream, Yak-kwa (Korean traditional cakes made from wheat flour, oil and honey); Bars of Sweet jellied bean paste, **Frozen yogurt**, Toffees, Waffles, Wafers, Jeun-kwa (Confectionery made from fruit, ginger, carrot and ginseng preserved in and hard-boiled with honey and sugar), Confectionery in jelly form, Chocolate, Custard, Caramels, Cakes, Edible decorations for cakes, Cake paste, Corn chips, Cookies, Crackers, Crepes, Confectionery for decorating Christmas trees, Tarts, Taffy, Pies, Patepastries, Popcorn, Pasty, Pastilles, Pancakes, Puffed rice, Pastries, Petit-beurre biscuits, Petits fours, Sliced ginger candy, Fondants, Puddings, Pralines, Halvah, Hot cake, Bean jam buns, Bread rolls, Dumplings, Muffins, Unleavened bread, Breadcrumbs, Gingerbread, Spring rolls, Bread, Jam buns, Sponge cake, Cream buns, Buns for hamburger, Ho-ddeok (Chinese pancake stuffed with sugar); Lump

sugar, Golden syrup, Fructose, Honey, Maltose, Starch syrup, Honey, Powder taffy, Royal jelly for human consumption not for medical purposes, Sugar, Molasses for food, Glucose for food; Rice cakes; Soya sauce, Gochu-jang (fermented hot pepper paste for use as a condiment); Doyn-jang (fermented soybean paste); Ja-jang (black paste for noodle sauce); Chonggug-jang (fermented soybean paste); Chun-jang (Chinese soybean paste). Monosodium glutamate, Compound chemical seasoning, Nucleic acid seasoning, Chemical seasoning; Marinade, Mayonnaise, Beer vinegar, Dressing for salad, Sauce, Vinegar, Ketchup, French dressing. Mustard meal, Cinnamon powder, Hot pepper powder; Flavorings, other than essential oils, for cake; Powdered sesame mixed with salt, Pickpurse powder, Garlic powder, Vanilla, Vanillin, Mushroom powder, Saffron, Chinese pepper powder, Ginger powder, Soup, Allspice, Cinnamon powder, flavorings for beverages; Chow-chow, Chutneys condiments, Curry, Peppers; Spiced salt, Celery salt, Salt for preserving foodstuffs, Cooking salt; Chinese matrimony vine tea, Green tea, Barley leaves tea, Barley tea, Sweet flag tea, Acanthopanax tea, Oolong tea, Stamina enhancing tea, Ginseng tea, Tea leaves, Black tea; Coffee substitutes, Coffee beverages with milk, Cocoa beverages with milk, Chocolate-based beverages, Coffee, Coffee-based beverages, Cocoa, Cocoa-based beverages; Edible ices; Gravies; Meat tenderizers, for household purposes, starch-based binding agents for ice cream; starch-based thickeners for whipped cream. FIRST USE: 20130701. FIRST USE IN COMMERCE: 20130701

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85395166

Filing Date August 11, 2011

Current Basis 1A

Original Filing Basis 1B;44D

Published for Opposition July 23, 2013

Registration Number 4533934

Registration Date May 20, 2014

Owner (REGISTRANT) ORION CORPORATION CORPORATION REPUBLIC OF KOREA 13 Baekbeom-ro 90da-gil, Yongsan-gu Seoul REPUBLIC OF KOREA

Attorney of Record Bharati Bakshani

Priority Date August 3, 2011

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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FUNFRESH FOODS

Word Mark FUNFRESH FOODS

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements; herbal supplements; mineral supplements; vitamins; vitamin supplements; nutritional drink mix for use as a meal supplement; nutritional food bars for use as a meal replacement; nutritional meal replacement powders; dietary foods supplements; baby food. FIRST USE: 20030301. FIRST USE IN COMMERCE: 20030301

IC 029. US 046. G & S: Veggie burger patties; packaged bulk foods, namely, bulk dried fruit, bulk processed nuts; marinated vegetables; freeze dried vegetables; dried fruit and vegetable chips; olive oil; milk; eggs; applesauce; butter; canned vegetables; potato chips; cream cheese; vegetable-based spreads; fruit preserves; tuna fish; marmalade; processed fruit; dried fruit; preserved fruit; cooked fruit; dried vegetables; cooked vegetables; preserved vegetables; prunes; raisins; roasted nuts; sesame sticks; potato sticks; spinach sticks; onion sticks; processed vegetable sticks; trail mix consisting primarily of processed nuts and fruit; processed dates; processed soy beans; soy products, namely, dried soybeans, soy chips, processed soy nuts; mixes in the nature of concentrates, syrups or powders used in the preparation of soy-based food beverage used as a milk substitute; **yogurt**; **frozen** boxed dinners consisting primarily of meat, fish, poultry or vegetables; **frozen** fruit; **frozen** vegetables; soy based milk beverage used as a milk substitute; cheese; peanut butter; processed olives; soups; **frozen** French fried potatoes; vegetable oil-based cooking spray; fruit based spreads; canned fruits; processed beans; processed currents; dried lentils; processed kelp; processed figs; powdered milk; textured vegetable protein to be used as an extender or meat substitute; processed edible seeds; hummus; canned tomatoes; canned tomato paste; processed edible beans and seeds; processed alfalfa seed; processed flax seed; processed poppy seed; processed edamame; baba ghannouj; meat; fish; poultry; meat extracts; jellies; jams; fruit sauces, namely, appled, and cranberry sauce; edible oils and fats; soy chips. FIRST USE: 20040501. FIRST USE IN COMMERCE: 20040501

IC 030. US 046. G & S: Processed cereals; processed grains; cereal-based food bar and snack foods;

rice-based food bars and snack foods; wheat-based food bars and snack foods; grain-based food bars and snack foods; granola-based food bars and snack foods; pasta sauce; salsa; tortilla chips; pizzas; bulk candy; pretzels; mayonnaise; coffee beans; cookies; waffles; maple syrup; ketchup; corn and flour tortillas; pasta; bread; focaccia bread; chocolate; pies; iced tea; popped popcorn; processed corn snacks; buns; mustard; organic coffee; tea; organic cocoa; barbecue sauce; pesto sauce; macaroni; fructose for food; wheat germ; crackers; spices; granola; sugar; rice; breadcrumbs; flour; mixes for making bakery goods; organic processed herbs for cooking; **frozen** pasta; cookie dough; **frozen yogurt**; ice cream; **frozen** boxed dinners consisting primarily of pasta or rice; honey; vinegar; salt; corn sticks; rice based snacks; muesli; tomato sauce; processed grains, namely, millet; pearled barley; processed quinoa; processed grains, namely, amaranth; arrowroot powder; processed grains, namely, wheat berries; processed grains, namely, rye berries; bulk dried spices; fruit sauces, namely, apricot and peach sauce; unpopped popcorn; tomato sauce. FIRST USE: 20050316. FIRST USE IN COMMERCE: 20050316

IC 032. US 045 046 048. G & S: Mineral and aerated water; drinking water; fruit juice; vegetable juice; fruit drinks; vegetable drinks; apple juice; orange juice; cranberry juice; grapefruit juice; fruit juice concentrates; vegetable juice concentrates; carbonated soft drinks; non-carbonated soft drinks; fruit flavored soft drinks; sport drinks; preparations for making fruit drink beverages and soy based fruit drink beverages; mixes in the nature of concentrates, syrups or powders used in the preparation of soy-based beverages not being milk substitutes. FIRST USE: 20050316. FIRST USE IN COMMERCE: 20050316

Standard Characters Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85394835

Filing Date

August 10, 2011

Current Basis

1A

Original Filing Basis

1A

Published for Opposition

April 2, 2013

Registration Number

4352342

Registration Date

June 18, 2013

Owner

(REGISTRANT) FunFresh Foods, Inc. CORPORATION DELAWARE 1500 Kearns Boulevard, Suite B200 Park City UTAH 84060

Attorney of Record

Alison Pitt

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FOODS" APART FROM THE MARK AS SHOWN

Description of Mark

Color is not claimed as a feature of the mark.

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE



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Word Mark NUTRISA

Translations The wording "NUTRISA" has no meaning in a foreign language.

Goods and Services IC 030. US 046. G & S: Beverages with a chocolate base; Bread and pastry; Breakfast cereals; Candies; Chocolate; Chocolate confections; Cocoa; Cocoa-based beverages; Cocoa-based ingredient in confectionery products; Coffee and tea; Confectioneries, namely, snack foods, namely, chocolate; Edible ices; Edible spices; Flavored ices; Flour; Flour for food; **Frozen** confections, namely, freezer bars; **Frozen** confections, namely, freezer pops; **Frozen** confections, namely, ices; **Frozen** yoghurt; **Frozen yogurt** confections; Fruit ice bar; Fruit jellies; Honey; Ice cream; Natural sweetener; Pastry; Peanut brittle; Peanut butter confectionery chips; Pre-processed mixes for making non-dairy **frozen** confections; Processed cereal-based food to be used as a breakfast food, snack food or ingredient for making other foods; Processed oats; Propolis for human consumption; Ready to eat, cereal derived food bars; Rice; Spices; Sugar; Sweetmeats; Tapioca; Waffles; Yeast; Yeast in pill form, not for medical use; **Yogurt**-covered fruit; **Yogurt**-covered nuts; all of the aforementioned goods for before and after sports activity, fitness or athletic activity. FIRST USE: 20080207. FIRST USE IN COMMERCE: 20080207

IC 032. US 045 046 048. G & S: Aerated mineral waters; Concentrates and powders used in the preparation of energy drinks and fruit-flavored beverages; Fruit drinks and fruit juices; Fruit flavored drinks; Mineral and aerated waters; Non-alcoholic drinks, namely, energy shots; Powders used in the preparation of isotonic sports drinks and sports beverages; Prepared entrees consisting of fruit drinks and fruit juices, fruit-based beverages, non-alcoholic beverages containing fruit juices, non-alcoholic fruit extracts used in the preparation of beverages, non-alcoholic fruit juice beverages, vegetable juices, vegetable-fruit juices and smoothies; Soft drinks; Syrups for making fruit-flavored drinks; Syrups for making soft drinks; all of the aforementioned goods for before and after sports activity, fitness or athletic activity. FIRST USE: 20080207. FIRST USE IN COMMERCE: 20080207

IC 035. US 100 101 102. G & S: Advertisement and publicity services by television, radio, mail; Advertisement for others on the Internet; Advertising agencies, namely, promoting the goods and services of others; Advertising and commercial information services, via the internet; Advertising and marketing; Advertising and publicity services; Advertising and publicity services, namely, promoting the goods, services, brand identity and commercial information and news of third parties through print, audio, video, digital and on-line medium; Advertising particularly services for the promotion of goods; Advertising services, namely, promoting the brands, goods and services of others; Advertising, marketing and promotion services; Computerized on-line retail store services in the field of cosmetics, medications, foods and beverages, health and fitness products.; Direct marketing advertising for others; Marketing services, namely, retail store services in the field of cosmetics, groceries, health and beauty products and foods and beverages; On-line retail store services featuring a wide variety of consumer goods of others; Promoting the goods and services of others by distributing advertising materials through a variety of methods; Publicity and sales promotion relating to goods and services, offered and ordered by telecommunication or the electronic way; Retail and on-line grocery store services featuring home delivery service; Retail drug store services; Retail grocery stores; Retail store and on-line retail store services featuring cosmetics, groceries, health and beauty products; Retail store services featuring a wide variety of consumer goods of others. Retail store services featuring cosmetics, skin and body care products, medicated products, foods and beverages, health and fitness products accessible on-line and by telephone, facsimile and mail order; Retail variety stores. FIRST USE: 20080207. FIRST USE IN COMMERCE: 20080207

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 03.23.06 - Bees; Hornets; Wasp; Yellowjackets

Serial Number 85329462

Filing Date May 25, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 12, 2012

Registration Number 4313687

Registration Date April 2, 2013

Owner (REGISTRANT) NUTRISA, S.A. DE C.V. sociedad anonima (sa de cv)) MEXICO Periférico Sur No. 5482-A Col. Pedregal de Carrasco C.P. 04310 Mexico, D.F. MEXICO

Attorney of Record Aaron Y. Silverstein

Prior Registrations 4003438

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "NUTRISA" in block capital letters. The letter "I" in "NUTRISA" appears as the stem of a flower, the petals of which are being pollinated by a happy-faced cartoon bumblebee.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark PONDAN

Translations The wording "PONDAN" has no meaning in a foreign language.

Goods and Services IC 030. US 046. G & S: Processed cacao; sugar; honey; yeast; baking powder; sauces; seasonings; spices; farinaceous food pastes for human consumption; ice creams; sorbets; edible ices; candies; fruit jellies; chocolate; chocolate for confectionery and bread; Cocoa-based ingredient in confectionery products; Confectioneries, namely, snack foods, namely, chocolate; Confectionery chips for baking; Confectionery for decorating Christmas trees; Confectionery made of sugar; Confectionery, namely, pastilles; Crystal sugar pieces; Fondants; **Frozen** confectionery; **Frozen yogurt**; Peanut butter confectionery chips; Peppermint for confectionery; **Yogurt**-covered fruit; **Yogurt**-covered nuts; **Yogurt**-covered pretzels; pastries; biscuits; puddings; cakes; waffles; cookies; pies; macaroon; sandwiches; breads; chocolate based beverages with milk; chocolate based beverages not being dairy based; coffee based beverages; tea based beverages; tapioca; sago; flour; potato flour for food; soya flour; wheat flour; flour for foods; preparations made of cereals, namely, flour; thickening agent for cooking foodstuffs; mixes for bakery goods; mixes for waffles; mixes for whipped cream, namely, icing mixes, starch-based thickeners for whipped cream; mixes for making breading; ice cream mixes; and instant pudding mixes. FIRST USE: 19960715. FIRST USE IN COMMERCE: 20041231

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 26.13.02 - Plain single or multiple line quadrilaterals; Quadrilaterals (single line or multiple line)

Search Code 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

Serial Number 85300198

Filing Date April 20, 2011

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 6, 2011

Registration Number 4101459

Registration Date February 21, 2012

Owner (REGISTRANT) PT. PONDAN PANGAN MAKMUR INDONESIA CORPORATION INDONESIA JI. Industri VII Blok M No. 12 Kel. Pasir Jaya, Kec., Jatiuwung Tangerang 15135 INDONESIA

Attorney of Record BHARATI BAKSHANI

Description of Mark The color(s) red and blue is/are claimed as a feature of the mark. The mark consists of the three horizontal lines represented, from top to bottom, in the colors red, blue and red again. The lines are interrupted by a five-sided red polygon design. Enclosed inside this polygon is the word "PONDAN" in blue. The color white represents the background and is not part of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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A Little Sweet A Little Salty A Little Spicy

Word Mark INDIAN SNACKS A LITTLE SWEET A LITTLE SALTY A LITTLE SPICY
Goods and Services IC 030. US 046. G & S: Bread; Cereal based snack food; Chocolate covered fruit; Chocolate covered nuts; Chocolate covered popcorn; Chocolate sauce; Chocolate-based ready-to-eat food bars; Chocolates and chocolate based ready to eat candies and snacks; Chutney; Cinnamon; Coatings for foods made of breading; Cocoa; Coffee; Coffee based beverages; Cookies; Corn starch; Corn-based snack foods; Curry pastes; Flour; **Frozen** foods, namely, grain and bread based appetizers, hors d'oeuvres, and canapés; **Frozen yogurt**; Grain-based snack foods; Ketchup; Masala rice for biryani; Noodles; Ready-made sauces; Rice; Rice flour; Rice-based pudding dessert; Rice-based snack foods; Salt; Sauce mixes; Sherbet; Snack cakes; Spice blends; Spices; Sugar; Sweets; Tea; Turmeric; Vinaigrettes; Vinegar; Wafers; Wheat-based snack foods; Prepared meals consisting primarily of pasta or rice. FIRST USE: 20100324. FIRST USE IN COMMERCE: 20100324

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 85006731
Filing Date April 5, 2010
Current Basis 1A
Original Filing Basis 1A
Published for Opposition August 31, 2010

Registration Number 3876729
Registration Date November 16, 2010
Owner (REGISTRANT) Hardik Shailesh Thakkar INDIVIDUAL INDIA #114 18540 Plummer Street Northridge CALIFORNIA 91324
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "INDIAN SNACKS" AND "SWEET" AND "SALTY" AND "SPICY" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "INDIAN" centered above "SNACKS", both in stylized font. Below the words, written along an arch in stylized font are the words "A LITTLE SWEET A LITTLE SALTY A LITTLE SPICY".
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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WE DON'T CLAIM TO
MAKE THE MOST...
ONLY THE BEST

Word Mark WE DON'T CLAIM TO MAKE THE MOST...ONLY THE BEST

Goods and Services IC 029. US 046. G & S: Jams; jellies; marmalades; fruit conserves; cream cheese and flavored cream cheese spreads; cranberry sauce; dried fruit; food oils, namely, peanut, avocado and almond; fruit-based toppings; fruit butters; fruit-based spreads; ice cream toppings, namely, fruit, nut and whipped topping; jerky; **frozen** mixed vegetables; nut butters; roasted and processed nuts; olive oil for culinary purposes; processed olives; pickles; fruit preserves; snack dip excluding salsa and other sauces used as dips; marinated tomatoes; fruit-based fillings for pies, fruit preserves. FIRST USE: 19800600. FIRST USE IN COMMERCE: 19850319

IC 030. US 046. G & S: Mustard; Table Syrup; Vinegar; Barbecue Sauce; Bakery Products; Breads; Chocolates; Chutneys; Cocktail Sauce; Cookies; Entree Sauces; **Frozen** Doughs; **Frozen** Sherbert; **Frozen Yogurt**; Fruit Flavored Sauces; Fruit Preserves; Grilling Sauce; Honeys; Ice Cream Toppings, namely, chocolate and marshmallow; Ketchup; Marinades; Pancake Mix; Pasta Sauces; Pesto Sauce; Pie Crusts; Chocolate-based and custard-based fillings for pies; Pies; Relish; Salad Dressings; Salsas; Seasonings; Seasoned Pepper; Seasoned Salt; Spaghetti Sauce; Spices; Steak Sauces; Tarter Sauce; Teriyaki Sauces; Vinaigrettes; Food syrups of various flavors, namely, flavoring syrups. FIRST USE: 19800600. FIRST USE IN COMMERCE: 19850319

(CANCELLED) IC 033. US 047 049. G & S: wine. FIRST USE: 19800600. FIRST USE IN COMMERCE: 19850319

(CANCELLED) IC 035. US 100 101 102. G & S: Retail stores featuring food, condiments, sauces, fruit, and vegetables as well as non-food kitchen sundries and tools. FIRST USE: 19800600. FIRST USE IN COMMERCE: 19850319

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78539890

Filing Date December 29, 2004

Current Basis 1A

Original Filing Basis 1A

Published for Opposition February 21, 2006

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3092572

Registration Date May 16, 2006

Owner (REGISTRANT) Kozlowski Farms CORPORATION CALIFORNIA 5566 Gravenstein Highway North Forestville CALIFORNIA 95436

Attorney of Record Jamie Shelden

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL-2(F)

Affidavit Text SECT 15. PARTIAL SECT 8 (6-YR).

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Word Mark COCINA CASERA

Translations The foreign wording in the mark translates into English as "home cooking."

Goods and Services IC 030. US 046. G & S: tortillas; picante sauce; enchilada sauce; taco sauce; cheese sauces; seasonings; spices; food flavorings not prepared from essential oils; hominy; dried peppers for use as a seasoning; steak sauces; pasta; dry mixes and batters, namely, cake and bread; honey; sugar; flavored and sweetened gelatins and puddings; chocolate-based pie fillings; custard-based pie fillings; cookies; marshmallows; salt; coffee and tea; vinegar; catsup; mustard; soy sauce; maple syrups, chocolate syrups, flavoring syrups, pancake syrups, table syrups and topping syrups; canned pasta; pasta, rice and macaroni salads; mayonnaise and salad dressings; candy; rice; horseradish sauce; flour; shakes; bases for making milk shakes; bakery goods; relishes; **frozen**, prepared and packaged meals consisting primarily of pasta or rice; ice cream; ice milk and **frozen yogurt**. FIRST USE: 20060905. FIRST USE IN COMMERCE: 20060905

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles
 26.01.21 - Circles that are totally or partially shaded.
 26.01.26 - Coils; Spirals; Swirls
 26.09.21 - Squares that are completely or partially shaded
 26.09.25 - Squares with curved sides
 26.15.21 - Polygons that are completely or partially shaded
 26.15.28 - Miscellaneous designs with overall polygon shape; Polygonal shapes (miscellaneous overall shape)
 27.03.01 - Geometric figures forming letters, numerals or punctuation

Trademark SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles
Search Facility SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals
Classification and polygons
Code SHAPES-MISC Miscellaneous shaped designs
 SHAPES-TRIANGLES Triangular shaped designs and marks including incomplete triangles
Serial Number 78965600
Filing Date August 31, 2006
Current Basis 1A
Original Filing Basis 1B
Published for Opposition June 3, 2008
Registration Number 3488744
Registration Date August 19, 2008
Owner (REGISTRANT) F.A.B., Inc. CORPORATION GEORGIA 1225 Old Alpharetta Road Alpharetta GEORGIA 30005
Attorney of Record Elizabeth M. Fox
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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WAYAPI

- Word Mark** WAYAPI
- Goods and Services** IC 003. US 001 004 006 050 051 052. G & S: perfumes, soaps, essential oils, cosmetics, hair lotions, tooth paste. FIRST USE: 20080325. FIRST USE IN COMMERCE: 20080325
- IC 005. US 006 018 044 046 051 052. G & S: pharmaceutical, veterinary and hygienic preparations for the treatment of temporary weariness and hygienic preparations in the nature of disinfectants, feminine hygiene pads; dietetic substances in the nature of foods, sugars adapted for medical use, baby food. FIRST USE: 20080325. FIRST USE IN COMMERCE: 20080325
- IC 029. US 046. G & S: food products, in particular preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and milk products excluding ice cream, ice milk and **frozen yogurt**; edible oils and fats. FIRST USE: 20080325. FIRST USE IN COMMERCE: 20080325
- IC 030. US 046. G & S: coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, namely, ready to eat, cereal derived food bars, bread, pastries and confectionery chips for baking, ices, namely, fruit ices, flavored ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar; condiments, namely, pepper sauce; spices; milk products, namely, ice cream, ice milk and **frozen yogurt**; salad sauces. FIRST USE: 20080325. FIRST USE IN COMMERCE: 20080325
- IC 031. US 001 046. G & S: agricultural, horticultural and forestry products in the nature of seeds, bulbs and grains for planting, unprocessed grains; fresh fruits and vegetables; seeds, namely, flower seeds and fruit seeds; natural live plants and flowers. FIRST USE: 20080325. FIRST USE IN COMMERCE: 20080325
- IC 032. US 045 046 048. G & S: mineral and aerated waters and other non-alcoholic beverages,

namely, fruit juice; fruit drinks and fruit juices; syrups and other preparations for making soft drinks.
FIRST USE: 20080325. FIRST USE IN COMMERCE: 20080325

IC 035. US 100 101 102. G & S: retail and whole sale distributorships in the field of cosmetics, soaps, perfumes, essential oils, hair lotions, tooth paste, of hygienic and beauty care for human beings, tea, spices, drinks, honey, jam, dietetic substances for medical or non medical use. FIRST USE: 20080325. FIRST USE IN COMMERCE: 20080325

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Search Facility Classification Code LETTER-3-OR-MORE API Combination of three or more letters as part of the mark

Serial Number 78861014

Filing Date April 13, 2006

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 3, 2007

Registration Number 3769415

Registration Date March 30, 2010

Owner (REGISTRANT) Guayapi Tropical LIMITED LIABILITY COMPANY FRANCE 55 Rue Traversiere Paris FRANCE 75012

Attorney of Record James E. Rosini, Esq.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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SONOMA COUNTY CLASSICS

Word Mark SONOMA COUNTY CLASSICS

Goods and Services IC 029. US 046. G & S: Jams; jellies; marmalades; fruit conserves; cream cheese and flavored cream cheese spreads; cranberry sauce; dried fruit; food oils, namely, peanut, avocado and almond; fruit-based toppings; fruit butters; fruit-based spreads; ice cream toppings, namely, fruit, nut and whipped topping; jerky; **frozen** mixed vegetables; nut butters; roasted and processed nuts; olive oil for culinary purposes; processed olives; pickles; fruit preserves; snack dip excluding salsa and other sauces used as dips; marinated tomatoes; fruit-based fillings for pies, fruit preserves. FIRST USE: 19780600. FIRST USE IN COMMERCE: 19830600

IC 030. US 046. G & S: Mustard; Table Syrup; Vinegar; Barbecue Sauce; Bakery Products; Breads; Chocolates; Chutneys; Cocktail Sauce; Cookies; Entree Sauces; **Frozen Doughs**; **Frozen Sherbert**; **Frozen Yogurt**; Fruit Flavored Sauces; Fruit Preserves; Grilling Sauce; Honey; Ice Cream Toppings, namely, chocolate and marshmallow; Ketchup; Marinades; Pancake Mix; Pasta Sauces; Pesto Sauce; Pie Crusts; Chocolate-based and custard-based fillings for pies; Pies; Relish; Salad Dressings; Salsas; Seasonings; Seasoned Pepper; Seasoned Salt; Spaghetti Sauce; Spices; Steak Sauces; Tarter Sauce; Teriyaki Sauces; Vinaigrettes; Food syrups of various flavors, namely, flavoring syrups. FIRST USE: 19780600. FIRST USE IN COMMERCE: 19830600

IC 033. US 047 049. G & S: wine. FIRST USE: 20040100. FIRST USE IN COMMERCE: 20040100

IC 035. US 100 101 102. G & S: Retail stores featuring food, condiments, sauces, fruit, and vegetables as well as non-food kitchen sundries and tools. FIRST USE: 19860100. FIRST USE IN COMMERCE: 19860100

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78533817
Filing Date December 16, 2004
Current Basis 1A
Original Filing Basis 1A
Published for Opposition January 31, 2006
Registration Number 3084810
Registration Date April 25, 2006
Owner (REGISTRANT) Kozlowski Farms CORPORATION CALIFORNIA 5566 Gravenstein Highway North Forestville CALIFORNIA 95436
Attorney of Record Jamie Sheldon
Prior Registrations 1770232
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL-2(F)
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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KOZLOWSKI FARMS

Word Mark KOZLOWSKI FARMS

Goods and Services IC 029. US 046. G & S: Jams; jellies; marmalades; fruit conserves; cream cheese and flavored cream cheese spreads; cranberry sauce; dried fruit; food oils, namely, peanut, avocado and almond; fruit-based toppings; fruit butters; fruit-based spreads; ice cream toppings, namely, fruit, nut and whipped topping; jerky; **frozen** mixed vegetables; nut butters; roasted and processed nuts; olive oil for culinary purposes; processed olives; pickles; fruit preserves; snack dip excluding salsa and other sauces used as dips; marinated tomatoes; fruit-based fillings for pies, fruit preserves. FIRST USE: 19780600. FIRST USE IN COMMERCE: 19830600

IC 030. US 046. G & S: Mustard; Table Syrup; Vinegar; Barbecue Sauce; Bakery Products; Breads; Chocolates; Chutneys; Cocktail Sauce; Cookies; Entree Sauces; **Frozen** Doughs; **Frozen** Sherbert; **Frozen Yogurt**; Fruit Flavored Sauces; Fruit Preserves; Grilling Sauce; Honey; Ice Cream Toppings, namely, chocolate and marshmallow; Ketchup; Marinades; Pancake Mix; Pasta Sauces; Pesto Sauce; Pie Crusts; Chocolate-based and custard-based fillings for pies; Pies; Relish; Salad Dressings; Salsas; Seasonings; Seasoned Pepper; Seasoned Salt; Spaghetti Sauce; Spices; Steak Sauces; Tarter Sauce; Teriyaki Sauces; Vinaigrettes; Food syrups of various flavors, namely, flavoring syrups. FIRST USE: 19780600. FIRST USE IN COMMERCE: 19830600

IC 033. US 047 049. G & S: wine. FIRST USE: 20040100. FIRST USE IN COMMERCE: 20040100

IC 035. US 100 101 102. G & S: Retail stores featuring food, condiments, sauces, fruit, and vegetables as well as non-food kitchen sundries and tools. FIRST USE: 19690100. FIRST USE IN COMMERCE: 19690100

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78533803

Filing Date December 16, 2004

Current Basis 1A

Original Filing Basis 1A

Published for Opposition January 31, 2006

Registration Number 3084809

Registration Date April 25, 2006

Owner (REGISTRANT) Kozlowski Farms CORPORATION CALIFORNIA 5566 Gravenstein Highway North Forestville CALIFORNIA 95436

Attorney of Record Jamie Sheldon

Prior Registrations 1451060;1451073;1847791

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL-2(F)

Affidavit Text SECT 15. SECT 8 (6-YR).

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Typed Drawing

Word Mark I'M LOVIN' IT

Goods and Services IC 030. US 046. G & S: edible sandwiches for consumption on or off the premises, coffee, coffee substitutes, tea, cocoa, sugar, honey, rice, tapioca, flour, breakfast cereals, processed cereals, cereal-based snack foods and ready to eat cereal-derived food bars; bread, biscuits, cakes, pastries, dairy-based shakes, soft-serve ice cream, ice milk and **frozen yogurt**; yeast, baking powder, salt, mustard, pepper, sauces, spices, seasonings and ice. FIRST USE: 20040131. FIRST USE IN COMMERCE: 20040131

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78257216

Filing Date June 2, 2003

Current Basis 1A

Original Filing Basis 1B

Published for Opposition January 27, 2004

Registration Number 2978889

Registration Date July 26, 2005

Owner (REGISTRANT) MCDONALD'S CORPORATION CORPORATION DELAWARE ONE MCDONALD'S PLAZA OAK BROOK ILLINOIS 60523

Assignment Recorded ASSIGNMENT RECORDED

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20150724.

Renewal 1ST RENEWAL 20150724

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Indicator **LIVE**

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**JING MAI ANCIENT
TEA PLANTATION**

Word Mark JING MAI ANCIENT TEA PLANTATION
Goods and Services IC 030. US 046. G & S: Tea, herbal tea for food purposes, iced tea, tea-based beverages with fruit flavoring, tea syrups, powdered teas, instant teas, ginger tea, ginseng tea, coffee, coffee beans, coffee-based beverage containing milk, chocolate, chocolate syrup, cocoa, candy, tea flavored candy, candy bars, bubble gum, cakes, cookies, crystallized ginger, powdered ginger, honey, ice cream, ice cream drinks, milk shakes, frozen yogurt. FIRST USE: 20030601. FIRST USE IN COMMERCE: 20030601
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78376960
Filing Date March 2, 2004
Current Basis 1A
Original Filing Basis 1B
Published for Opposition August 2, 2005
Registration Number 3110124
Registration Date June 27, 2006

Owner (REGISTRANT) 101 TEA, Inc. CORPORATION CALIFORNIA 46859 Warm Springs Blvd. Fremont
CALIFORNIA 94539

Attorney of Record Otto O. Lee

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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Typed Drawing

Word Mark MEXICATESSEN

Goods and Services IC 030. US 046. G & S: Alimentary Paste, Bagels, Bakery desserts, Bakery goods, Bakery Products, Barbecue sauce, Bases for making milk shakes, Bean paste, Biscuits, Bonbons, Bread, Bread Sticks, Breadcrumbs, Breakfast cereals, Bubble Gum, Buns, Burritos, Cake mixes, Cakes, Candy, Candy Bars, Candy Cake, Decorations, Candy coated apples, Candy coated Popcorn, Candy decoration for cake, candy mints, Caramel popcorn, Caramels, Catsup, Cereal based snack food, Chalupas, Cheese flavor puffed corn snacks, Cheese flavor snacks, Cheese balls, Cheeses sauce, Cheesecake, Chewing gum, Chili powders, Chili sauce, Chili seasonings, Chimichanga, Chocolate, Chocolate chips, Chocolate covered nuts, Chocolate fondue, Chocolate food beverages not being dairy-based or vegetable based, Chocolate mousse, Chocolate powder, Chocolate Syrup, Chocolate topping, Chocolate truffle, Chocolate-based fillings for cakes and pies, Chocolate-based ready-to-eat food bars, Cinnamon, Cinnamon rolls, Cloves, Cocoa, Cocoa mixes, Cocoa-based ingredients in confectionery products, coffee, coffee beans, Coffee substitute, Coffee-based beverages containing milk, Cones for ice cream, Confectionery chips for baking, Cookies, Corn chips, Corn curls, Corn flakes, Corn meal, Corn syrup, Cracker and cheese combinations, Crackers, Crepes, Croissants, Custard-base filling for cakes and pie, Custards, Dessert mousse, Dessert souffles, Dough, Doughnuts, Dulce de leche, Edible cake decorations, Edible decorations for cakes, Empanadas, Enchiladas, Extracts used as flavorings, Fajitas, Farina, Fish dumplings, Fish sandwiches, Flavored and sweetened gelatin, Flavored Ices, Flavored additives for non nutritional purposes, Flavoring syrup, Flour, Flour-based chips, Food additives for non nutritional purposes for use as a flaring ingredient or filler, Food flavorings, Food package combinations, Food starch, Freezable liquid for use in making frozen confections. Fritters, Frosting mixes, Frostings, Frozen confections, Frozen custards, Frozen yogurt, Fruit Ice, Fruit pies, Grain-based chips, Grain-based food beverages, Granola, Granola-based snack bars, Gravies, Gravy, Gravy mixes, Ham glazed, Hamburger sandwiches, Herb tea, Herbal food beverages, Herbal infussions, Herbal tea, Honey, Hot chocolate, Hot dog sandwiches, Hot sauce, Ice, Ice cream, Ice cream drinks, Ice cream substitute, Ice cubes, Ice milk, Iced tea, Icing, Ketchup, Lasagna, Macaroni, Malt for food purposes, Maple Syrup, Marinades, Marshmallows, Marzipan, Meals consisting primarily of pasta or rice, Meat pies, Meat tenderizers, Microwave popcorn, Milkshakes, Mincemeat pies, Mix for making combined noodle and sauce dish, Mixes for bakery goods, molasses, Muesli, Muffins, Mustard, Nachos, Natural sweetener, Non-medicated lonzeges, Noodles, Oatmeal, Pancake mixes, pancake syrup, Pancakes, Parafaits, Pasta, Pasta salad, Pasta Shells, Paties, Pastries, Peanut butter confectionery chips, Pepper, Picante sauce, Pickled ginger, Pies, Pimiento used as a condiment, Pizza,

Pizza crust, Pizza dough, Pizza sauce, Pot pies, Powdered garlic, Pretzels, Processed cereals, Processed gingseng used an herb, spice or flavoring, Porcessed grains, processed Herbs, Processed Oats, Processed popcorn, Processed semolina, Processed unpopped popcorn, Processed wheat, Propolis for food purposes, Puddings, Puffed corn snacks, Quesadillas, Rice, Rice cakes, Rice salad, Rice-based snack foods, Rolled oats, Rolls, Royal Jelly, Salsa, Salt, Sandwiches, Sauces, Seasoned coating for meat, fish, poultry, Seasonings, Shakes, Sherbet, Snack mix, Sopapillas, Sorbet, Spaghetti, Spaghetti sauce, Spices, Stuffing mixes, Sugar, Sugar substitute, Sweet meats, Taco chips, Taco seasoning, Taco shells, Tacos, Tamales, Tapioca, Tarts, Tea, Tea for infussion. Tea-based beverages with fruit flavoring, Thickening agents for use in cooking, Tisanes, Tomato sauce, Topping syrup, Tortilla chips, Tortilla Shells, Tortillas, Vanilla, Vanilla beans, Vegetable concentrate used for seasoning, Vinegar, Wafers, Waffles, Wheat germ, Wheat-based snacks foods, Wine vinegar, Yeast, Yerba mate. FIRST USE: 20010801. FIRST USE IN COMMERCE: 20010801

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78075501

Filing Date July 24, 2001

Current Basis 1A

Original Filing Basis 1B

Published for Opposition March 8, 2005

Registration Number 3059378

Registration Date February 14, 2006

Owner (REGISTRANT) TAMALES IMPERIAL COMPANY CORPORATION TEXAS 2543 GESSNER ROAD HOUSTON TEXAS 77080
 (LAST LISTED OWNER) BLOSSOM BRANDS INC. CORPORATION TEXAS 3800 BUFFALO SPEEDWAY 5TH FLOOR HOUSTON TEXAS 77098

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record W. Scott Brown

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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WHOLESOME GOODNESS

Word Mark WHOLESOME GOODNESS

Goods and Services IC 029. US 046. G & S: beef; canned fruits; canned fruits and vegetables; canned or bottled fruits; canned or bottled vegetables; canned tomatoes; canned vegetables; dehydrated fruit snacks; dried fruits; **frozen** fruits; **frozen** vegetables; instant potatoes; potato chips; potato-based snack foods; poultry; snack mix consisting of dehydrated fruit and processed nuts; snack mix consisting of processed nuts and salted squash seeds and also including toasted corn; snack mix consisting of wasabi peas, processed nuts, dehydrated fruit and/or raisins; snack mix consisting primarily of dehydrated fruits, processed nuts and also including sesame sticks; snack mix consisting primarily of processed fruits, processed nuts and/or raisins; soups; **yogurt**; **yogurt** drinks; chocolate milk; condensed milk; evaporated milk; goat milk; milk; powdered milk; rice milk for use as a milk substitute; protein-based nutrient dense snack bars; dehydrated fruit based fruit bars; soy-based food beverage used as a milk substitute; prepared entrees consisting primarily of meat, poultry or vegetables; prepared meals consisting primarily of meat, poultry or vegetables; **frozen** pre-packaged entrees consisting primarily of chicken, beef, pork or seafood; cheeses; and **yogurt**-based beverages. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120100

IC 030. US 046. G & S: tea-based beverages; ketchup; macaroni and cheese; mustard; pasta; pasta sauce; pizza; popped popcorn; pretzels; relish; salad dressings; tomato sauce; baking powder; barbeque sauce; coffee-based beverages; bread and buns; bread and pastry; bread crumbs; brown sugar; bruschetta-topped bread; caffeine-free coffee; celery salt; chili sauce; chocolate sauce; cocoa; prepared cocoa, cocoa powder; cocoa based beverages; coffee; coffee based beverages; coffee beans; coffee pods; crystal sugar; enriched rice; flavored ices; **frozen** confections; **frozen** confections, namely, freezer pops; **frozen yogurt** confections; garlic bread; granulated sugar; ground coffee beans; honey and treacle; ice cream; ice cream drinks; ice creams; ice-cream cakes; instant coffee; Italian ice; maple syrup; mineral salt for human consumption; natural brown sugar; onion salt; pancake syrup; pastries; pita bread; powdered sugar; puffed rice; rice; rice cakes; rice pudding; roasted coffee beans;

rolls; salad sauces; salt; sauce mixes; soy sauce; steak sauce; stuffing mixes containing bread; sugar; sugar substitutes; sugar wafers; table salt; table syrup; tapioca; tartar sauce; vinegar; white sugar; wholemeal bread; wholemeal rice; wine vinegar; worcestershire sauce; yeast; candy, namely, sugar reduced and sugar free candies; **frozen** pre-packaged entrees consisting primarily of pasta or rice; **yogurt** based salad dressings. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120100

IC 031. US 001 046. G & S: fresh culinary herbs; fresh fruit and vegetables; unprocessed cereal seeds; unprocessed edible seeds. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120100

IC 032. US 045 046 048. G & S: energy drinks; fruit drinks; fruit juices; aerated mineral waters; aerated water; bottled drinking water; drinking water with vitamins; mineral water; non-alcoholic beer; soda water; sparkling water; spring water; still water; syrups for making beverages; drinking water with added fiber. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120100

Standard Characters Claimed

Mark

Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77886421

Filing Date December 4, 2009

Current Basis 1A

Original Filing Basis 1B

Published for Opposition December 21, 2010

Registration Number 4164950

Registration Date June 26, 2012

Owner (REGISTRANT) Wholesome Goodness LLC LIMITED LIABILITY COMPANY DELAWARE 6522 Saddle Ridge Lane Long Grove ILLINOIS 60047

Attorney of Record Melissa A. Vallone

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WHOLESOME" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark ARCHER FARMS TASTY FOOD TASTY PRICE SATISFACTION GUARANTEED PREMIUM FOOD PRODUCTS

Goods and Services IC 029. US 046. G & S: Food and beverage products in the class, namely, processed, **frozen**, dried and preserved fruits and vegetables; **frozen**, prepared and packaged entrees and meals consisting primarily of meat, fish, poultry or vegetables; **frozen**, prepared and packaged vegetable-based entrees; **frozen** appetizers consisting primarily of chicken or seafood; pickles; processed olives; processed fruit and nut-based food bars; fruit-based snack foods; soy-based snack food; snack mix consisting primarily of processed fruits, processed nuts and/or raisins; processed, roasted, preserved, candied and seasoned nuts and edible seeds; processed luncheon meats; dried meat; sausages; meat, poultry, seafood not live, pork, fish not live; butter; cooking oil; olive oil; milk; non-dairy cream; dairy or non-dairy whipped topping; eggs; **yogurt**; cheese; peanut butter; fruit preserves; jellies and jams; dips, excluding salsa and other sauces used as dips; potato chips and potato-based snack foods; soup and soup mix; broth; bouillon; fruit and vegetable salads; potato salad. FIRST USE: 20051116. FIRST USE IN COMMERCE: 20051116

IC 030. US 046. G & S: Food and beverage products in the class, namely, **frozen**, prepared and packaged entrees consisting primarily of pasta or rice; pasta; rice; pasta salads; bakery products; tortillas; breads and bread rolls; pizza; croutons; sandwiches; mixes for bakery goods; oatmeal; breakfast cereals; granola; bagels; buns; scones; cinnamon rolls; pastries; muffins; crackers; pretzels; snack mix consisting primarily of crackers, pretzels, candied nuts and/or popped popcorn; popcorn; corn-based snack foods; tortilla chips; cookies and cookie mixes; candy and candy mints; chocolate covered nuts; cereal-based snack foods; cocoa; coffee; tea; bakery desserts; cakes, pies; tarts; **frozen** confections; **frozen** dessert consisting of fruit and cream or cream substitutes; ice cream; **frozen yogurt**; dessert mousse, cheesecake; brownies; salad dressings; mustard; marinades; sauces; gravy; salsa; relishes; vinegar; processed herbs; seasoning mixes and seasonings; extracts used as flavorings; flour; spices and spice rubs; chocolate; topping syrup; pancake syrup; flavoring

syrops. FIRST USE: 20060105. FIRST USE IN COMMERCE: 20060105

IC 031. US 001 046. G & S: Raw and fresh fruits and vegetables; fresh, raw and unprocessed nuts. FIRST USE: 20061015. FIRST USE IN COMMERCE: 20061015

IC 032. US 045 046 048. G & S: Beverages, namely, fruit juices, fruit drinks, smoothies, bottled water including mineral, drinking, sparkling and flavored water. FIRST USE: 20061015. FIRST USE IN COMMERCE: 20061015

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design

03.15.03 - Chickens, hens, roosters; Chicks; Hens; Rooster

Search Code

26.03.02 - Ovals, plain single line; Plain single line ovals
 26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric
 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

Serial Number

77820464

Filing Date

September 4, 2009

Current Basis

1A

Original Filing Basis

1B

Published for Opposition

April 27, 2010

Registration Number

4009937

Registration Date

August 9, 2011

Owner

(REGISTRANT) Target Brands, Inc. CORPORATION MINNESOTA 1000 Nicollet Mall Minneapolis MINNESOTA 55403

Attorney of Record

Ann Dunn Wessberg

Prior Registrations

2290302;2292831;2954200

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FARMS" "TASTY FOOD" "SATISFACTION GUARANTEED" AND "PREMIUM FOOD PRODUCTS" APART FROM THE MARK AS SHOWN

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of a horizontal oval with the words "ARCHER FARMS" written across and inside the upper oval. The phrase "TASTY FOOD TASTY PRICE" is stacked below this with a rooster image between "TASTY FOOD" and "TASTY PRICE". The phrase Satisfaction Guaranteed is stacked below this in cursive, lower case letters. The phrase "PREMIUM FOOD PRODUCTS" is stacked below this along the inside bottom of the oval.

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

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TASTY FOOD TASTY PRICE

Word Mark TASTY FOOD TASTY PRICE

Goods and Services IC 029. US 046. G & S: Food and beverage products in the class, namely, processed, **frozen**, dried and preserved; **frozen**, prepared and packaged entrees and meals consisting primarily of meat, fish, poultry or vegetables; **frozen**, prepared and packaged vegetable-based entrees; **frozen** appetizers consisting primarily of chicken or seafood; pickles; processed olives; processed fruit and nut-based food bars; fruit-based snack foods; soy-based snack food; snack mix consisting primarily of processed fruits, processed nuts and/or raisins; processed, roasted, preserved, candied and seasoned nuts and edible seeds; processed luncheon meats; dried meat; sausages; meat, poultry, seafood not live, pork, fish not live; butter; cooking oil; olive oil; milk; non-dairy creamer; dairy or non-dairy whipped topping; eggs; **yogurt**; cheese; peanut butter; fruit preserves; jellies and jams; dips, excluding salsa and other sauces used as dips; potato chips and potato-based snack foods; soup and soup mix; broth; bouillon; fruit and vegetable salads; potato salad. FIRST USE: 20051116. FIRST USE IN COMMERCE: 20051116

IC 030. US 046. G & S: Food and beverage products in the class, namely, **frozen**, prepared and packaged entrees consisting primarily of pasta or rice; pasta; rice; pasta salads; bakery products; tortillas; breads and bread rolls; pizza; croutons; sandwiches; mixes for bakery goods; oatmeal; breakfast cereals; granola; bagels; buns; scones; cinnamon rolls; pastries; muffins; crackers; pretzels; snack mix consisting primarily of crackers, pretzels, candied nuts and/or popped popcorn; popcorn; and corn-based snack foods; tortilla chips; cookies and cookie mixes; candy and candy mints; chocolate covered nuts; cereal-based snack foods; cocoa; coffee; tea; bakery desserts; cakes, pies; tarts; **frozen** confections; **frozen** dessert consisting of fruit and cream or cream substitutes; ice cream; **frozen yogurt**; dessert mousse, cheesecake; brownies; salad dressings; mustard; marinades; sauces; gravy; salsa; relishes; vinegar; processed herbs; seasoning mixes and seasonings; extracts used as flavorings; spices and spice rubs; chocolate; topping syrup; pancake syrup; flavoring syrups. FIRST USE: 20060105. FIRST USE IN COMMERCE: 20060105

IC 031. US 001 046. G & S: Raw and fresh fruits; fresh, raw and unprocessed nuts. FIRST USE: 20061015. FIRST USE IN COMMERCE: 20061015

IC 032. US 045 046 048. G & S: Beverages, namely, fruit juices, fruit drinks, smoothies, bottled water including mineral, drinking, sparkling and flavored water. FIRST USE: 20061015. FIRST USE IN COMMERCE: 20061015

Standard Characters Claimed

Mark

Drawing Code (4) STANDARD CHARACTER MARK

Serial Number

77801687

Filing Date

August 11, 2009

Current Basis

1A

Original Filing Basis

1B

Published for Opposition

April 27, 2010

Registration Number

4019977

Registration Date

August 30, 2011

Owner

(REGISTRANT) Target Brands, Inc. CORPORATION MINNESOTA 1000 Nicollet Mall Minneapolis MINNESOTA 55403

Attorney of Record

Ann Dunn Wessberg

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TASTY FOOD" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

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THE NATURAL POWER OF PLANTS

Word Mark THE NATURAL POWER OF PLANTS

Goods and Services IC 001. US 001 005 006 010 026 046. G & S: Emulsifiers for use in the manufacture of cosmetics; emulsion-stabilizing agents for use in the manufacture of cosmetics; surface-active chemical agents for use in the manufacture of cosmetics and other products; esters for use in the manufacture of cosmetics; fatty acids for use in the manufacture of cosmetics; uv-absorbing chemical agents for use in the manufacture of cosmetics; solvents for use in the manufacture of cosmetics; chemical agents for use in the manufacture of cosmetics; esters for use in the manufacture of other products; chemical additive for use in the manufacture of cosmetics and food products, namely, tocopherol; lecithin for use in the manufacture of cosmetics and food products, namely, lecithin (raw material); chemicals for use in industry and science; long chain fatty acids for use in the manufacture of cosmetics; long chain fatty acids for industrial purposes; middle chain fatty acids for use in the manufacture of cosmetics; middle chain fatty acids for industrial purposes; fatty acids for use in the manufacture of other products; plant growth regulating preparations; fertilizers; soya flour, flour and starch for use as a chemical carrier. FIRST USE: 20120610. FIRST USE IN COMMERCE: 20120610

IC 004. US 001 006 015. G & S: Emulsified oils for use in the manufacture of cosmetics; animal oils and fats for use in the manufacture of cosmetics; vegetable oils and fats for use in the manufacture of cosmetics; oils and fats for use in the manufacture of cosmetics; oils and fats for use in the manufacture of other products; petroleum jelly for use in the manufacture of cosmetics; mineral oils and greases for use in the manufacture of cosmetics; lubricating oils; cutting oils; mould releasing oils; mineral oils and greases for industrial purposes. FIRST USE: 20120610. FIRST USE IN COMMERCE: 20120610

IC 029. US 046. G & S: Cooking oils, namely, linseed oil, soybean oil, rapeseed oil, corn oil, sunflower oil, safflower oil, palm oil, palm kernel oil, peanut oil, coconut fat palm oil, rice bran oil, sesame oil, olive oil; hardened oils; powdered oils and fats; interesterified edible oil; edible oils; edible fats; margarine; shortening; milk beverages containing high milk content; milk products excluding ice cream, ice milk and **frozen yogurt**; butter; whipped cream; fat spread consisting primarily of edible fats and/or edible oils; fat-containing mixtures for bread slices, namely, butter spread, almond spread; preserved beans; dried soybean; soya milk; tofu; soybean protein being foodstuffs for human consumption; protein being foodstuffs for human consumption; functional food not for medical purposes, namely, edible oils. FIRST USE: 20120423. FIRST USE IN COMMERCE: 20120423

IC 030. US 046. G & S: Confectionery, namely, candy, fondants, fruits jellies, **frozen yogurt**; chocolate;

chocolate confectionery; cakes; cookies; rice cakes; popcorn; candy for food; pastries; ice cream; sandwiches; bread; buns; Chinese meat dumplings; steamed buns; almond paste; condiments, namely, ketchup, mustard; dressings for salad; mayonnaise; sauces; soy sauce; seasonings; spices; sugar; flour for food; soya flour; farinaceous foods pastes for human consumption; cereal preparations, namely, breakfast cereals, oatmeal, oat flakes and corn flakes; meat pies; pizzas; tea; chocolate spread.
FIRST USE: 20120508. FIRST USE IN COMMERCE: 20120508

**Standard
Characters
Claimed**

Mark

**Drawing
Code** (4) STANDARD CHARACTER MARK

**Serial
Number** 77502295

Filing Date June 18, 2008

**Current
Basis** 1A

**Original
Filing Basis** 1B

**Published
for
Opposition** January 12, 2010

**Change In
Registration** CHANGE IN REGISTRATION HAS OCCURRED

**Registration
Number** 4350372

**Registration
Date** June 11, 2013

Owner (REGISTRANT) The Nisshin Oillio Group, Ltd. CORPORATION JAPAN 23-1, Shinkawa 1-chome, Chuo-ku Tokyo JAPAN 1048285

**Attorney of
Record** GEORGE W. LEWIS

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PLANTS" APART FROM THE MARK AS SHOWN

**Description
of Mark** Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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Alishan

Word Mark ALISHAN

Translations The English translation of "ALISHAN" is GRAND in old Armenian.

Goods and Services IC 030. US 046. G & S: Allspice; Bagels; Bubble gum; Cakes; Candy; Cappuccino; Chewing gum; Chocolate; Cocoa; Coffee and coffee substitutes; Cookies; Dumplings; Espresso; Filo; Flour; **Frozen yogurt**; Herb tea; Iced tea; Tea; Tea bags; Tea substitutes; Tea-based beverages with fruit flavoring; Honey; Ice; Ice cream; Ketchup; Lo mein; Muffins; Noodles; Oatmeal; Oolong tea; Pasta; Pies; Pizza; Popcorn; Relish; Rice; Salt; Sandwiches; Sauces; Shakes; Spices; Sugar; Sushi; Tacos; Vanilla; Vinegar; Wafers; Waffles; Bread. FIRST USE: 20060101. FIRST USE IN COMMERCE: 20060101

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77365602

Filing Date January 7, 2008

Current Basis 1A

Original Filing Basis 1A

Published for Opposition July 22, 2008

Registration Number 3511321

Registration Date October 7, 2008
Owner (REGISTRANT) EVORY TECHNOLOGIES, INC. CORPORATION NEW YORK 4847 HOPYARD ROAD, STE 4269 PLEASANTON CALIFORNIA 94588
Prior Registrations 3273480
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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LUSH FOODS

Word Mark LUSH FOODS

Goods and Services IC 029. US 046. G & S: Canned or bottled fruits; Dried fruits; Preserved fruits; **Frozen** fruits; Fruit salads; Fruit topping; Fruit-based snack food; Fruit preserves; Fruit conserves; Potato chips; Lentils; Pickled vegetables; Pickles; Potato crisps; Potato pancakes; Preserved truffles; Processed pumpkin seeds; Processed almonds; Processed coconut; Edible oils; Candied fruit; Candied fruit snacks; Candied nuts; Salad oil; Processed nuts; Caviar; Bacon; Beef; Corned beef; Roast beef; Bologna; Chicken; Seafood; Soups; Bouillon; Broth; Soup mixes; Cheese; Cheese spreads; Cheese substitutes; Cheese and cracker combinations; Milk; Non-dairy creamer; Acidophilus milk; Chocolate milk; Cream; Egg nog; Egg substitute; Eggs; Margarine; Margarine substitutes; Sour cream substitutes; Sour cream; Whipping cream; **Yogurt**; Processed garlic; Vegetable chips; Peanut butter. FIRST USE: 20070228. FIRST USE IN COMMERCE: 20070228

IC 030. US 046. G & S: Fruit sauces excluding cranberry sauce and applesauce; Cracker and cheese combinations; Processed garlic for use as seasoning; Coffee beans; Tea; Tea-based beverages with fruit flavoring; Honey; Chocolate; Flour; Wheat flour; Bran; Pastries; Pastry; Molasses; Barbecue sauce; Biscuits; Bread; Bread rolls; Bread sticks; Breakfast cereals; Brioche; Buns; Burritos; Cake mixes; Cakes; Candy cake decorations; Chocolate food beverages not being dairy-based or vegetable based; Chocolate powder; Chocolate syrup; Chocolate topping; Chocolate truffles; Chocolate-based fillings for cakes and pies; Chow mein noodles; Chutney; Cinnamon; Cocoa; Cocoa mixes; Cones for ice cream; Cookies; Corn chips; Corn curls; Corn flakes; Corn meal; Corn syrup; Couscous; Crackers; Crepes; Crumpets; Crystallized ginger; Curry; Curry pastes; Curry powder; Custard-based fillings for cakes and pies; Custards; Danish pastries; Dessert souffles; **Frozen** confections; **Frozen** custards; **frozen** entrees consisting primarily of pasta or rice; **Frozen yogurt**; Fruit ice; Fruit pies; Maple syrup; Marinades; Mayonnaise; Meat pies; Mincemeat pies; Minced garlic; Mixes for bakery goods; Muffins; Mustard; Noodles; Nutmeg; Oatmeal; Pancake mixes; Pancakes; Parfaits; Pasta; Pasta salad; Pasta shells; Confectionery chips for baking; Pepper; Pickle relish; Pies; Pizza; Pizza sauce; Popped popcorn;

Pot pies; Powdered garlic; Ravioli; Ready to eat, cereal derived food bars; Relish; Rice; Rice salad; Rice-based snack foods; Rolled oats; Rusks; Snack mix consisting primarily of crackers, pretzels, candied nuts and/or popped popcorn; Sorbet; Soy sauce; Soy-based ice cream substitute; Spaghetti; Spaghetti and meatballs; Spaghetti sauce; Spices; Sugar; Taco chips; Tamales; Tartar sauce; Coffee.
FIRST USE: 20070228. FIRST USE IN COMMERCE: 20070228

IC 031. US 001 046. G & S: Fresh wheat; Raw wheat; Raw nuts. FIRST USE: 20070228. FIRST USE IN COMMERCE: 20070228

**Standard
Characters
Claimed**

Mark

Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77440678

Filing Date April 4, 2008

Current Basis 1A

Original Filing Basis 1A

Date Amended to Current Register January 16, 2009

Registration Number 4007694

Registration Date August 2, 2011

Owner (REGISTRANT) Jose Hernandez INDIVIDUAL UNITED STATES 1535 Riverside Drive Glendale CALIFORNIA 91201

Attorney of Record Marc E. Hankin

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FOODS" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register SUPPLEMENTAL

Other Data The Applicant seeks registration of the mark on the Supplemental Register.

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Goods and Services

IC 029. US 046. G & S: Cheese, cheese spread, milk, buttermilk, chocolate milk, soy milk, cream, half and half, non-dairy creamer, cream cheese, cottage cheese, sour cream, **yogurt**, whipped topping, butter, butter substitutes, margarine, egg substitute, eggnog, eggs, dairy-based dips, dips, shelled and roasted nuts, canned fruits, dried fruits, **frozen** fruits, fruit snacks, canned vegetables, **frozen** vegetables, **frozen** berries, potato chips, vegetable-based snack foods, **frozen** fish, canned fish, processed chicken, pickles, processed olives, **frozen** onion rings, peanut butter, apple butter, jam, jelly, fruit preserves, fruit-based pie fillings, applesauce, cranberry sauce, flaked coconut, dried beans, canned soups, dried soup mixes, vegetable oils for cooking, luncheon meats, fresh and processed shrimp and seafood, vegetable salads, garden salads, potato salads, fresh, canned, processed or **frozen** meats, bacon, bacon-flavored vegetable protein bits, **frozen** entrees consisting primarily of meat, fish, poultry and vegetables, prepared entrees consisting primarily of meat, fish, poultry and vegetables. FIRST USE: 20090614. FIRST USE IN COMMERCE: 20090614

IC 030. US 046. G & S: Bread, bagels, **frozen** waffles, **frozen** pancakes, **frozen** strudel, rolls, **frozen** bread dough, soft pretzels, fresh or **frozen** pizza, ice cream, **frozen** confections, **frozen** yogurt, sherbets, pasta, prepared pie crust, refrigerated dough for biscuits, rolls, breadsticks and pizza crust, tortillas, cookies, candies, crackers, honey, breadcrumbs, seasoned coatings for meat, fish and poultry, croutons, stuffing mixes containing bread, flavored, sweetened gelatin, pudding, chocolate chips for baking, flour, baking soda, baking powder, corn starch, sugar, brown sugar, salt, pancake syrup, pancake mixes, spices, extracts used for flavoring not of essential oils, coffee, tea, cocoa, chocolate syrup, processed unpopped popcorn, gravy, ketchup, mustard, pickle relish, picante sauce, soy sauce, hot sauce, pizza sauce, teriyaki sauce, barbecue sauce, Worcestershire sauce, cocktail sauce, tartar sauce, spaghetti sauce, tomato sauce, pasta sauce, salsa, mayonnaise, salad dressings, vinegar, breakfast cereal, cereal-based snack bars, wheat-based snack bars, processed oats and oatmeal, grits, breakfast pastries, rice, rice cakes, packaged mixes consisting primarily of pasta or rice, rice salads, bagged ice, pasta salads, deli sandwiches, corn-based snack foods, pretzels, **frozen** entrees consisting primarily of

pasta or rice, prepared entrees consisting primarily of pasta or rice. FIRST USE: 20090115. FIRST USE IN COMMERCE: 20090115

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 26.01.06 - Circles, semi; Semi-circles
 26.01.21 - Circles that are totally or partially shaded.
 26.03.14 - Ovals, three or more; Three or more ovals
 26.03.21 - Ovals that are completely or partially shaded
 26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)

Serial Number 77379256

Filing Date January 24, 2008

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 1, 2008

Registration Number 4060272

Registration Date November 22, 2011

Owner (REGISTRANT) AHOLD LICENSING SARL LIMITED LIABILITY COMPANY SWITZERLAND 2 RUE JEAN-PETITOT GENEVA SWITZERLAND 1204

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Michael A. Doctrow

Description of Mark The color(s) yellow, orange, purple and green is/are claimed as a feature of the mark. The mark consists of four wedge designs, depicted in four different colors in varying sizes and degrees of rotation. The yellow wedge is largest and portrayed as horizontal. The orange wedge is smaller than the yellow, and appears at an approximately 45 degree angle. The purple wedge is smaller than the orange, and is portrayed as vertical. The green wedge is smallest, and appears at an approximately 135 degree angle; i.e., both the orange and purple wedges are disposed approximately 45 degrees from the yellow wedge.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark OLD GERMANY

Goods and Services IC 029. US 046. G & S: FRESH, PRESERVED, **FROZEN**, SMOKED AND PARTIALLY-PROCESSED MEAT, FISH, POULTRY, AND GAME, MEAT PATTIES AND EXTRACTS; SAUSAGES; FISH; FISH SALADS, NAMELY, CAVIAR; CAVIAR IN PRESERVED, **FROZEN**, SMOKED, DRIED, MARINATED AND FRESH FORM; SCALLOPS, CRUSTACEANS AND MOLLUSKS, NAMELY, MUSSELS AND OYSTERS, SNAILS, ABALONE AND SQUID, ALL BEING PRODUCED IN PRESERVED, **FROZEN**, SMOKED, DRIED, MARINATED AND FRESH FORM; FISH PASTE, NAMELY SURIMI; PROCESSED SOY BEAN PREPARATIONS, NAMELY, SOY PROTEIN FOR USE AS A FOOD ADDITIVE, SOYBEAN OIL FOR COOKING AND FRUIT AND SOY BASED SNACK FOOD IN PRESERVED, **FROZEN** OR FRESH FORM; SOY FLOUR, PROCESSED POTATOES; PROCESSED NUTS; SNACK MIX CONSISTING PRIMARILY OF PROCESSED FRUITS, PROCESSED NUTS AND/OR RAISINS; MIXED PICKLES; **FROZEN** FRUIT; PRESERVED FRUITS; **FROZEN** VEGETABLES; PRESERVED, DRIED, COOKED AND GRILLED VEGETABLES; PRE-CUT VEGETABLE SALADS; FRUIT SALADS; UNFLAVORED AND UNSWEETENED GELATINS; ASPIC; STEWS AND PREPARED MEALS IN PRESERVED, **FROZEN** AND FRESH FORM, CONSISTING PRIMARILY OF MEAT, FISH, POULTRY AND GAME WITH A VEGETABLE, POTATO, RICE, MUSHROOM OR NOODLE SIDE DISH; MEAT SOUPS AND BROTHS SUCH AS SOUP BROTH EXTRACTS IN PRESERVED, **FROZEN** AND DRIED FORM; COOKING OILS AND FATS; BREAD SPREADS AND NUTRIENT FAT AND NUTRIENT FAT MIXTURES, NAMELY, JAMS, JELLIES, PEANUT BUTTER AND APPLE BUTTER; ALCOHOL FREE MILK-BASED BEVERAGES, CREAM, WHEY, NAMELY, MILK-BASED BEVERAGES CONTAINING COFFEE, CHOCOLATE AND OTHER FRUIT FLAVORS; ALCOHOL FREE **YOGURT**-BASED BEVERAGES; MILK; CHEESE; BUTTER; **YOGURT**; CREAM, CREAM CHEESE, KEFIR, NAMELY, FERMENTED MILK; CONDENSED MILK; DAIRY-BASED BEVERAGES MADE FROM MILK, WHEY, **YOGURT**, CREAM; MARMALADES AND FRUIT PRESERVES; FRUIT DESSERTS, NAMELY, FRUIT COMPOTE AND CANNED FRUIT. **YOGURT** WITH FRUIT PRESERVES; EGGS. FIRST USE:

20010100. FIRST USE IN COMMERCE: 20010100

IC 030. US 046. G & S: FOOD SEASONINGS MADE FROM POULTRY AND GAME; SAUCES AND MARINADE BASES FOR FISH AND OTHER SEAFOOD; WHEAT BASED SNACK FOODS AND PROCESSED WHEAT; PROCESSED GRAINS AND GRAIN BASED CHIPS; PIZZA; SNACKS, NAMELY, PRETZELS AND SPICY AND SALTED BAKED ONION AND CHEESE BISCUITS; POTATO FLOUR; FLOUR; PROCESSED SEMOLINA AND POTATO DUMPLINGS; BATTERS, NAMELY NOODLES; MAYONNAISE AND REMOULADE SAUCE; SAUCES, NAMELY, SALAD SAUCES AND DRESSINGS, NAMELY, SALAD AND SPICE SAUCES, NAMELY, KETCHUPS IN PRESERVED, FROZEN AND FRESH FORM; MANGO CHUTNEY; SWEET FOODS, NAMELY, PUDDINGS, CURD CHEESE PREPARATIONS, MILK PREPARED RICE AND SEMOLINA PUDDING; FRUIT DESSERTS, FRUIT PIES, FRUIT CAKES; YOGURT DESSERTS, NAMELY FROZEN YOGURT; STARCH FORTIFIED BINDERS, NAMELY, FOOD STARCHES; HONEY; MOLASSES; SPICES, SPICE MIXTURES AND PREPARATIONS; CAPERS; FLOUR; BREAD, BISCUITS, FINE BAKERY GOODS, PASTRIES, NAMELY, WHOLE-GRAIN BASED GOODS; SALT AND SALT-HERB MIXTURES; MIXTURES OF HONEY CONTAINING PREPARED FRUITS, IN PRESERVED FORM AND ALSO AS BREAD SPREADS; ICE CREAM, ICE CREAM POWDER; BAKING POWDER; MUSTARD, VINEGAR, GRAVY MIXES, SUGAR; NATURAL, NON-MEDICINAL SUGAR SUBSTITUTES; RICE, TAPIOCA; FOOD STARCH, NAMELY, SAGO-PALM STARCH; FLAVORING SYRUPS FOR SWEETENING; SYRUPS FOR THICKENING, NAMELY, CORN SYRUP, COFFEE; TEAS, NAMELY, NON-MEDICINAL HERBAL TEAS; COCOA; READY-TO-EAT MIXTURES, NAMELY, PROCESSED CEREALS AND DRIED FRUIT. FIRST USE: 20010100. FIRST USE IN COMMERCE: 20010100

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 18.11.05 - Anchors
26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric
26.03.21 - Ovals that are completely or partially shaded

Serial Number 76370255

Filing Date February 14, 2002

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 14, 2004

Registration Number 2929968

Registration Date March 8, 2005

Owner (REGISTRANT) MILLER & CO. GESELLSCHAFT FUER IMPORT UND EXPORT mbH
CORPORATION FED REP GERMANY Klosterwall 4, Block B 20095 Hamburg FED REP GERMANY

(LAST LISTED OWNER) FIRMA MILLER CONSUP GESELLSCHAFT FUER IMPORT UND EXPORT
MBH CORPORATION FED REP GERMANY KLOSTERWALL 4 HAMBURG FED REP GERMANY
D-20095

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Karl F. Milde, Jr.

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GERMANY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20150929.
Renewal 1ST RENEWAL 20150929
Live/Dead Indicator LIVE

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Word Mark LILY

Translations The foreign characters of the mark transliterate to "Bai He Pai" which translates in English to "Lily Brand".

Goods and Services IC 029. US 046. G & S: Meat, fish, seafood and chicken; preserved, dried and cooked fruits and vegetables; processed beans and nuts; jellies, jams, fruit sauces; eggs, milk, condensed milk, coconut milk, cheese, yogurt; edible oils and fats; and potato chips. FIRST USE: 20030423. FIRST USE IN COMMERCE: 20030423

IC 030. US 046. G & S: Baking powder, baking soda, biscuits, breads, processed cereals, breakfast cereals, bubble gum, cakes and cake mixes, pies, candy, caramel popcorn, caramels, chili powders, cookies, crackers and cheese combinations, crackers, dumplings, egg rolls, flour, ginger, gluten, coffee, tea, processed herbs, spices and seasonings, ice cream, ice cream cones, flavored ices, ketchup, pasta and prepared meals consisting primarily of pasta, noodles, oatmeal, processed oats, pancakes, pancake mixes, table syrup, corn syrup and flavoring syrups, pickle relish, puddings, rice, rice cakes, edible rice paper, rice sticks, sauces, food starch, sugar, sushi, tortilla chips, vinegar, wafers, waffles, processed wheat, won tons and won ton wrappers, yeast, and frozen yogurt. FIRST USE: 20030227. FIRST USE IN COMMERCE: 20030227

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 05.05.02 - Roses

Search Code 26.11.02 - Plain single line rectangles; Rectangles (single line)
 26.11.10 - Rectangles divided once into two sections
 26.11.21 - Rectangles that are completely or partially shaded
 28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 76345821
Filing Date December 5, 2001
Current Basis 1A
Original Filing Basis 1B
Published for Opposition September 2, 2003
Registration Number 2917687
Registration Date January 11, 2005
Owner (REGISTRANT) Walong Marketing, Inc. CORPORATION CALIFORNIA 6281 Regio Avenue Buena Park CALIFORNIA 906201042
Attorney of Record Paul S. Chan
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "THE FOREIGN CHARACTER THAT TRANSLATES TO THE TERM BRAND" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20150406.
Renewal 1ST RENEWAL 20150406
Live/Dead Indicator LIVE

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MOGAMI

Word Mark MOGAMI

Translations The foreign characters in the mark transliterate to "Zui Shang" and mean "on the top" in English. The word "MOGAMI" translates to "on the top" in English.

Goods and Services IC 029. US 046. G & S: Processed beans, meats, potato chips, black pudding, chili, chop suey, chow mein, processed coconuts, coconut oil, cooking oil, processed dates, processed nuts, processed garlic, eggs, fish and chips, onion rings, French fried potatoes, fruit preserves, processed fruits, soy-based food beverages used as a milk substitute, processed edible seeds, raisins, salad oil, seafood, processed edible seaweed, shellfish, soybean oil for cooking, dried soybeans, tofu, processed vegetables, vegetable oils, and **yogurt**. FIRST USE: 20030301. FIRST USE IN COMMERCE: 20030301

IC 030. US 046. G & S: Baking powder, baking soda, biscuits, breads, processed cereals, breakfast cereals, bubble gum, cakes and cake mixes, pies, candy, caramel popcorn, caramels, chili powders, cookies, crackers and cheese combinations, crackers, dumplings, egg rolls, flour, ginger, gluten, coffee, tea, processed herbs, spices and seasonings, ice cream, ice cream cones, flavored ices, ketchup, pasta and prepared meals consisting primarily of pasta, noodles, oatmeal, processed oats, pancakes, pancake mixes, table syrup, corn syrup and flavoring syrups, pickle relish, puddings, rice, rice cakes, salt, sauces, sugar, sushi, tortilla chips, vinegar, wafers, waffles, processed wheat, won tons and won ton wrappers, yeast, and **frozen yogurt**. FIRST USE: 20020620. FIRST USE IN COMMERCE: 20020620

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 26.11.02 - Plain single line rectangles; Rectangles (single line)
Search Code 26.11.13 - Rectangles (exactly two rectangles); Two rectangles
 26.11.20 - Rectangles inside one another
 28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 76274676

Filing Date June 20, 2001

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 17, 2002

Registration Number 2776331

Registration Date October 21, 2003

Owner (REGISTRANT) Walong Marketing, Inc. CORPORATION CALIFORNIA 6281 Regio Avenue Buena Park CALIFORNIA 906201042

Attorney of Record Paul S. Chan

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20131010.

Renewal 1ST RENEWAL 20131010

Live/Dead Indicator LIVE

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CASA CARDENAS

Word Mark CASA CARDENAS

Translations The English translation of "CASA CARDENAS" is "house of Cardenas".

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: CLEANING PRODUCTS, NAMELY, CONCENTRATED LAUNDRY DETERGENT. FIRST USE: 20110601. FIRST USE IN COMMERCE: 20110601

IC 016. US 002 005 022 023 029 037 038 050. G & S: Bathroom tissue; paper towels; paper napkins. FIRST USE: 20110607. FIRST USE IN COMMERCE: 20110607

IC 029. US 046. G & S: Housemark for a full line of prepared foods, namely, **frozen** and non-frozen entrees, side dishes and appetizers consisting primarily of cheese, meat, poultry, fish and/or vegetables; **frozen** packaged entrees and meals consisting primarily of meat, fish, poultry or vegetables; fruit preserves; canned processed tomatoes, tomato pastes, canned processed olives and vegetables; olive oil, bacon; canned tuna; **frozen** packaged chicken, **frozen** packaged beef; **frozen** packaged pork entrees consisting primarily of pork with pasta or rice; fruit jams. FIRST USE: 20110324. FIRST USE IN COMMERCE: 20110324

IC 030. US 046. G & S: HOUSEMARK FOR A FULL LINE OF **FROZEN**, PREPARED OR PACKAGED MEALS CONSISTING PRIMARILY OF PASTA OR RICE; PASTA; **FROZEN** CONFECTIONS; **FROZEN YOGURT**, ICE CREAM; MACARONI AND CHEESE; MIXES FOR BAKERY GOODS; NOODLES, SAUCE, AND SEASONING TOPPING COMBINED IN UNITARY PACKAGES; **FROZEN PIZZAS**; SALAD DRESSINGS; SOY SAUCE, SALSA, HOT SAUCE, TACO SAUCE, SEASONING AND COOKING SAUCES; SAUCES; COOKIES; CRACKERS; COFFEE; TEA, COCOA MIX; FRUIT FLAVORING SYRUP, RICE MIXES; CROUTONS, COOKIE MIX, DOUGH; RAVIOLI, **FROZEN PIZZA**, MARINADES, VINEGAR, SALAD DRESSING, PROCESSED CEREALS, CANDY, TORTILLA CHIPS. FIRST USE: 20110302. FIRST USE IN COMMERCE: 20110302

Standard

Characters

Claimed

Mark Drawing

Code (4) STANDARD CHARACTER MARK

Serial Number 76979192

Filing Date February 2, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 19, 2011

Registration Number 4411273

Registration Date October 1, 2013

Owner (REGISTRANT) CARDENAS MARKETS, INC. CORPORATION CALIFORNIA 1040 S. Vintage Avenue, Suite A Ontario CALIFORNIA 91761

Attorney of Record DARREN P. TRONE

Prior Registrations 3649112;3662254;3694472;AND OTHERS

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark E-FA BRAND E8

Translations The foreign characters of the mark transliterate to "e fa" which translates in English to "effortless fortune".

Goods and Services IC 029. US 046. G & S: Meat, fish, seafood and chicken; preserved, dried and cooked fruits and vegetables; processed beans and nuts; jellies, jams, fruit sauces; eggs, milk, condensed milk, coconut milk, cheese, **yogurt**; edible oils and fats; potato chips. FIRST USE: 20020710. FIRST USE IN COMMERCE: 20020710

IC 030. US 046. G & S: Baking powder, baking soda, biscuits, breads, processed cereals, breakfast cereals, bubble gum, cakes and cake mixes, pies, candy, caramel popcorn, caramels, chili powders, cookies, crackers and cheese combinations, crackers, dumplings, egg rolls, flour, ginger, gluten, coffee, tea, processed herbs, spices and seasonings, ice cream, ice cream cones, flavored ices, ketchup, pasta and prepared meals consisting primarily of pasta, noodles, oatmeal, processed oats, pancakes, pancake mixes, table syrup, corn syrup and flavoring syrups, pickle relish, puddings, rice, rice cakes, edible rice goods, namely, rice paper, rice sticks, sauces, food starch, sugar, sushi, tortilla chips, vinegar, wafers, waffles, processed wheat, won tons and won ton wrappers, yeast, and **frozen yogurt**. FIRST USE: 20020703. FIRST USE IN COMMERCE: 20020703

Mark

Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders

26.11.11 - Rectangles divided twice into three sections

26.11.21 - Rectangles that are completely or partially shaded

28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 76975755
Filing Date December 27, 2001
Current Basis 1A
Original Filing Basis 1B
Published for Opposition September 24, 2002
Registration Number 2780583
Registration Date November 4, 2003
Owner (REGISTRANT) Walong Marketing, Inc. CORPORATION CALIFORNIA 6281 Regio Avenue Buena Park CALIFORNIA 906201042
Attorney of Record aul S. Chan
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BRAND" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20131114.
Renewal 1ST RENEWAL 20131114
Live/Dead Indicator LIVE

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Word Mark

PRO MIX

Goods and Services

IC 029. US 046. G & S: bulk blended, dairy whey-based mixtures consisting primarily of a variety of dairy wheys, sold to industrial bakeries, confectioners, meat processors, and food processors for use as a raw ingredient in baked goods, confectionery items, salad dressings, dips, processed meats, processed cheeses, desserts, soups, sauces and egg products; dairy powders, namely, cheese powders, flavor enhanced cream powders, nonfat dry milk, dried buttermilk, dried whole milk sold to industrial bakeries, confectioners, meat processors, and food processors as a raw ingredient in bakery goods, confectionery, specialty flavorings, snack foods, **frozen** desserts, salad dressings, dips, beverages, soups, sauces, and processed potatoes; dairy replacers, namely, dry nonfat milk substitutes, dry buttermilk substitutes, dry whole milk substitutes, dry sweetened condensed whole and skim milk substitutes sold to industrial bakeries, confectioners, meat processors, and food processors as a raw ingredient in bakery goods, confectionery, specialty flavorings, snack foods, **frozen** desserts, salad dressings, dips, beverages, soups, sauces, and processed potatoes; and non-dairy ingredients, namely, unflavored and unsweetened gelatins, vegetable oils and proteins sold to industrial bakeries, confectioners, meat processors, and food processors as a raw ingredient in bakery goods, confectionery, specialty flavorings, snack foods, **frozen** desserts, salad dressings, dips, beverages, soups, sauces, and processed potatoes; and. FIRST USE: 20080707. FIRST USE IN COMMERCE: 20080707

IC 030. US 046. G & S: non-dairy ingredient mixtures, namely, consisting of food flavorings, flours, flavored and sweetened gelatins, flavored and sweetened gums and powders, food starches, yeast powder and extracts for industrial use as raw ingredients in baked goods, confectionery items, salad dressings, dips, processed meats, processed cheeses, desserts, soups, sauces and egg products; and mixes in the nature of bulk blended, dairy whey-based mixtures sold to industrial bakeries, industrial confectioners, industrial meat processors, and industrial food processors, the foregoing being mixes used to make baked goods, namely, bakery goods, bagels, biscotti, biscuits, breads,

brownies, buns, cookies, crackers, doughnuts, taco chips, and waffles, confectionery items, namely, candy, custards, frostings, **frozen confections**, **frozen custards**, **frozen yogurts**, and milk shakes, salad dressings, desserts, namely, cakes, dessert puddings, and pies, and sauces. FIRST USE: 20080707. FIRST USE IN COMMERCE: 20080707

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.01.03 - Star - a single star with five points
26.01.26 - Coils; Spirals; Swirls

Trademark Search Facility Classification Code NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters, punctuation and mathematical signs, zodiac signs, prescription marks
SHAPES-ASTRO Astronomical shapes consisting of celestial bodies, globes and geographical maps
SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles
SHAPES-MISC Miscellaneous shaped designs

Serial Number 76693459

Filing Date October 9, 2008

Current Basis 1A

Original Filing Basis 1A

Published for Opposition November 3, 2009

Registration Number 3738488

Registration Date January 19, 2010

Owner (REGISTRANT) All American Foods, Inc. CORPORATION MINNESOTA 121 Mohr Drive Mankato MINNESOTA 56002

Attorney of Record Douglas L. Tschida

Prior Registrations 1608386

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MIX" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the wording "PRO MIX" in stylized font, with a five-pointed star between the words "PRO" and "MIX", and a circular design consisting of three curved three-sided shapes appearing to the left of the word "PRO".

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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UNCLE PAULY

Word Mark UNCLE PAULY

Goods and Services IC 029. US 046. G & S: Cheese, namely whole-milk and part-skim milk mozzarella, and whole-milk and part-skim milk ricotta; processed vegetables, namely, canned straw mushroom; canned beans, including red kidney beans, cannellini beans, and chick peas; and, processed tomato products, namely, peeled tomatoes, crushed tomatoes, tomato puree, tomato paste; appetizers and condiments, namely, black olive pate, roasted peppers, and bottled and canned ripe olives; cooking and salad oils, including virgin olive oil, corn oil, blended oil, and salad oil; meat, namely, packaged meats, chicken parts, bacon bits, smoked and cured hams, sopresatta sweet, sopresatta hot, cappicola sweet, cappicola hot, Milano salami, and nostrano salami. FIRST USE: 20041102. FIRST USE IN COMMERCE: 20041102

IC 030. US 046. G & S: baked goods and bakery products, namely breads, hot dog and hamburger rolls, plain and flavored bread crumbs, pastries, pies, cookies, panettones, eclairs, candy, marzipan, icing, and chocolate chips; ice cream and **frozen yogurt**; cereals, prepared foods, and sauces, namely breakfast cereals, corn flakes, granola, rice, instant rice, pasta, macaroni, spaghetti, gnocchi, tomato sauce, homestyle spaghetti sauce, marinara sauce, ketchup, pizza sauce, hot sauce, whole and sliced garlic in oil, capers, sundried tomato pesto, red pepper pesto, and Genovese pesto; spices, namely all-spice, whole and ground anise, arrowroot, dried basil, bay leaves, barbecue seasoning, whole caraway seeds, whole and ground celery seeds, celery flakes, celery salt, chili powder, cinnamon sticks, ground cinnamon, whole and ground cloves, whole and ground coriander, cream of tartar, whole and ground cumin, curry powder, whole dill seed, dill weed, whole and ground fennel, whole and ground ginger, granulated and minced garlic, garlic powder, garlic salt, chopped garlic, Italian seasoning, lemon pepper, whole and ground marjoram, mint leaves, whole and ground mustard, meat tenderizer, whole and ground nutmeg, granulated and chopped onion, onion powder, minced onion, onion salt, oregano, Spanish paprika, parsley flakes, whole and ground black pepper, course black pepper, whole and ground white pepper, cayenne pepper, crushed red pepper, ground red pepper, pickling spice, poultry seasoning, poppy seeds, rosemary, rubbed sage, whole and ground sage, sesame seed, mixed dehydrated vegetables, tarragon leaves, thyme leaves and ground thyme, and turmeric; vinegars, namely balsamic vinegar. FIRST USE: 20041102. FIRST USE

IN COMMERCE: 20041102

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 76633254

Filing Date March 14, 2005

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 6, 2005

Registration Number 3105715

Registration Date June 20, 2006

Owner (REGISTRANT) CORRADO'S SPECIALTY GOODS, INC. CORPORATION NEW JERSEY 1578 Main Avenue Clifton NEW JERSEY 07011

Attorney of Record Siegmur Silber

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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Typed Drawing

Word Mark JOK'NAL PRODUCTS

Goods and Services IC 029. US 046. G & S: [Meat, fish, poultry and game; meat extracts;] preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; [eggs, milk and dairy products, excluding ice cream, ice milk and **frozen yogurt**; edible oils and fats]. FIRST USE: 19990701. FIRST USE IN COMMERCE: 19990701

IC 030. US 046. G & S: Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; preparations made from cereals, namely flour and breakfast cereals, bread, pastry and candy; flavored ices; honey; treacle; yeast, baking-powder; salt, mustard; vinegar, sauces used as condiments; spices; ice, ice cream, ice milk and **frozen yogurt**. FIRST USE: 19990701. FIRST USE IN COMMERCE: 19990701

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76056151

Filing Date May 25, 2000

Current Basis 1A

Original Filing Basis 1B

Published for Opposition December 25, 2001

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 2640433

Registration Date October 22, 2002

Owner (REGISTRANT) Jok'n'AL Products Ltd COMPANY NEW ZEALAND State Highway 1 Orari South Canterbury NEW ZEALAND

Attorney of Record Devasena Reddy

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE " PRODUCTS" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20121116.
Renewal 1ST RENEWAL 20121116
Live/Dead Indicator LIVE

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Word Mark KIMBO

Translations The Chinese Character appearing in the mark transliterates to "KIMBO", which translates to mean "WEALTHY".

Goods and Services IC 029. US 046. G & S: Meats, tofu, seafood, seaweed, shellfish, fish and chips, processed beans, soybeans, eggs, chili, chop suey, chow mein, processed vegetables, seeds, raisins, processed dates, processed nuts, processed coconuts, processed garlic, coconut oil, cooking oil, salad oil, soybean oil, vegetable oils, onion rings, french fried potatoes, fruit preserves, fruits, soy-based food beverages, potato chips, black pudding and yogurt. FIRST USE: 19851215. FIRST USE IN COMMERCE: 19860612

IC 030. US 046. G & S: Rice, noodles, pasta and pasta meals, oatmeal, oats, biscuits, breads, cereals, pancakes, pancake mixes, waffles, wheat, yeast, cakes and cake mixes, pies, cookies, crackers and cheese combinations, crackers, wafers, rice cakes, tortilla chips, dumplings, egg rolls, won tons and won ton wrappers, sushi, flour, gluten, herbs, spices and seasonings, salt, sugar, ginger, chili powders, baking powder, baking soda, vinegar, bubble gum, candy, ice cream, ice cream cones, flavored ices, caramel popcorn, caramels, ketchup, table syrup, corn syrup and flavoring syrups, pickle relish, sauces, puddings and frozen yogurt. FIRST USE: 19851215. FIRST USE IN COMMERCE: 19860612

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

Search Code 26.13.28 - Miscellaneous designs with overall quadrilateral shape; Quadrilateral shapes (miscellaneous overall shape)
28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 75509739
Filing Date June 29, 1998
Current Basis 1A
Original Filing Basis 1A
Published for Opposition August 28, 2001
Registration Number 2508366
Registration Date November 20, 2001
Owner (REGISTRANT) TAWA Supermarket, Inc. CORPORATION CALIFORNIA 6281 Regio Avenue Buena Park CALIFORNIA 90620
 (LAST LISTED OWNER) Walong Marketing, Inc. CORPORATION CALIFORNIA 6281 Regio Avenue Buena Park CALIFORNIA 90620
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Paul S. Chan
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20111112.
Renewal 1ST RENEWAL 20111112
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark TREHA

Goods and Services IC 030. US 046. G & S: NATURAL SWEETENERS; NATURAL FOOD AND BEVERAGE ADDITIVES FOR NON-NUTRITIONAL PURPOSES FOR USE AS FLAVORINGS, INGREDIENTS, OR FILLERS, NAMELY, TASTE-IMPROVING AGENTS, QUALITY IMPROVING AGENTS, STABILIZERS, ANTI-RETROGRADATION AGENTS, ANTIOXIDANTS, ANTI-DISCOLORATION AGENTS, FILLERS, PH-CONTROLLING AGENTS, MOISTURE-PRESERVING AGENTS AND DEHYDRATING AGENTS; [COFFEE; COCOA; TEA; SEASONINGS; SPICES; NON-ESSENTIAL OIL FOOD FLAVORINGS FOR COFFEE, COCOA, COFFEE BEANS, TEA, SEASONINGS, SPICES, AND FARINA AND FARINACEOUS FOODS; FARINA; FARINACEOUS FOODS, namely, WHEAT VERMICELLI, OAT FLAKES, OATMEAL, DRIED RICE, ENRICHED RICE, WHEAT FLOUR, SHEETS STUFFED WITH MINCED PORK, CORN FLAKES, GLUTINOUS RICE JELLY, ARTIFICIAL RICE, NOODLES FOR SPAGHETTI, FINE NOODLES, INSTANT WHEAT VERMICELLI, INSTANT BUCKWHEAT VERMICELLI, BUCKWHEAT VERMICELLI, CHINESE NOODLES, INSTANT CHINESE NOODLES, BREAD CRUMBS, RICE THREADS, WHEAT GLUTEN BREADS, CANNED COOKED RICE, MACARONI, AND RICE PASTES SANDWICHES; JAPANESE SUSHI; PIZZAS; PORTABLES BOXED LUNCHES CONSISTING PRIMARILY OF BREADS, CRACKERS, COOKIES, FOR INDOOR AND OUTDOOR PICNICS; MEAT PIES, RAVIOLI, JAPANESE AND WESTERN CONFECTIONERY, namely, BISCUITS, CAKES RICE CAKES, CANDY FOR FOODS, CARAMELS, CHEWING GUM, CHOCOLATE, COOKIES, CRACKERS, FROZEN YOGURT, CANDY, namely, FRUIT JELLIES, PUDDINGS, DOUGHNUTS AND HOT CAKES; BAKERY GOODS, namely, BREAD, ROLLS, AND BUNS; DOUGHNUTS, PUDDINGS, AND HOT CAKES; MIXES FOR MAKING ICE CREAM AND SHERBETS; ALMOND PASTE; YEAST POWDERS; RICE FLOUR TREATED WITH KOJI; BARLEY FLOUR TREATED WITH KOJI; BEAN FLOUR TREATED WITH KOJI; RICE BRAN FLOUR TREATED WITH KOJI; YEAST; BAKING POWDERS; ICE; NATURAL COAGULANTS FOR ICE CREAMS; MEAT TENDERIZERS FOR HOUSEHOLD USE; PREPARATIONS FOR STIFFENING WHIPPED CREAM; SAKE DREGS, namely, LEES OF JAPANESE SAKE USED AS A FOOD ADDITIVE FOR FLAVORING.] FOODSTUFFS MANUFACTURED WHOLLY OR PRINCIPALLY FROM STARCHES AND/OR MODIFIED STARCHES AND/OR DERIVATIVES OF STARCH, NAMELY, ARROWROOT STARCH, WHEAT FLOUR, RICE FLOUR, CORN STARCH, SAGO, SWEET POTATO FLOUR, POTATO FLOUR, BUCKWHEAT FLOUR, TAPIOCA, CORN FLOUR, BEAN FLOUR, AND FOOD GLUTEN. FIRST USE: 20000608. FIRST USE IN COMMERCE: 20000608

Mark
Drawing Code (1) TYPED DRAWING
Serial Number 75458582
Filing Date March 27, 1998
Current Basis 1A;44E
Original Filing Basis 1B;44D
Published for Opposition December 11, 2001
Registration Number 2698006
Registration Date March 18, 2003
Owner(REGISTRANT) KABUSHIKI KAISHA HAYASHIBARA SEIBUTSU KAGAKU KENKYUJO CORPORATION JAPAN 2-3, 1-chome, Shimoishii Okayama-shi, Okayama JAPAN
 (LAST LISTED OWNER) HAYASHIBARA CO., LTD. CORPORATION JAPAN 675-1, FUJISAKI, NAKA-KU OKAYAMA-SHI, OKAYAMA JAPAN
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record aoi nawashiro
Priority Date February 2, 1998
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130307.
Renewal 1ST RENEWAL 20130307
Live/Dead Indicator LIVE

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Word Mark SAILING BOAT BRAND

Translations The device is an abstract rendition of Chinese characters pronounced "fan chuan pai", which is translated into English as "SAILING BOAT BRAND".

Goods and Services IC 030. US 046. G & S: rice, rice sticks, rice flour, glutinous rice flour, noodles, macaroni, rice vermicelli, instant noodles, buns, ravioli, pies, candy, biscuits, bread, ice cream, ice milk, and **frozen yogurt**, pastries, yeast, puffed cereals, ice, salt, food starch, seasonings, mustard, ketchup, relish, soy sauce, vinegar, pepper, sugar, honey, flavoring syrup, pancake syrup, spices, coffee, coffee substitutes (grain based), cocoa and tea. FIRST USE: 19891101. FIRST USE IN COMMERCE: 19891101

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 18.07.04 - Brigs (boats); Clippers (boats); Schooners (boats); Ships with two and three masts, including brigs, clippers and schooners
 26.01.02 - Circles, plain single line; Plain single line circles
 26.01.06 - Circles, semi; Semi-circles
 28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 75193312

Filing Date November 5, 1996

Current Basis 1A

Original Filing Basis 1A

Published for Opposition February 17, 1998

Registration Number 2156291
Registration Date May 12, 1998
Owner (REGISTRANT) GUANGDONG CEREALS & OILS IMPORT & EXPORT CORPORATION
 CORPORATION CHINA 2, QIAOGUANG ROAD GUANGZHOU CHINA

 (LAST LISTED OWNER) GUANGDONG CEREALS & OILS JIN SHUN TRADING CORPORATION
 LTD. CORPORATION CHINA 5-10 F GUITIAN BLDG 703 GUANGZHOU ROAD SOUTH
 GUANGZHOU CHINA

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record James M. Slattery (Reg. No. 28,380)
Prior Registrations 1564897
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BRAND" APART FROM THE MARK
 AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080526.
Renewal 1ST RENEWAL 20080526
Live/Dead Indicator LIVE

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FLAVORISTAS

Word Mark FLAVORISTAS

Goods and Services IC 030. US 046. G & S: Barbecue sauce; Barbeque sauce; Burritos; Cheese sauce; Chili sauce; Chimichurri sauce; Chinese mabo tofu sauce; Chocolate sauce; Corn-based snack foods; Cream puffs; Curry sauce; Flavor enhancers used in food and beverage products; Food flavourings; Food seasonings; **Frozen** breads; **Frozen** desserts consisting of flavored ice blocks with toppings; **Frozen** flour-free foods, namely, pancakes, crepes, sandwich wraps, muffins and griddle cake sandwiches which are protein-enriched; **Frozen** foods, namely, grain and bread based appetizers, hors d'oeuvres, and canapés; **Frozen yogurt**; Grass-based food beverages; Herbal food beverages; Honey; Ice cream; Mixes for making batters for fried foods; Multigrain-based snack foods; Pastry cream; Processed cereal-based food to be used as a breakfast food, snack food or ingredient for making other foods; Ready to eat, cereal derived food bars. FIRST USE: 20130508. FIRST USE IN COMMERCE: 20130508

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 86253369**Filing Date** April 16, 2014**Current Basis** 1A**Original Filing Basis** 1A**Published**

**for
Opposition** November 4, 2014

**Registration
Number** 4674433

**Registration
Date** January 20, 2015

Owner (REGISTRANT) Flavoristas, LLC LIMITED LIABILITY COMPANY MINNESOTA Suite 130 2112
BROADWAY STREET NE Minneapolis MINNESOTA 55413

**Attorney of
Record** David G. Schelzel

**Prior
Registrations** 4408561

Type of Mark TRADEMARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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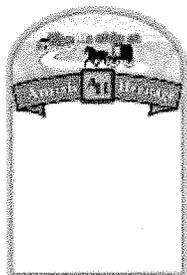
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Word Mark AMISH AH HERITAGE
Goods and Services IC 030. US 046. G & S: Bagels; Barbecue sauce; Biscuits; Brown sugar; Brownies; Buckwheat flour; Buns; Cakes; Candy; Candy mints; Caramel topping for ice cream; Cheese flavored snacks, namely, cheese curls; Cheesecake; Chocolate candies; Cinnamon rolls; Cocktail sauces; Coffee extracts; Cookies; Corn chips; Couscous; Crackers; Cream puffs; Croissants; Cup cakes; Dipping sauces; Donuts; Eclairs; English muffins; Extracts used as flavoring; Farina; Flavor-coated popped popcorn; Food flavorings; **Frozen custards**; **Frozen yogurt**; Fruit cakes; Fruit jelly candy; Fruit pies; Fudge; Gelato; Granulated sugar; Honey; Hot sauce; Ice cream; Ice milk; Licorice; Meat pies; Mincemeat pies; Muffins; Mustard; Pretzels; Sauces; Seasonings; Spices; Steak sauce; Sugar; Sugarless candies; Tartar sauce; Vanilla flavorings; Worcestershire sauce; **Yogurt-covered fruit**; **Yogurt-covered nuts**; **Yogurt-covered pretzels**. FIRST USE: 20130000. FIRST USE IN COMMERCE: 20130000

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design 01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise
Search Code 03.05.01 - Horses
 05.01.02 - Maple tree; Trees or bushes with a generally rounded shape, including deciduous trees
 05.01.10 - More than one tree or bush; thicket; group of trees; Thicket
 06.09.03 - Farms
 06.09.05 - Other cultivated areas
 07.03.04 - Barns; Silos; Stables
 07.11.11 - Highways without lines or dividers; intersections (roads) without lines or dividers; Roads without lines or dividers; Streets without lines or dividers
 18.01.03 - Buggy, horse drawn; Carriages, horsedrawn (front and back wheels); Stage coaches and other animal-drawn vehicles with four or more wheels
 24.09.07 - Advertising, banners; Banners
 26.09.21 - Squares that are completely or partially shaded

Serial Number 85477074
Filing Date November 19, 2011
Current Basis 1A
Original Filing Basis 1B
Published for Opposition May 15, 2012
Registration Number 4813090
Registration Date September 15, 2015
Owner (REGISTRANT) Northside Meat Co., Inc. CORPORATION INDIANA 2910 Sidney Avenue Cincinnati OHIO 45225
Attorney of Record Roger H. Bora
Prior Registrations 3565000
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AMISH" APART FROM THE MARK AS SHOWN
Description of Mark The color(s) red, yellow, black, gold, white, green, brown, and blue is/are claimed as a feature of the mark. The mark consists of the standard characters, "AMISH AH HERITAGE", depicted in a red banner outlined in dark yellow and black and at the top in gold, with "AMISH HERITAGE" in white letters outlined in black, and "AH" in black letters in a gold square outlined in white and black; having depicted above the banner a farm scene with a black horse and driven buggy on a white road winding through light and dark yellow rolling fields with green and brown trees, and by a black-roofed and black-windowed farm house and black-windowed red barn with white silos and sheds, under a blue sky and rising yellow sun; and having depicted below the banner light and dark yellow sun beams slowly fading to the bottom; with all depictions outlined in red, gold, and black.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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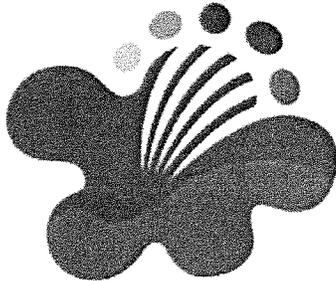
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素手浣花

Translations The non-Latin characters in the mark transliterate to "Su Shou Huan Hua" which in combination have no particular meaning in English though the individual symbols translate separately to "plain or uncolored", "hand", "wash" and "flower or design" in English.

Goods and Services IC 029. US 046. G & S: Albumen for food; plant extracts for food, namely, weeds; unflavored and unsweetened gelatins for food; edible fats; peanut butter; butter; broth; preserved fruit; potato chips; jams; frozen fruits; soups; raisins; gherkins; preserved vegetables; dried vegetables; edible oils; cheese; crystallized fruits; frosted fruits; stewed fruit; fruit jellies; fruit pulp; jellies for food; ginger jam; sesame oil; milk products excluding ice cream, ice milk and frozen yogurt; prepared nuts; pectin for food; pickles; alginates for food; fruit chips; preserved meat; tofu; edible birds' nests; fruit-based snack food. FIRST USE: 20050801. FIRST USE IN COMMERCE: 20140503

IC 030. US 046. G & S: Flavored and sweetened gelatins; alimentary pastes being cereal preparations; candy, other than for medical purposes; maltose; fruit jellies candy; honey; biscuits; cereal-based snack food; cakes; sweetmeats; packaged tea not for medicinal use; pancakes; rice-based snack food; foodstuffs made from dough; ice cream; ice cream desserts; ice milk; frozen yogurt. FIRST USE: 20050801. FIRST USE IN COMMERCE: 20140503

Mark Drawing Code (2) DESIGN ONLY

Design 05.05.25 - Daffodils; Iris (flower); Other flowers

Search Code 28.01.03 - Asian characters; Chinese characters; Japanese characters

Serial Number 85906312

Filing Date April 17, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition November 19, 2013

Registration Number 4685339

Registration Date February 10, 2015

Owner (REGISTRANT) Huang, Chien-Lun INDIVIDUAL TAIWAN 1F., No. 5-2, Shuanghu, Sanyi Township Miaoli County TAIWAN 367

Attorney of Record Chao-Chang David Pai

Description of Mark The color(s) black, red, green, yellow, orange and violet is/are claimed as a feature of the mark. The mark consists of a flower-like shape on the left and four Chinese characters on the right, wherein the flower-like shape has four petals in red and green colors and five stamens with red filaments and anthers each in a different color: yellow, orange, red, violet and green; and the four Chinese characters are in black except for a green stroke in the first, third and fourth characters and a red stroke in the third character, wherein the four characters mean "plain or uncolored", "hand", "wash" and "flower or design", respectively, but have no particular meaning in combination.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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CAT CORA'S KITCHEN

| | |
|------------------------------------|--|
| Word Mark | CAT CORA'S KITCHEN |
| Goods and Services | IC 029. US 046. G & S: sundried PROCESSED tomatoes; feta cheese; Cheese; cheese food; cheese spreads; cooking oil; cottage cheese; crumbled feta cheese; dips; Feta cheese spreads; olive oil; olive oil for foods; pate. FIRST USE: 20140331. FIRST USE IN COMMERCE: 20140331 IC 030. US 046. G & S: chai tea; coffee and tea; Crackers; frozen yogurt mixes; garlic salt; green tea; herb tea; herbal teas; instant tea; meat gravies; pasta sauce; Salt; Sauces; sea salt for cooking; Tea ; tea bags; vinegar. FIRST USE: 20130531. FIRST USE IN COMMERCE: 20130531 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 85157504 |
| Filing Date | October 20, 2010 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | May 24, 2011 |
| Registration Number | 4601718 |
| Registration Date | September 9, 2014 |

Owner (REGISTRANT) Cora, Cat INDIVIDUAL UNITED STATES 315 Meigs Road Suite A436 Santa Barbara CALIFORNIA 93109

Attorney of Record Jason A. Bernstein

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Other Data The name "CAT CORA" identifies a living individual whose consent is of record.

Live/Dead Indicator LIVE

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DELICIOUS WONDERS

Word Mark DELICIOUS WONDERS

Goods and Services IC 030. US 046. G & S: Cake paste in the nature of cake frosting; Cake powder mixes; Cakes; Edible decorations for cakes; Flavorings for cakes other than essential oils; Candy for food; Caramels; Chocolate; Confectionery, namely, **frozen** confectionery; Cookies; Flour; Fondants; **Frozen yogurt**; Preserved garden herbs; Preserved Ginger; Gingerbread; Glucose for culinary purposes; Gluten additives for culinary purposes; Halvah; Honey; Husked barley; Husked oats; Ice cream; Edible ice; Ice cream powder; Liquorice; Non-medicated Lozenges; Malt biscuits; Malt extract for food; Malt for human consumption for food purposes; Maltose for food; Pancakes; Pasta; Pastries; Pasty in the nature of a filled pastry; Peppermint sweets; Pies; Pizzas; Potato flour for food; Pralines; Puddings in the nature of dessert puddings; Processed semolina; Sherbets; Sorbets; Soya flour; Spices; Spring rolls; Star aniseed for use as a flavoring in food and drinks; Starch for use in manufacturing food; Starch-based thickeners for whipped cream; Sugar; Natural sweeteners; Tapioca; Tea; Thickening agents for cooking foodstuffs; Vanilla; Vanillin in the nature of vanilla flavorings; Yeast not for medical use. FIRST USE: 20130501. FIRST USE IN COMMERCE: 20130501

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85926867

Filing Date May 8, 2013

Current Basis 1A
Original Filing Basis 1A
Published for Opposition May 6, 2014
Registration Number 4570799
Registration Date July 22, 2014
Owner (REGISTRANT) Delicious World Corp. CORPORATION NEW YORK 56 Vilcan Street Staten Island NEW YORK 10305
Attorney of Record Charles H Knull
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DELICIOUS" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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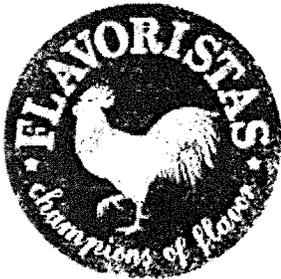
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Word Mark FLAVORISTAS CHAMPIONS OF FLAVOR
Goods and Services IC 030. US 046. G & S: Barbecue sauce; Burritos; Cheese sauce; Chicken wing sauce; Chili sauce; Chimichurri sauce; Chinese mabo tofu sauce; Chocolate sauce; Corn-based snack foods; Cream puffs; Curry sauce; Flavor enhancers used in food and beverage products; Food flavourings; Food seasonings; **Frozen** breads; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen** flour-free foods, namely, pancakes, crepes, sandwich wraps, muffins and griddle cake sandwiches which are protein-enriched; **Frozen** foods, namely, grain and bread based appetizers, hors d'oeuvres, and canapés; **Frozen yogurt**; Grass-based food beverages; Herbal food beverages; Honey; Ice-cream; Mixes for making batters for fried foods; Multigrain-based snack foods; Pastry cream; Processed cereal-based food to be used as a breakfast food, snack food or ingredient for making other foods; Ready to eat, cereal derived food bars; Rice-based snack foods; Salad dressings containing cream; Salsa; Snack foods, namely, chocolate-based snack foods; Taco chips; Taco seasoning; Taco shells; Tacos; Tortilla chips; Tortilla shells; Tortillas; Wheat-based snack foods. FIRST USE: 20130313. FIRST USE IN COMMERCE: 20130508

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design 01.01.03 - Star - a single star with five points
Search Code 03.15.03 - Chickens, hens, roosters; Chicks; Hens; Rooster
Serial Number 85782823
Filing Date November 19, 2012
Current Basis 1A

Original Filing Basis 1B

Published for Opposition May 21, 2013

Registration Number 4408561

Registration Date September 24, 2013

Owner (REGISTRANT) Flavoristas, LLC LIMITED LIABILITY COMPANY MINNESOTA Suite 130 2112 Broadway Street N.E. Minneapolis MINNESOTA 55413

Attorney of Record David Schelzel

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a rooster silhouette inside a circle formed by the word "FLAVORISTAS" above and "champions of flavor" below. Two stars are in the circle, one on the left and one on the right. The stippling is a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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WHOLESONE
GOODNESS

Word Mark WHOLESOME GOODNESS

Goods and Services IC 029. US 046. G & S: beef; canned fruits; canned fruits and vegetables; canned or bottled fruits; canned or bottled vegetables; canned tomatoes; canned vegetables; dehydrated fruit snacks; dried fruits; **frozen** fruits; **frozen** vegetables; instant potatoes; potato chips; potato-based snack foods; poultry; snack mix consisting of dehydrated fruit and processed nuts; snack mix consisting of primarily of processed nuts and salted squash seeds and also including toasted corn; snack mix consisting of wasabi peas, processed nuts, dehydrated fruit and/or raisins; snack mix consisting primarily of dehydrated fruits, processed nuts and also including sesame sticks; snack mix consisting primarily of processed fruits, processed nuts and/or raisins; soups; **yogurt**; **yogurt** drinks; chocolate milk; condensed milk; evaporated milk; goat milk; milk; powdered milk; rice milk for use as a milk substitute; Protein based, nutrient-dense snack bars; dehydrated fruit based fruit bars; soy-based food beverage used as a milk substitute; prepared entrees consisting primarily of meat, poultry or vegetables; prepared meals consisting primarily of meat, poultry or vegetables; **frozen** pre-packaged entrees consisting primarily of chicken, beef, pork or seafood; meat extenders consisting primarily of vegetables, grains or soy; cheeses; and **yogurt**-based beverages. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120100

IC 030. US 046. G & S: beverages made of tea; ketchup; macaroni and cheese; mustard; pasta; pasta sauce; pizza; popcorn; pretzels; relish; salad dressings; tomato sauce; baking powder; barbecue sauce; beverages made of coffee; bread and buns; bread and pastry; bread crumbs; brown sugar; bruschetta-topped bread; caffeine-free coffee; celery salt; chili sauce; chocolate sauce; cocoa; prepared cocoa and cocoa-based beverages, cocoa powder; cocoa based beverages; coffee; coffee based beverages; coffee beans; coffee pods; crystal sugar; enriched rice; flavored ices; **frozen** confections; **frozen** confections, namely, freezer pops; **frozen yogurt** confections; garlic bread; granulated sugar; ground coffee beans; honey and treacle; ice cream; ice cream drinks; ice creams; ice-cream cakes; instant coffee; Italian ice; maple syrup; mineral salt for human consumption; natural brown sugar; onion salt; pancake syrup; pastries; pita bread; powdered sugar; puffed rice; rice; rice cakes; rice pudding; roasted coffee beans; rolls; salad sauces; salt; sauce mixes; soy sauce; steak sauce; stuffing mixes containing bread; sugar; sugar substitutes; sugar wafers; table salt; table syrup; tapioca; tartar sauce; vinegar; white sugar; wholemeal bread; wholemeal rice; wine vinegar; worcestershire sauce; yeast; salad dressings containing **yogurt**; **frozen** pre-packaged entrees consisting primarily of pasta or rice; candy,

namely, sugar reduced and sugar free candies; gummy candies. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120100

IC 031. US 001 046. G & S: fresh culinary herbs; fresh fruit and vegetables; unprocessed cereal seeds; unprocessed edible seeds. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120100

IC 032. US 045 046 048. G & S: energy drinks; fruit drinks; fruit juices; aerated mineral waters; aerated water; bottled drinking water; drinking water with vitamins; mineral water; non-alcoholic beer; soda water; sparkling water; spring water; still water; syrups for making beverages; drinking water with added fiber. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120100

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
05.03.25 - Leaf, single; Other leaves
27.03.05 - Objects forming letters or numerals

Serial Number 85061064

Filing Date June 11, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition May 10, 2011

Registration Number 4168458

Registration Date July 3, 2012

Owner (REGISTRANT) Wholesome Goodness LLC LIMITED LIABILITY COMPANY DELAWARE 6522 Saddle Ridge Lane Long Grove ILLINOIS 60047

Attorney of Record Melissa A. Vallone

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WHOLESOME" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the words "WHOLESOME GOODNESS" with a heart that has a leaf on the right side after the letter "G".

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Gokool's

Word Mark GOKOOL'S

Goods and Services IC 030. US 046. G & S: Food flavorings; **Frozen** breads; **Frozen** cashew-based desserts; **Frozen** confectionery; **Frozen** confections; **Frozen** custards; **Frozen** dessert consisting of fruit and cream or cream substitutes; **Frozen** desserts consisting of flavored ice blocks with toppings; **Frozen** flavoured waters; **Frozen** foods, namely, grain and bread based appetizers, hors d'oeuvres, and canapés; **Frozen** juice bars; **Frozen** yoghurt; **Frozen yogurt**; **Frozen yogurt** confections; **Frozen yogurt** mixes; Fruit paste for flavouring of food; Herbal food beverages; Honey; Ice cream; Ice cream desserts; Ice cream drinks; Ice cream floats; Ice cream mixes; Ice cream powder; Ice cream sandwiches; Ice cream substitute; Ice creams; Ice milk; Ice milk bars; Ice-cream; Ice-cream cakes; Iced cakes; Iced coffee; Iced tea; Ices and ice creams; Non-dairy **frozen** confections; Soy-based ice cream substitute; Water ice. FIRST USE: 20100704. FIRST USE IN COMMERCE: 20100704

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Search Facility Classification Code LETS-1 S A single letter, multiples of a single letter or in combination with a design LETTER-3-OR-MORE GOKOOL Combination of three or more letters as part of the mark NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks

Serial Number 77957991

Filing Date March 12, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition August 3, 2010

Registration Number 3888027

Registration Date December 7, 2010

Owner (REGISTRANT) Ghorpade Arnav R. INDIVIDUAL UNITED STATES 75 Princeton Hightstown Road Princeton Junction NEW JERSEY 08550

(REGISTRANT) Ghorpade Anuradha R INDIVIDUAL UNITED STATES 75 Princeton Hightstown Road Princeton Junction NEW JERSEY 08550

(REGISTRANT) Ghorpade Rajeev V. INDIVIDUAL UNITED STATES 75 Princeton Hightstown Road Princeton Junction NEW JERSEY 08550

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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YOUR PASSION. OUR INGREDIENTS.

Word Mark YOUR PASSION. OUR INGREDIENTS.

Goods and Services IC 029. US 046. G & S: Preserved, dried and cooked fruits and vegetables; jellies, jams; dairy products, namely, dairy-based beverages, dairy-based chocolate food beverages, dairy-based food beverages, dairy- or non-dairy-based whipped topping; tinned foodstuffs, namely, tinned amarena cherries, apricots, bananas, bilberries, blackcurrants, cherries, citrons, exotic fruit mixes, wild berries, grapes, green apples, kiwi, mandarins, lemons, mangoes, oranges, papaya, passion fruits, peaches, pears, pineapples, peach-mango with vitamins, pink grapefruits, raspberries, strawberries, wild strawberries, rennet apples, almonds, hazelnuts, pistachios, coconuts, mint, walnuts, watermelons, pumpkins, plums, limes; fruit-based filling for cakes and tarts; unflavored gelatin. FIRST USE: 20100200. FIRST USE IN COMMERCE: 20100200

IC 030. US 046. G & S: Flavoring pastes, flavoring powders, and flavor enhancers made of chocolate, nuts, fruit, coffee, spices, liqueurs, candy, sugar, cheese, coconut, tea, and caramel, all for use in gelato, ice-cream, sorbets, sherbets, desserts, **frozen** beverages, confectionery products, pastries; base powder for baked cakes, namely, cake mixes; concentrated flavorings for baked products; flavored and sweetened gelatins and icings, cocoa-based ingredients in confectionery products, confectionery chips for baking, **frozen yogurt**, fruit jellies, peppermint for confectionery; flavored ices, gelato; icing for use as a coating for cakes and tarts. FIRST USE: 20100902. FIRST USE IN COMMERCE: 20100902

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark

Search Facility NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and
Classification mathematical signs,zodiac signs,prescription marks
Code
Serial Number 77447514
Filing Date April 14, 2008
Current Basis 1A
Original Filing
Basis 1B
Published for
Opposition December 16, 2008
Registration
Number 3870887
Registration
Date November 2, 2010
Owner (REGISTRANT) PREGEL AMERICA, INC. CORPORATION NORTH CAROLINA 4450 FORTUNE
 AVENUE NW CONCORD NORTH CAROLINA 28027
Assignment
Recorded ASSIGNMENT RECORDED
Attorney of
Record Anne C. Fleeson
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead
Indicator LIVE

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INSTANTWHIP

| | |
|---------------------------------|--|
| Word Mark | INSTANTWHIP |
| Goods and Services | IC 029. US 046. G & S: Non-dairy based whipped topping, non-dairy coffee whiteners, sour cream, sour cream substitutes, whipped cream and half and half coffee creamers. FIRST USE: 19340101. FIRST USE IN COMMERCE: 19340101 |
| | IC 030. US 046. G & S: Non-dairy icing, frozen yogurt, frozen yogurt mixes , ice cream, ice cream mixes, salad dressings and flavoring, topping, chocolate and table syrups. FIRST USE: 19340101. FIRST USE IN COMMERCE: 19340101 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 76078056 |
| Filing Date | June 26, 2000 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | April 22, 2003 |
| Registration Number | 2735819 |
| Registration Date | July 15, 2003 |
| Owner | (REGISTRANT) Instantwhip Foods, Inc. CORPORATION DELAWARE 2200 Cardigan Avenue Columbus OHIO 43215 |
| Prior Registrations | 1615897 |

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120926.
Renewal 1ST RENEWAL 20120926
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark WE CREATE GREAT TASTE

Goods and Services IC 029. US 046. G & S: meats, fish, poultry, processed fruits and vegetables; jellies, jams; and dairy products excluding ice cream, ice milk and **frozen yogurt**. FIRST USE: 19990600. FIRST USE IN COMMERCE: 19990600

IC 030. US 046. G & S: food flavorings; processed cereals, breakfast cereal; bread; biscuits; cake; pastry; candy; ice cream; ice milk and **frozen yogurt**. FIRST USE: 19990600. FIRST USE IN COMMERCE: 19990600

IC 032. US 045 046 048. G & S: non-alcoholic beverages, namely, fruit drinks, fruit juices and fruit nectars; concentrates, syrups and powders used in the preparation of fruit drinks, fruit juices and fruit nectars. FIRST USE: 19990600. FIRST USE IN COMMERCE: 19990600

IC 040. US 100 103 106. G & S: Manufacture of foods and beverage flavorings to the order and specification of others. FIRST USE: 19990600. FIRST USE IN COMMERCE: 19990600

IC 042. US 100 101. G & S: consulting in the field of food and beverage flavorings and development and design of foods and beverage flavorings. FIRST USE: 19990600. FIRST USE IN COMMERCE: 19990600

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75595894

Filing Date November 25, 1998

Current Basis 1A

Original Filing Basis 1B

Published for Opposition January 18, 2000

Registration Number 2654651

Registration Date November 26, 2002
Owner (REGISTRANT) Wild Flavors, Inc. CORPORATION DELAWARE 1261 Pacific Avenue Erlanger KENTUCKY 41018
Attorney of Record Mary E. Innis
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20121214.
Renewal 1ST RENEWAL 20121214
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark DOWN TO EARTH

Goods and Services IC 029. US 046. G & S: Processed foods, namely, acidophilus milk, processed almonds, processed apples, applesauce, processed apricots, processed artichokes, processed asparagus, baked beans, banana chips, dried beans, processed beans, processed blueberries, candied fruit, candied fruit snacks, candied nuts, butter, butter substitutes, nut butters, processed cabbage, cheese, cheese substitutes, processed cherries, chili with and without beans, yucca chips, chocolate milk, prepared coconut, processed coconut, coconut oil, cole slaw, cooking oil, processed corn, cottage cheese, cheese and cracker combinations, cranberry sauce, cream, cream, cheese, crystallized fruit, dairy products, excluding ice cream, ice milk and **frozen yogurt**, dairy-based chocolate food beverages, dairy-based dips, dairy-based food beverages, processed dates, desiccated coconut, dips, excluding salsa and other sauces used as dips, edible fats, edible oil, egg substitute, prepared, **frozen**, and packaged entrees consisting primarily of [meat, fish, poultry and] vegetables, flaked coconut, french fried potatoes, fruit chips, fruit paste, fruit pectin, fruit peels, fruit preserves, fruit pulps, fruit rinds, fruit topping, fruit-based filling for cakes, and pies, fruit-based snack food, fruit-based spreads, canned fruits, dried fruits, **frozen** fruits, fresh, [canned and bottled sliced fruits,] processed and preserved fruits, gherkins, [guacamole,] guava paste, half and half, jams, jellies, kefir, processed kelp, processed lemons, lentils, [margarine,] margarine substitutes, marmalade, meat substitutes, milk, processed mushrooms, non-dairy creamer, nut topping, shelled, roasted and otherwise processed nuts, vegetable oil, processed olives, food package combinations consisting primarily of cheese, [meat] and/or processed fruit, processed peaches, peanut butter, processed peppers, potato chips, potato crisps. instant potatoes, processed potatoes, poultry substitutes, [vegetable protein bits having a bacon flavor,] raisins, salad oil, fruit salads, vegetable salads, salads except macaroni, rice and pasta salad, fruit sauces, processed edible seaweeds, processed edible seeds, processed pumpkin seeds, snack dips, snack food dips, snack mix consisting primarily of processed fruits, processed nuts and/or raisins, soup mixes, soups, sour cream, sour cream substitutes, soy-based food beverage used as a milk substitute, soybean oil for cooking, canned soybeans, dried soybeans, tahini spread, cheese spreads, [meat-based spreads,] tahini, [unformed textured vegetable protein for use as a meat extender,] tofu, tomato paste, tomato puree, canned, cooked and otherwise processed tomatoes, vegetable-based spreads, vegetable oil for cooking, vegetable paste, textured vegetable protein bits having a bacon flavor, formed and textured vegetable for use as a [meat extender or] meat substitute, vegetable-based chocolate food beverages, pickled vegetables, fresh, canned and bottled cut vegetables, processed vegetables, whey, flavored whey-based food beverage, dairy and non-dairy based whipped topping, and **yogurt**. FIRST USE:

19990601. FIRST USE IN COMMERCE: 19990601

IC 030. US 046. G & S: Staple foods, namely, allspice, bagels, bakery goods, mixes for making bakery goods, bakery products, baking powder, baking soda, barbecue sauce, grain-based food beverages, herbal food beverages, chocolate food beverages not being dairy-based or vegetable-based, biscuits, bran, bread, bread sticks, breakfast cereals, buns, burritos, cake mixes, cakes, candy, candy cake decorations, candy coated popcorn, caramel popcorn, caramels, catsup, cereal based snack food, ready to eat cereal derived food bars, processed cereals, cheese flavored puffed corn snacks, cheese sauce, cheesecake, chewing gum, dried chili peppers for use as a seasoning, chili powders, chili sauce, flower-based chips, grain-based chips, dried chives, chocolate, chocolate chips, chocolate covered nuts, chocolate powder, chocolate syrup, chocolate topping, chocolate truffles, chocolate-based fillings for cakes and pies, chutney, cinnamon, cloves, cocoa, cocoa mixes, coffee, grain and chicory-based coffee substitute's, cones for ice cream, confectionery chips for baking, cookies, corn chips, corn flakes, corn meal, corn syrup, couscous, cracker and cheese combinations, crackers, crepes, crumpets, curry, [custard-based fillings for cakes and pies,] custards, danish pastries, edible decorations for cakes, dessert souffles, dough, dough conditioners, doughnuts, dumplings, eclairs, enchiladas, prepared, **frozen** and packaged entrees consisting primarily of pasta or rice, malt extracts used as flavoring, fajitas, farina, flavoring syrup, non-essential oil food flavorings, flour, fritters, namely, corn fritters, apple fritters, banana fritters, and pineapple fritters, [frosting mixes, frostings,] **frozen** confections, **frozen** custards, **frozen yogurt**, fruit pies, crystallized ginger, preserved ginger, powdered spice ginger, gluten, gnocchi, processed grains, granola, granola-based snack bars, gravies, gravy. gravy mixes, halvah, herb tea for food purposes, processed herbs, honey, [horseradish,] hot chocolate, hot sauce, fruit ice, ice cream, ice cream substitutes, [icing, icing mixes,] ketchup, lasagna, licorice, non-medicated lozenges, macaroni, macaroni and cheese, macaroni salad, maple syrup, marshmallows, mayonnaise, prepared, **frozen** and packaged meals consisting primarily of pasta or rice, milkshakes, bases for making milkshakes, candy mints, molasses, muffins, mustard, natural sweetener, noodles, chow mein noodles, nutmeg, oatmeal, processed oats, rolled oats, food package combinations consisting primarily of bread, crackers and cookies, pancake mixes, pancake syrup, pancakes, pasta, pasta salad, pasta shells, almond paste, pasties, pastries, peanut butter confectionery chips, pepper spice, pickle relish, pies, pizza crust, pizza dough, pizza sauce, processed popcorn, popped popcorn, pot pies, pretzels, puddings, puffed corn snacks, ravioli, relish, rice, rice salad, rice-based snack foods, bread rolls, [rusks,] sage, [sago,] salad dressings, salsa, salt, sandwiches, barTecue sauce, sauces, sherbet, snack mix consisting primarily of crackers, pretzels, candied nuts and/or popped popcorn, sorbet, soy sauce, soy-based ice cream substitute, spaghetti, spaghetti sauce, spices, sugar, sushi, table syrup, [taco chips,] taco shells, tacos, tamales, tapioca, [tartar sauce,] tea, tea-based beverages with fruit flavoring, tomato sauce, marshmallow topping, topping syrup, tortilla chips, tortilla shells, tortillas, [treacle,] vanilla, vinegar, wafers, waffles, processed wheat, wheat germ other than a dietary supplement, wheat-based snack foods, won ton wrappers, won tons, yeast. FIRST USE: 19990601. FIRST USE IN COMMERCE: 19990601

| | |
|---------------------------------|---|
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 75602023 |
| Filing Date | December 9, 1998 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | October 3, 2000 |
| Registration Number | 2532511 |
| Registration Date | January 22, 2002 |
| Owner | (REGISTRANT) Healthy's, Inc. CORPORATION HAWAII P.O. BOX 1166 KAILUA HAWAII 96734 |

Attorney of Record Martin E. Hsia, 32,471
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120114.
Renewal 1ST RENEWAL 20120114
Live/Dead Indicator LIVE

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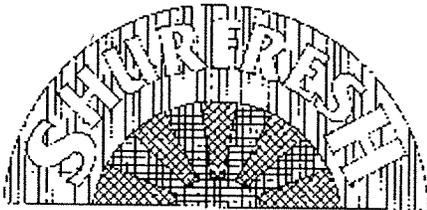
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Word Mark SHURFRESH

Goods and Services IC 029. US 046. G & S: eggs, milk, buttermilk, half and half milk and cream mixture, American cheese food, sour cream, whipping cream, ricotta cheese, **yogurt**, margarine, butter, vegetable based spreads, pimento cheese spread, cream cheese, cheese, cottage cheese, potato chips, fresh and processed meats, bacon, turkey, beef, pork sausage, sausage, salami, pastrami, [turkey bologna,] cheese loaf, hot dogs, beef frank, bologna, beef bologna, pork, luncheon loaf, spiced luncheon loaf, corned beef, ham, turkey ham, chicken and chicken parts, pickle loaf, vegetable based dips, vegetable oil, corn oil margarine, shoestring potatoes, corn dog, party wings, hot and spicy wings, beef tenderloin, bratwurst, imitation crabmeat, [potato salad,] cole slaw, [baked and BBQ beans, chicken salad, tuna salad, chicken wing drummette,] chicken breast tenders, [carrot and raisin salad,] and **frozen fruit**. FIRST USE: 19920601. FIRST USE IN COMMERCE: 19920601

IC 030. US 046. G & S: bread, buns, biscuits, [sausage and biscuit sandwiches,] cake, rolls, doughnuts, muffins, [danish pastries,] sweet yeast, cheese curls, cheese puffs; bread sticks, sundae cone, ice, **frozen yogurt**, ice cream, ice cream bars, sherbert and **frozen** confections, [strawberry parfait,] fudge bar, tortilla, corn and tostada chips, pie crust, [pizza crust,] cookies, pretzels, [chocolate pretzels,] cheddar cheese and [caramel popcorn,] flour tortillas, corn tortillas, bread [and cornbread sticks, macaroni salad,] popped popcorn, peanut brittle, candy, coconut brittle [, and strawberry fruit gelatin]. FIRST USE: 19920601. FIRST USE IN COMMERCE: 19920601

IC 031. US 001 046. G & S: raw potatoes, fresh tomatoes, fresh lettuce, fresh broccoli, fresh celery, fresh cauliflower, fresh carrots, fresh apples, fresh grapes, fresh oranges, fresh onions, and raw plain popcorn. FIRST USE: 19910717. FIRST USE IN COMMERCE: 19910717

IC 032. US 045 046 048. G & S: orange juice and citrus punch. FIRST USE: 19920601. FIRST USE IN COMMERCE: 19920601

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise
 26.01.06 - Circles, semi; Semi-circles
 26.01.21 - Circles that are totally or partially shaded.

Serial Number 75200764

Filing Date November 20, 1996

Current Basis 1A

Original Filing Basis 1B

Published for Opposition March 2, 1999

Registration Number 2276332

Registration Date September 7, 1999

Owner (REGISTRANT) SHURFINE FOODS, INC. CORPORATION ILLINOIS 6700 S.W. Sandburg Street
 Tigard OREGON 97223

Attorney of Record HILLARY A. BROOKS

Prior Registrations 0663880;0686418;0786505;0945843;1152556;1286296;AND OTHERS

Description of Mark The mark is lined for the colors red, yellow and orange.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090909.

Renewal 1ST RENEWAL 20090909

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| Word Mark | SAFEWAY SELECT |
| Goods and Services | IC 030. US 046. G & S: capers, [chocolate covered nuts and raisins, flavored non-alcoholic coffee beverages,] frozen yogurt , ice cream, seasoning and cooking sauces, sherbet and sorbet. FIRST USE: 19961100. FIRST USE IN COMMERCE: 19961100 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 75444130 |
| Filing Date | March 9, 1998 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | November 10, 1998 |
| Registration Number | 2221733 |
| Registration Date | February 2, 1999 |
| Owner | (REGISTRANT) SAFEWAY INC. CORPORATION DELAWARE 5918 Stoneridge Mall Road Pleasanton CALIFORNIA 945883229 |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | Gigi Remington |
| Prior Registrations | 2135964;2171475;2173199 |
| Disclaimer | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SELECT" APART FROM THE MARK AS SHOWN |
| Type of Mark | TRADEMARK |

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090128.
Renewal 1ST RENEWAL 20090128
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark GREAT TASTE...SENSIBLY GOOD!

Goods and Services IC 030. US 046. G & S: salad dressings, mayonnaise, bakery goods, tortilla chips, crackers, popped popcorn, pretzels, cookies, **frozen yogurt**, ice cream, pasta, pasta sauce, **frozen** and fresh pastry, refrigerated and **frozen** cakes, **frozen** dinners and entrees comprised primarily of pasta and rice, and breakfast cereals. FIRST USE: 19970301. FIRST USE IN COMMERCE: 19970301

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75255549

Filing Date March 11, 1997

Current Basis 1A

Original Filing Basis 1A

Published for Opposition November 4, 1997

Registration Number 2132740

Registration Date January 27, 1998

Owner (REGISTRANT) WORLD BRANDS, INC. CORPORATION ILLINOIS 7711 Gross Point Road Skokie ILLINOIS 600772697

(LAST LISTED OWNER) TOPCO HOLDINGS, INC. CO-OPERATIVE CORPORATION WISCONSIN 7711GROSS POINT ROAD SKOKIE ILLINOIS 60077

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Mark A. Paskar

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080317.

Renewal 1ST RENEWAL 20080317

Live/Dead Indicator LIVE

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COLONIAL INN

Word Mark COLONIAL INN
Goods and Services IC 029. US 046. G & S: meats, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other dairy products excluding ice cream, ice milk and **frozen yogurt**; edible oils and fats; fruit preserves, pickles, broth. FIRST USE: 19930115. FIRST USE IN COMMERCE: 19930115
Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 74362078
Filing Date February 25, 1993
Current Basis 1A
Original Filing Basis 1A
Published for Opposition August 24, 1993
Registration Number 1804648
Registration Date November 16, 1993
Owner (REGISTRANT) George DeLallo Company, Inc. CORPORATION PENNSYLVANIA R.D.12 Box 619 Greensburg PENNSYLVANIA 15601
Attorney of Record Paul D. Bangor, Jr.
Type of Mark TRADEMARK

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140516.
Renewal 2ND RENEWAL 20140516
Live/Dead Indicator LIVE

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | | |
|----------------------------|---|--|
| GOYA FOODS, INC. | : | Opposition No.: 91215657 |
| | : | |
| Opposer, | : | |
| v. | : | |
| | : |  |
| | : | Mark: |
| | : | Ser. No.: 86060111 |
| GOYOGO FROZEN YOGURT, LLC, | : | |
| | : | Mark: GOYOGO FROZEN YOGURT OUR |
| | : | INGREDIENTS YOUR CREATION |
| Applicant. | : | Ser. No.: 86037364 |
| | : | |

OPPOSER'S THIRD NOTICE OF RELIANCE
PURSUANT TO 37 CFR §2.122(e)

EXHIBIT B

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WILLARD HICKS

Word Mark WILLARD HICKS

Goods and Services IC 043. US 100 101. G & S: Bar and restaurant services. Cafe and restaurant services; Cafe-restaurants; Carry-out restaurants; Consultation services in the field of restaurant menu development; Delicatessens; Fast food and non-stop restaurant services; Fast-food restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Hotel and restaurant reservation services; Hotel and restaurant services; Hotel, bar and restaurant services; Hotel, motel, restaurant, bar and catering services; Hotel, restaurant and bar services; Hotel, restaurant and catering services; Ice cream shop services in the nature of a restaurant; Mobile restaurant services; Providing advice to tourists and business travelers on hotel and restaurant destinations; Providing on-line reviews of restaurants and hotels; Providing progressive dinner events where participants sample meals and drinks at a series of restaurants; Providing reviews of restaurants; Provision of food and drink in restaurants; Reservation of restaurants; Restaurant; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant and cafe services; Restaurant and catering services; Restaurant and hotel services; Restaurant reservation services; Restaurant services; Restaurant services featuring sandwiches; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Restaurant, bar and catering services; Restaurants; Restaurants featuring home delivery; Salad bars; Self service restaurants; Self-service restaurants; Take-out restaurant services. FIRST USE: 20141001. FIRST USE IN COMMERCE: 20141001

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial 86613109

Number**Filing Date** April 28, 2015**Current Basis** 1A**Original Filing Basis** 1A**Published for Opposition** October 20, 2015**Registration Number** 4880227**Registration Date** January 5, 2016**Owner** (REGISTRANT) THE CHRISTENI GROUP, LLC LIMITED LIABILITY COMPANY CALIFORNIA 1261 LINCOLN AVE., SUITE 214 SAN JOSE CALIFORNIA 95125**Attorney of Record** ROMIN P. THOMSON**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Other Data** The name shown in the mark does not identify a particular living individual.**Live/Dead Indicator** LIVE

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DIPSIDOO

Word Mark DIPSIDOO

Goods and Services IC 043. US 100 101. G & S: **Frozen yogurt** shop services in the nature of a restaurant; **frozen yogurt** and dessert bar and a cafe. FIRST USE: 20141215. FIRST USE IN COMMERCE: 20150116

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86595237

Filing Date April 13, 2015

Current Basis 1A

Original Filing Basis 1A

Published for Opposition October 6, 2015

Registration Number 4873344

Registration Date December 22, 2015

Owner (REGISTRANT) DIPSIDOO CORPORATION CANADA 100 harrison garden blvd #607 Toronto CANADA M2N0C2

Type of Mark SERVICE MARK

Register PRINCIPAL

**Live/Dead
Indicator** **LIVE**

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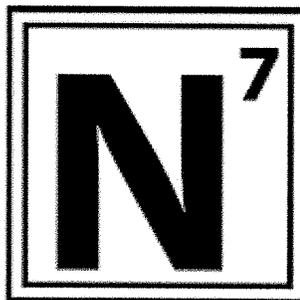
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 Please logout when you are done to release system resources allocated for you. List At: OR to record: **Record 207 out of 3465** (Use the "Back" button of the Internet Browser to return to TESS)**FROZE****Word Mark** FROZEN SEVEN**Goods and Services** IC 043. US 100 101. G & S: Ice cream parlors featuring ice cream, ice cream sandwiches, ice cream sodas, shakes and **frozen yogurts**; Ice cream shop services in the nature of a restaurant; restaurant services in the nature of coffee and juice bars; restaurant services in the nature of coffee and tea bars; restaurants in the nature of coffee-house and snack-bars; Catering of food and drinks; Restaurant and catering services. FIRST USE: 20150101. FIRST USE IN COMMERCE: 20150101**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM**Serial Number** 86526384**Filing Date** February 6, 2015**Current Basis** 1A**Original Filing Basis** 1A**Published for Opposition** July 28, 2015**Registration Number** 4830527**Registration Date** October 13, 2015**Owner** (REGISTRANT) FROZEN, LLC LIMITED LIABILITY COMPANY CALIFORNIA 168 WILLOWBEND

IRVINE CALIFORNIA 92612

Assignment Recorded ASSIGNMENT RECORDED**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE CHEMICAL SYMBOL FOR NITROGEN, COMPRISING THE LETTER "N" AND THE NUMBER "7" IN SUPERSCRIPIT WITHIN THE SQUARE APART FROM THE MARK AS SHOWN**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the stylized word and numeral, "FROZEN7" with "N7" depicted with a capital letter "N" and the number "7" to its upper right in superscript within a double square border.**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE

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enufa

Word Mark ENUFA**Translations** The wording "ENUFA" has no meaning in a foreign language.**Goods and Services** IC 043. US 100 101. G & S: Bar and restaurant services; Cafeteria and restaurant services; Café and restaurant services; Café-restaurants; Delicatessen services; Fast-food restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Mobile restaurant services; Reservation of restaurants; Restaurant and bar information services; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant and café services; Restaurant and catering services; Restaurant services; Restaurant services featuring sandwiches; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Restaurant, bar and catering services; Restaurants featuring home delivery; Salad bars; Self service restaurants; Self-service restaurants; Take-out restaurant services. FIRST USE: 20140803. FIRST USE IN COMMERCE: 20150710**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 86349794**Filing Date** July 28, 2014**Current Basis** 1A

Original Filing Basis 1B

Published for Opposition December 23, 2014

Registration Number 4823524

Registration Date September 29, 2015

Owner (REGISTRANT) HVAY HAUSWITH VOGL AMSPACHER YUASA, INC. CORPORATION FLORIDA Suite 141 13734 77th Ave Seminole FLORIDA 33776

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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**Word Mark** YOMAMA PREMIUM DESSERTS & CANDY**Goods and Services** IC 043. US 100 101. G & S: Coffee shops; **Frozen yogurt** shop services in the nature of a restaurant; Ice cream shop services in the nature of a restaurant. FIRST USE: 20140411. FIRST USE IN COMMERCE: 20140411**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 05.09.03 - Oranges, tangerines and the like; grapefruit
 08.03.02 - Candy on a stick, such as suckers; Lollipops; Suckers, candy
 08.09.04 - Other forms of ice cream, sherbet and frozen yogurt
 11.03.01 - Glasses without stems
 11.03.03 - Coffee cups
 26.01.12 - Circles with bars, bands and lines
 26.01.21 - Circles that are totally or partially shaded.
 26.11.26 - Oblongs as carriers for words, letters or designs
 27.03.04 - Plants forming letters or numerals
Serial Number 86307962**Filing Date** June 12, 2014**Current Basis** 1A**Original Filing Basis** 1A**Published for** June 2, 2015

Opposition**Registration Number** 4793011**Registration Date** August 18, 2015**Owner** (REGISTRANT) Yo Mama Inc. CORPORATION VIRGINIA 4540 Princess Anne Road, #110 Virginia Beach VIRGINIA 23462**Attorney of Record** Thoams M. Dunlap**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PREMIUM DESSERTS & CANDY" APART FROM THE MARK AS SHOWN**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the wording "yomama" in large stylized outlined font where the "o" is replaced with the image of a styled orange-type fruit, which is set over top of the stylized smaller wording "premium desserts & candy" which is placed inside of a rounded thin-line box, where the bottom of the letter "y" in "yomama" hangs down next to the wording "premium desserts & candy", all of which is next to circle design split into four quadrants, each of which contains a clip art image of a stylized food or beverage product, which are, in order from the top left to bottom right, reading left to right: a drink, a lollipop, a cup of ice cream or yogurt and a cup of coffee.**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE

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Word Mark U GURT

Goods and Services IC 035. US 100 101 102. G & S: Retail store services featuring various flavors of **frozen yogurt**, a wide variety of fresh fruit, candy, and toppings for the **yogurt**, assorted cookies and desserts, hot chocolate, soft drinks, coffee, and other non-alcoholic beverages, various energy drinks, store related merchandise such as shirts, cups, mugs, hats, convenience electronics, watches and watch accessories, university logo hats, prepaid gift cards, refrigerated fresh fruit, and healthy grab and go food items. FIRST USE: 20130911. FIRST USE IN COMMERCE: 20131024

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 11.01.01 - Spoons

Serial Number 86045698

Filing Date August 22, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition January 13, 2015

Registration

Number 4795811

Registration Date August 18, 2015

Owner (REGISTRANT) Ugurt, LLC LIMITED LIABILITY COMPANY UTAH 3435 S 200 W Bountiful UTAH 84010

Attorney of Record Jarod R. Marrott

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a block letter "U" with a thin border followed by "gurt" in script lettering with a horizontal spoon graphic underneath.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Loving Cup

Word Mark LOVING CUP

Goods and Services IC 030. US 046. G & S: Bakery goods and dessert items, namely, cakes, cookies, pastries, candies, and **frozen** confections for retail and wholesale distribution and consumption on or off the premises; Beverages made of coffee; Coffee; Coffee and tea; **Frozen yogurt; Frozen yogurt** confections; **Frozen yogurt** pies and cakes; Rice pudding; Rice-based pudding dessert; Roasted coffee beans. FIRST USE: 20081116. FIRST USE IN COMMERCE: 20081116

IC 043. US 100 101. G & S: Coffee shops; **Frozen yogurt** shop services in the nature of a restaurant. FIRST USE: 20081116. FIRST USE IN COMMERCE: 20081116

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86458685

Filing Date November 19, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition April 28, 2015

Registration Number 4772716

Registration Date July 14, 2015

Owner (REGISTRANT) Loving Cup LLC DBA Loving Cup LIMITED LIABILITY COMPANY CALIFORNIA 2356 Polk Street San Francisco CALIFORNIA 94109

Attorney of Record Desraeli John Fiedler

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Foogle

Word Mark FOOGLE

Goods and Services IC 043. US 100 101. G & S: Bar and restaurant services; Cafeteria and restaurant services; Café and restaurant services; Café-restaurants; Consulting in the field of restaurant menu development; Delicatessen services; Fast-food restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Hotel and restaurant services; Hotel, bar and restaurant services; Making reservations and bookings for restaurants and meals; Providing information and advice on hotels and restaurants to tourists and business travelers; Restaurant; Restaurant and bar services, including restaurant carryout services; Restaurant and catering services; Restaurant and hotel services; Restaurant services including sit-down service of food and take-out restaurant services; Restaurants; Self-service restaurants; Take-out restaurant services. FIRST USE: 20150101. FIRST USE IN COMMERCE: 20150501

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86304204

Filing Date June 9, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition February 10, 2015

Registration Number 4770189

Registration Date July 7, 2015

Owner (REGISTRANT) DAVID YOU WE TSUEI INDIVIDUAL UNITED STATES 51 NURSERY WAY SOUTH SAN FRANCISCO CALIFORNIA 94080

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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SMOOTHIES WITH A PURPOSE**Word Mark** SMOOTHIES WITH A PURPOSE**Goods and Services** IC 030. US 046. G & S: Coffee-based beverages, **frozen yogurt**. FIRST USE: 20131115. FIRST USE IN COMMERCE: 20131115IC 032. US 045 046 048. G & S: Smoothies; non-alcoholic beverages containing fruit or other flavorings; non-alcoholic **frozen** flavored beverages; drinking water; fruit juices; vegetable juices; energy drinks. FIRST USE: 20131115. FIRST USE IN COMMERCE: 20131115

IC 043. US 100 101. G & S: Restaurant services; smoothie bar services; snack bar services; restaurant carry-out food service. FIRST USE: 20131115. FIRST USE IN COMMERCE: 20131115

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 86255130**Filing Date** April 17, 2014**Current Basis** 1A**Original Filing Basis** 1B**Published for** September 9, 2014

Opposition**Registration Number** 4770000**Registration Date** July 7, 2015**Owner** (REGISTRANT) Smoothie King Franchises, Inc. CORPORATION LOUISIANA 3900 N. Causeway Blvd., Suite 1300 Metairie LOUISIANA 70002**Attorney of Record** Gabrielle S. Roth**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SMOOTHIES" APART FROM THE MARK AS SHOWN**Type of Mark** TRADEMARK. SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE

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List At: OR to record: **Record 330 out of 3465**

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puddingbox

Word Mark PUDDINGBOX

Goods and Services IC 043. US 100 101. G & S: Cafe and restaurant services; Cafe services; Cafe-restaurants; Fast-food restaurant services; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Ice cream shop services in the nature of a restaurant; Mobile restaurant services; Providing of food and drink; Restaurant and cafe services; Self service restaurants. FIRST USE: 20140610. FIRST USE IN COMMERCE: 20141110

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86236350

Filing Date March 29, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 9, 2014

Registration Number 4757203

Registration Date June 16, 2015

Owner (REGISTRANT) Puddingbox LLC LIMITED LIABILITY COMPANY COLORADO 965 Wolff St Apt D
Denver COLORADO 80204

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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EQUUS

Word Mark EQUUS

Goods and Services IC 043. US 100 101. G & S: Bar and restaurant services; Cafeteria and restaurant services; Café and restaurant services; Café-restaurants; Consulting in the field of restaurant menu development; Delicatessen services; Fast-food restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Hotel and restaurant services; Hotel, bar and restaurant services; Hotel, motel, restaurant, bar and catering services; Hotel, restaurant and bar services; Hotel, restaurant and catering services; Making reservations and bookings for restaurants and meals; Mobile restaurant services; Providing information and advice on hotels and restaurants to tourists and business travelers; Providing on-line reviews of restaurants and hotels; Providing reviews of restaurants; Providing reviews of restaurants and bars; Provision of food and drink in restaurants; Reservation of restaurants; Restaurant and bar information services; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant and café services; Restaurant and catering services; Restaurant and hotel services; Restaurant information services; Restaurant reservation services; Restaurant services; Restaurant services featuring sandwiches; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Restaurant, bar and catering services; Restaurants; Restaurants featuring home delivery; Salad bars; Self service restaurants; Self-service restaurants; Take-out restaurant services; Travel agency services, namely, making reservations and bookings for restaurants and meals. FIRST USE: 20150125. FIRST USE IN COMMERCE: 20150125

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial** 86335684

Number**Filing Date** July 13, 2014**Current Basis** 1A**Original Filing Basis** 1B**Published for Opposition** November 25, 2014**Registration Number** 4745150**Registration Date** May 26, 2015**Owner** (REGISTRANT) Equus Automotive, Inc. CORPORATION DELAWARE 2904 Bond Street Rochester Hills MICHIGAN 48309**Attorney of Record** Michael Shariff**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[PREV LIST](#)[CURR LIST](#)[NEXT LIST](#)[FIRST DOC](#)[PREV DOC](#)[NEXT DOC](#)[LAST DOC](#)[| HOME | SITE INDEX | SEARCH | eBUSINESS | HELP | PRIVACY POLICY](#)

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SANTA CRUZ DELI AND CREAMERY**Word Mark** SANTA CRUZ DELI AND CREAMERY**Goods and Services** IC 043. US 100 101. G & S: Dairy bar services; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Salad bars. FIRST USE: 20140912. FIRST USE IN COMMERCE: 20140912**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 86290408**Filing Date** May 23, 2014**Current Basis** 1A**Original Filing Basis** 1B**Date Amended to Current Register** April 2, 2015**Registration Number** 4745365

Registration Date May 26, 2015

Owner (REGISTRANT) Mr. LLC LIMITED LIABILITY COMPANY MASSACHUSETTS 182 Huron Avenue, Unit 2
Cambridge MASSACHUSETTS 02138

Attorney of Record Michelle L. Grenier, Esq.

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DELI AND CREAMERY" APART FROM
THE MARK AS SHOWN

Type of Mark SERVICE MARK

Register SUPPLEMENTAL

Other Data The name(s), portrait(s), and/or signature(s) shown in the mark identifies MARIA SANTA CRUZ, whose
consent(s) to register is made of record.

Live/Dead Indicator LIVE

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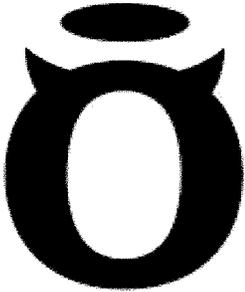
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Word Mark O

Goods and Services IC 030. US 046. G & S: **Frozen yogurt; yogurt ice cream; muffins; frozen yogurt confections; coffee and tea; iced coffee; tea-based beverages; iced tea.** FIRST USE: 20140518. FIRST USE IN COMMERCE: 20140518

IC 043. US 100 101. G & S: Restaurant and café services. FIRST USE: 20140518. FIRST USE IN COMMERCE: 20140518

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 03.13.03 - Horns (of animal) along (not part of heads), antlers
 04.01.03 - Halos on objects, letters, numbers

Serial Number 86202998

Filing Date February 25, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 22, 2014

Registration Number 4744750

Registration Date May 26, 2015

Owner (REGISTRANT) K & G Global Enterprises, LLC LIMITED LIABILITY COMPANY NEW YORK 19-46 75th Street East Elmhurst NEW YORK 11370

Attorney of Record Michael G. Gabriel

Description of Mark Color is not claimed as a feature of the mark. The mark consists of lowercase letter "O" composed of devil horns and a halo.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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ONCE A DAY ISN'T ENOUGH

Word Mark ONCE A DAY ISN'T ENOUGH

Goods and Services IC 030. US 046. G & S: **Frozen yogurt; yogurt** ice cream; muffins; **frozen yogurt** confections; coffee and tea; iced coffee; tea-based beverages; iced tea. FIRST USE: 20140518. FIRST USE IN COMMERCE: 20140518

IC 043. US 100 101. G & S: Restaurant and café services. FIRST USE: 20140518. FIRST USE IN COMMERCE: 20140518

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86195955

Filing Date February 18, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 22, 2014

Registration Number 4744696

Registration Date May 26, 2015

Owner (REGISTRANT) K & G Global Enterprises, LLC LIMITED LIABILITY COMPANY NEW YORK 19-46
75th Street East Elmhurst NEW YORK 11370

Attorney of Record Michael G. Gabriel

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark CREATIVE JUICE

Goods and Services IC 029. US 046. G & S: salads, namely, garden salads, fruit salads, vegetable salads; prepared meals consisting primarily of meat, fish, poultry or vegetables; processed nuts; fruit-based nutritional meal replacement bars for boosting energy; trail mix consisting primarily of processed nuts, seeds, and dried fruit; snack foods, namely, soy-based snack foods, fruit-based snack foods and vegetable-based snack foods; milk-based beverages containing added nutrients, coffee, chocolate or fruit juice; **yogurt**; nut-based milk; soybean milk (soy milk); soy-based food beverage used as a milk substitute; rice milk for use as a milk substitute; hemp milk used as a milk substitute; shakes. FIRST USE: 20131000. FIRST USE IN COMMERCE: 20131000

IC 030. US 046. G & S: prepared meals consisting primarily of grain, pasta or rice; snack foods, namely, wheat-based snack foods and grain-based snack foods; granola; sandwiches; muffins; salads, namely, pasta, rice and processed quinoa salads; cereal based nutrition bars; **frozen yogurt**; ice cream; ice cream drinks; ice milk; soy-based ice cream substitute; **frozen** confections; **frozen yogurt** confections; non-dairy **frozen** confections; **frozen** juice bars. FIRST USE: 20131000. FIRST USE IN COMMERCE: 20131000

IC 032. US 045 046 048. G & S: fruit juices but not fruit juice concentrate; vegetable juices; bottled water, flavored waters, energy drinks; beverages, namely, coconut-based beverages not being milk substitutes; smoothies; soy-based beverages not being milk substitutes. FIRST USE: 20130930. FIRST USE IN COMMERCE: 20130930

IC 035. US 100 101 102. G & S: retail store services featuring foods and juices. FIRST USE: 20131104. FIRST USE IN COMMERCE: 20131104

IC 043. US 100 101. G & S: restaurant and cafe services. FIRST USE: 20131104. FIRST USE IN COMMERCE: 20131104

Mark

Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.01.02 - Circles, plain single line; Plain single line circles
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Serial Number 86025586

Filing Date August 1, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 22, 2014

Registration Number 4744314

Registration Date May 26, 2015

Owner (REGISTRANT) Juice Creations LLC LIMITED LIABILITY COMPANY DELAWARE 895 Broadway New York NEW YORK 10003

Attorney of Record Larry L. Saret

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE" FOR INTERNATIONAL 32, FOR INTERNATIONAL CLASS 35, FOR INTERNATIONAL CLASS 43 AND FRUIT-BASED NUTRITIONAL MEAL REPLACEMENT BARS FOR BOOSTING ENERGY, MILK-BASED BEVERAGES CONTAINING ADDED NUTRIENTS, COFFEE, CHOCOLATE OR FRUIT JUICE; YOGURT; SOYBEAN MILK [SOY MILK]; SOY-BASED FOOD BEVERAGE USED AS A MILK SUBSTITUTE; RICE MILK FOR USE AS A MILK SUBSTITUTE; HEMP MILK USED AS A MILK SUBSTITUTE; SHAKES FOR INTERNATIONAL CLASS 29 AND CEREAL BASED NUTRITION BARS; FROZEN YOGURT; ICE CREAM; ICE CREAM DRINKS; ICE MILK; SOY-BASED ICE CREAM SUBSTITUTE; FROZEN CONFECTIONS; FROZEN YOGURT CONFECTIONS; NON-DAIRY FROZEN CONFECTIONS; FROZEN JUICE BARS FOR INTERNATIONAL CLASS 30 APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the terms "CREATIVE" and "JUICE" in a stylized font contained within a circle.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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LOL Laugh Out Loud Resto Bar

Word Mark LOL LAUGH OUT LOUD RESTO BAR**Goods and Services** IC 043. US 100 101. G & S: Agency services for reservation of restaurants; Bar and restaurant services; Cafe and restaurant services; Cafe-restaurants; Cafeteria and restaurant services; Consulting in the field of restaurant menu development; Delicatessen services; Fast-food restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Hotel and restaurant services; Hotel, bar and restaurant services; Hotel, motel, restaurant, bar and catering services; Hotel, restaurant and bar services; Hotel, restaurant and catering services; Ice cream shop services in the nature of a restaurant; Making reservations and bookings for restaurants and meals; Mobile restaurant services; Providing information and advice on hotels and restaurants to tourists and business travelers; Providing on-line reviews of restaurants and hotels; Providing progressive dinner events where participants sample meals and drinks at a series of restaurants; Providing reviews of restaurants; Providing reviews of restaurants and bars; Provision of food and drink in restaurants; Reservation of restaurants; Restaurant; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant and cafe services; Restaurant and catering services; Restaurant and hotel services; Restaurant information services; Restaurant reservation services; Restaurant services; Restaurant services featuring sandwiches; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Restaurant, bar and catering services; Restaurants; Restaurants featuring home delivery; Salad bars; Self service restaurants; Self-service restaurants; Take-out restaurant services; Travel agency services, namely, making reservations and bookings for restaurants and meals. FIRST USE: 20130904. FIRST USE IN COMMERCE: 20130904**Standard
Characters
Claimed****Mark
Drawing** (4) STANDARD CHARACTER MARK

Code
Serial Number 86069451
Filing Date September 19, 2013
Current Basis 1A
Original Filing Basis 1A
Published for Opposition August 19, 2014
Registration Number 4733936
Registration Date May 12, 2015
Owner (REGISTRANT) Carlos A. Zabalza INDIVIDUAL ARGENTINA 15445 SW 26 Ter Miami FLORIDA 33185
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RESTO BAR" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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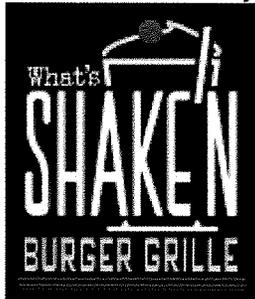
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Word Mark WHAT'S SHAKE'N BURGER GRILLE

Goods and Services IC 043. US 100 101. G & S: Restaurant services, namely, sit-down service of food and take-out restaurant services, featuring hamburgers, milk shakes, french fries, onion rings, beverages, **frozen** confections, hand-made ice cream, and **frozen yogurt**. FIRST USE: 20140618. FIRST USE IN COMMERCE: 20140618

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 05.09.08 - Cherries
 11.03.01 - Glasses without stems
 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

Serial Number 86043598

Filing Date August 21, 2013

Current Basis 1A

Original Filing Basis 1B

Published for June 17, 2014

Opposition
Registration Number 4728421

Registration Date April 28, 2015**Date****Owner** (REGISTRANT) Uncle Ray's Dairyland, Inc. CORPORATION MICHIGAN 1462 North Leroy Street Fenton MICHIGAN 48430**Attorney of Record** Pamela S. Burt**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BURGER GRILLE" APART FROM THE MARK AS SHOWN**Description of Mark** The color(s) red, white, and black is/are claimed as a feature of the mark. The mark consists of a black background with "What's SHAKE'N BURGER GRILLE" in white letters having white outline of a milk shake and straw behind "SHAKE'N" so that straw defines apostrophe, and with red cherry in milkshake, with "BURGER GRILLE" appearing below "SHAKE'N" and three red horizontal lines at bottom.**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[PREV LIST](#)[CURR LIST](#)[NEXT LIST](#)[FIRST DOC](#)[PREV DOC](#)[NEXT DOC](#)[LAST DOC](#)[| HOME | SITE INDEX | SEARCH | eBUSINESS | HELP | PRIVACY POLICY](#)

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BANZAI BOWLS

Word Mark BANZAI BOWLS**Translations** The English translation of "BANZAI" in the mark is "10000 years!".

Goods and Services IC 043. US 100 101. G & S: Coffee and juice bar services; **Frozen yogurt** shop services in the nature of a restaurant; Juice bar services; Restaurant and bar services, including restaurant carryout services; Restaurant and café services; Restaurant and catering services; Restaurant services; Restaurant services featuring fruit smoothies; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises. FIRST USE: 20090801. USED IN ANOTHER FORM The mark was first used anywhere in a different form other than that sought to be registered at least as early as 08/01/2009. FIRST USE IN COMMERCE: 20090801

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 86285873**Filing Date** May 20, 2014**Current Basis** 1A**Original Filing Basis** 1A**Published for** December 9, 2014

Opposition

Registration Number 4691268

Registration Date February 24, 2015

Owner (REGISTRANT) Bard, Joseph DBA Banzai Bowls INDIVIDUAL UNITED STATES Suite A 1958 Placentia Avenue Costa Mesa CALIFORNIA 92627

Attorney of Record Samuel P Britton

Prior Registrations 3810228

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BOWLS" APART FROM THE MARK AS SHOWN

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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FIRE ENGINE DOGS

Word Mark FIRE ENGINE DOGS

Goods and Services IC 030. US 046. G & S: Buns; Chili sauce; Coffee; **Frozen custards; Frozen yogurt;** Grain-based food beverages; Hamburger sandwiches; Herbal food beverages; Herbal tea; Hot chocolate; Hot dog sandwiches; Hot sauce; Ices and ice creams; Ketchup; Seasonings; Tea. FIRST USE: 20030315. FIRST USE IN COMMERCE: 20030315

IC 043. US 100 101. G & S: Mobile restaurant services; Restaurant services featuring hot dogs, bratwurst, hamburgers, sausages and sandwiches; Take-out restaurant services. FIRST USE: 20030315. FIRST USE IN COMMERCE: 20030315

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86310529

Filing Date June 16, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition November 4, 2014

Registration Number 4675190

Registration Date January 20, 2015

Owner (REGISTRANT) Nicholas Elliott INDIVIDUAL UNITED STATES POB 58002 Jacksonville FLORIDA 32241

Attorney of Record Charles E. Baxley

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DOGS" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Goods and Services IC 035. US 100 101 102. G & S: self-serve **frozen yogurt** shop services featuring **frozen yogurt** and coffee. FIRST USE: 20110500. FIRST USE IN COMMERCE: 20110500

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 11.01.01 - Spoons

Serial Number 86062941

Filing Date September 12, 2013

Current Basis 1A

Original Filing Basis 1A

Published for Opposition February 4, 2014

Registration Number 4517695

Registration Date April 22, 2014

Owner (REGISTRANT) di'lishi Concepts, LLC LIMITED LIABILITY COMPANY NORTH CAROLINA 624-B South Fayetteville Street Asheboro NORTH CAROLINA 27203

Attorney of Record Jayne Conway Hunter

Description of Mark Color is not claimed as a feature of the mark. The mark consists of two spoons crossed in an "X" with the bowls of the spoons pointing upward.

Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Hangen

Word Mark HANGEN

Goods and Services IC 043. US 100 101. G & S: Agency services for reservation of restaurants; Bar and restaurant services; Cafe and restaurant services; Cafe-restaurants; Cafeteria and restaurant services; Consulting in the field of restaurant menu development; Delicatessen services; Fast-food restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Hotel and restaurant services; Hotel, bar and restaurant services; Hotel, motel, restaurant, bar and catering services; Hotel, restaurant and bar services; Hotel, restaurant and catering services; Ice cream shop services in the nature of a restaurant; Making reservations and bookings for restaurants and meals; Mobile restaurant services; Providing information and advice on hotels and restaurants to tourists and business travelers; Providing on-line reviews of restaurants and hotels; Providing progressive dinner events where participants sample meals and drinks at a series of restaurants; Providing reviews of restaurants; Providing reviews of restaurants and bars; Provision of food and drink in restaurants; Reservation of restaurants; Restaurant; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant and cafe services; Restaurant and catering services; Restaurant and hotel services; Restaurant information services; Restaurant reservation services; Restaurant services; Restaurant services featuring sandwiches; Restaurant services featuring Restaurant and catering service; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Restaurant, bar and catering services; Restaurants featuring home delivery; Salad bars; Self-service restaurants; Take-out restaurant services. Travel agency services, namely, making reservations and bookings for restaurants and meals. FIRST USE: 20000101. FIRST USE IN COMMERCE: 20000101

Standard Characters Claimed
Mark Drawing (4) STANDARD CHARACTER MARK

Code**Serial Number** 86117738**Filing Date** November 13, 2013**Current Basis** 1A**Original Filing Basis** 1A**Published for Opposition** April 8, 2014**Registration Number** 4555840**Registration Date** June 24, 2014**Owner** (REGISTRANT) Lung, Wei DBA Hangen INDIVIDUAL TAIWAN 971 Henderson Ave. Sunnyvale CALIFORNIA 94086**Attorney of Record** Way Pung Attorney at law**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE

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Word Mark 10 ELDIEZ

Goods and Services IC 029. US 046. G & S: Edible oils and fats. FIRST USE: 20140625. FIRST USE IN COMMERCE: 20140625

IC 030. US 046. G & S: Rice; flour; bread; pastry and confectionary, namely, cakes, cupcakes, custards, chocolate, chocolate mousses, cookies; pasta; ice cream; sugar; honey; salt; mustard; vinegar, condiments, namely, pepper, marinades, mayonnaise, ketchup, tomato sauce, chili sauce and chimichuri sauce; **frozen yogurt**; spices; Aromatic preparations for food, namely, spice mixtures used as meat rub. FIRST USE: 20140625. FIRST USE IN COMMERCE: 20140625

IC 033. US 047 049. G & S: alcoholic beverages except beers. FIRST USE: 20140625. FIRST USE IN COMMERCE: 20140625

IC 043. US 100 101. G & S: Services for providing food and drinks, namely, operating cafes, cafeterias, canteens, snack bars, food trucks, and self-service restaurants; rental of chairs, tables, table linen, glassware, cooking apparatus; food and drink catering; bar services. FIRST USE: 20140625. FIRST USE IN COMMERCE: 20140625

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

10.03.01 - Fans, hand-held

26.05.15 - Four or more triangles; Triangles - four or more

26.05.21 - Triangles that are completely or partially shaded

26.13.14 - Quadrilateral (three or more quadrilaterals); Three or more quadrilaterals

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

Serial Number 85970453
Filing Date June 26, 2013
Current Basis 1A
Original Filing Basis 1B
Published for Opposition December 23, 2014
Registration Number 4881955
Registration Date January 5, 2016
Owner (REGISTRANT) RESTAURANTES EL DIEZ S.A. DE C.V. CORPORATION MEXICO BENJAMIN HILL 187 MEXICO MEXICO
Attorney of Record Douglas R. Wolf
Description of Mark Color is not claimed as a feature of the mark. The mark consists of a horizontal line with "ELDIEZ" in lower case letters below the line and with the number "10" on a background of 5 upwardly extending spokes above the line.
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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FUN ZONE

Word Mark FUN ZONE**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Bags for cameras and photographic equipment; Bags for underwater camera enclosures; Camera cases; Digital video cameras; Disposable cameras; Lens filters; Lenses for cameras; Multiple purpose cameras; Nautical and photographic apparatus and instruments, namely, underwater housings for cameras, underwater enclosures for cameras and underwater enclosures for photographic lenses; Photographic cameras; Sunglass chains and cords; Sunglasses; Underwater cameras; Video cameras. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 014. US 002 027 028 050. G & S: Cases for watches and clocks; Chronographs for use as watches; Clocks and watches; Diving watches; Jewellery and watches; Mechanical and automatic watches; Sports watches; Stop watches; Watch bands; Watch bands and straps; Watch chains; Watches and clocks; Watches and straps for watches; Watches for outdoor use; Watches for sporting use; Watches, clocks, jewelry and imitation jewelry; Women's watches; Wrist watches. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 025. US 022 039. G & S: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic footwear; Athletic shoes; Baseball caps and hats; Belts; Boat shoes; Canvas shoes; Deck-shoes; Golf shirts; Hats; Headbands for clothing; Hooded sweat shirts; Hoods; Jackets; Jerseys; Knit shirts; Leather belts; Long-sleeved shirts; Polo shirts; Rugby shirts; Sandals and beach shoes; Shirts; Short-sleeved shirts; Sport shirts; Sports caps and hats; T-shirts; Tennis shoes; Water repelling leather shoes and boots; Wind shirts; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 029. US 046. G & S: Candied fruit snacks; Dried fruits; French fried potatoes; Fruit and vegetable salads; Fruit salads; Fruit-based snack food; Potato chips; Snack mix consisting of dehydrated fruit and processed nuts; Snack mix consisting of primarily of processed nuts, seeds, dried fruit and also including

chocolate; Snack mix consisting primarily of processed fruits, processed nuts and/or raisins; Vegetable chips. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 030. US 046. G & S: Beverages made of tea; Candy coated apples; Candy coated popcorn; Coffee and tea; Cones for ice cream; Corn chips; Cotton candy; Flavored ices; Flour-based chips; **Frozen** yoghurt; Fruit ices; Grain-based chips; Ice cream; Ice cream desserts; Ice creams; Iced tea; Taco chips; Tortilla chips. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 032. US 045 046 048. G & S: Fruit drinks; Fruit drinks and fruit juices; Fruit-based beverages; Non-alcoholic beverages containing fruit juices; Non-alcoholic beverages, namely, carbonated beverages; Orange juice beverages; Sarsaparilla; Sherbets; Smoothies; Tomato juice; Water beverages. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 035. US 100 101 102. G & S: Dessert shops; Pastry and dessert shops; Retail bakery shops; Retail book store services; Retail candy stores; Retail clothing boutiques; Retail convenience stores; Retail delicatessen services; Retail fruit stands; Retail gift shops; Retail ice cream store services; Retail jewelry stores; Retail music and record stores; Retail sporting goods stores; Retail variety stores; Retail camera and clothing stores; Self-serve retail bakery shops. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 039. US 100 105. G & S: Marina services; Rental of boats; Rental of sailboats. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 041. US 100 101 107. G & S: Amusement arcades; Amusement centers; Amusement park and theme park services; Amusement parks; Children's entertainment and amusement centers, namely, interactive play areas; Entertainment and educational services in the nature of on-line competitions in the field of entertainment, education, culture, sports, and other non-business and non-commercial fields; Entertainment in the nature of a water park and amusement center; Entertainment in the nature of yacht races; Entertainment services in the nature of an amusement park attraction, namely, a themed area; Entertainment services in the nature of an amusement park show; Entertainment services in the nature of live musical performances; Entertainment services, namely, arranging and conducting special events at an amusement park; Entertainment services, namely, conducting parties; Entertainment services, namely, displaying a series of films; Entertainment services, namely, multimedia production services; Entertainment, namely, live music concerts; Organizing and arranging exhibitions for entertainment purposes; Organizing and hosting of events for cultural purposes; Organizing community festivals featuring a variety of activities, namely, art exhibitions, heritage markets, ethnic dances, and the like; Organizing community sporting and cultural events; Organizing cultural and arts events; Organizing on-line exhibitions and conferences in the fields of education, culture, sports and entertainment for non-business and non-commercial purposes; Provision of information relating to children's entertainment; Provision of information relating to the organizing of educational, cultural, sporting, or entertainment exhibitions; Rental of snorkels; Rental of sports equipment; Rental of surf boards. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

IC 043. US 100 101. G & S: Bar and restaurant services; Cafe and restaurant services; Carry-out restaurants; Coffee and juice bar services; Coffee shops; Fast-food restaurant services; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Ice cream shop services in the nature of a restaurant; Restaurant and bar services; Restaurant services featuring sandwiches; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises. FIRST USE: 20120422. FIRST USE IN COMMERCE: 20120422

**Standard
Characters
Claimed**

**Mark
Drawing
Code** (4) STANDARD CHARACTER MARK

**Serial
Number** 85310283

Filing Date May 2, 2011

Current 1A

Basis
Original Filing Basis 1B
Published for Opposition September 20, 2011
Registration Number 4207049
Registration Date September 11, 2012
Owner (REGISTRANT) Newport Harbor Nautical Museum AKA ExplorOcean CORPORATION CALIFORNIA 600 East Bay Avenue Newport Beach CALIFORNIA 92661
Attorney of Record Richard J. Schwarzstein
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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| | |
|---------------------------------|--|
| Word Mark | CP BURGER |
| Goods and Services | IC 043. US 100 101. G & S: Bar and restaurant services; Fast-food restaurant services; Restaurant services featuring hamburgers, hot dogs, milkshakes, french fries, frozen yogurt and salads. FIRST USE: 20101009. FIRST USE IN COMMERCE: 20101009 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 26.01.21 - Circles that are totally or partially shaded. |
| Serial Number | 85386778 |
| Filing Date | August 2, 2011 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | April 10, 2012 |
| Registration Number | 4163653 |
| Registration Date | June 26, 2012 |
| Owner | (REGISTRANT) CP Burger, LLC LIMITED LIABILITY COMPANY COLORADO 316 E. Hopkins Avenue Aspen COLORADO 81611 |
| Attorney of Record | Jill Teehan Edinger |
| Prior Registrations | 3949242 |

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BURGER" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) RED, BLACK and WHITE is/are claimed as a feature of the mark. The mark consists of a red circle with the letters "CP" appearing in the color white enclosed in the red circle, along with the word "BURGER" appearing in the color black.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark BURGERVILLE

Goods and Services IC 029. US 046. G & S: Chicken, French fried potatoes, hash brown potatoes, fish and chips, prepared vegetable salads, coleslaw, processed eggs, bacon, ham, sausage, vegetarian sausage, milk, and cream cheese, all for consumption on or off the premises. FIRST USE: 20090200. FIRST USE IN COMMERCE: 20090200

IC 030. US 046. G & S: Sandwiches, hamburger and cheeseburger sandwiches, fish sandwiches, veggie burger sandwiches, turkey burger sandwiches, turkey club sandwiches, egg sandwiches, biscuits, bagels, French toast, milkshakes, **frozen yogurt**, cookies, coffee, hot chocolate, and tea, all for consumption on or off the premises. FIRST USE: 20090200. FIRST USE IN COMMERCE: 20090200

IC 032. US 045 046 048. G & S: Beverages, namely, soft drinks, fruit flavored drinks, smoothies, and orange juice, all for consumption on or off the premises. FIRST USE: 20090200. FIRST USE IN COMMERCE: 20090200

IC 043. US 100 101. G & S: Restaurant services. FIRST USE: 20090200. FIRST USE IN COMMERCE: 20090200

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.13.21 - Quadrilaterals that are completely or partially shaded
26.13.25 - Quadrilaterals with one or more curved sides

Serial Number 85019849
Filing Date April 21, 2010
Current Basis 1A

Original Filing Basis 1B
Published for Opposition September 21, 2010
Registration Number 4165053
Registration Date June 26, 2012
Owner (REGISTRANT) The Holland, Inc. CORPORATION WASHINGTON 109 W. 17th Street Vancouver WASHINGTON 98660
 (LAST LISTED OWNER) BURGerville LLC LIMITED LIABILITY COMPANY DELAWARE 109 W 17TH STREET VANCOUVER WASHINGTON 98660
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Jere M. Webb
Prior Registrations 0922942;1582799;2389112;AND OTHERS
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "BURGERVILLE" located within an arch, with a downward facing point at the bottom center.
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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| | |
|---------------------------------|--|
| Word Mark | VANILLA SKY |
| Goods and Services | IC 035. US 100 101 102. G & S: Retail shops featuring self-serve frozen yogurt, coffee and baked goods; Self-serve frozen yogurt shop services. FIRST USE: 20120000. FIRST USE IN COMMERCE: 20120000 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 01.15.06 - Advertising, skywriting; Clouds; Fog 08.09.04 - Other forms of ice cream, sherbet and frozen yogurt |
| Serial Number | 85660858 |
| Filing Date | June 25, 2012 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | November 20, 2012 |
| Registration Number | 4411982 |
| Registration Date | October 1, 2013 |
| Owner | (REGISTRANT) DIMAKON GROUP, INC. CORPORATION NEW YORK 15 LUCILLE DR SYOSSET NEW YORK 11791 |
| Attorney of Record | XAVIER MORALES |

Description of Mark The color(s) blue, white and yellow is/are claimed as a feature of the mark. The mark consists of the wording "VANILLA SKY" in blue appearing in a white cloud design, with the stylized image of a blue cup with white yogurt and a yellow flower, all of the foregoing appearing on a blue background.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark SHORE SHAKE

Goods and Services IC 043. US 100 101. G & S: Restaurant services featuring ice cream, **frozen yogurt**, milkshakes, smoothies, sandwiches, coffee, tea, and salads; Restaurant services, including take-out restaurant services. FIRST USE: 20140518. FIRST USE IN COMMERCE: 20140518

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 11.01.25 - Brushes, basting; Chopsticks; Churns, butter (manual); Cups, measuring; Fruit juices, non-electric; Garlic presses (non-electric); Graters, cheese; Holders, kitchen utensil; Ice cube trays; Juicers, non-electric; Ladles (soup); Measuring cups; Napkin holders; Other non-electric kitchen utensils, utensil holders; Pasta makers, non-electric; Potato peelers; Racks, kitchen tool; Scoops, ice cream; Shakers, cocktail; Sharpeners, knife (non-electric)
 11.03.01 - Glasses without stems
 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters

Serial Number 85921067

Filing Date May 2, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition October 1, 2013

Registration Number 4581265

Registration Date August 5, 2014

Owner (REGISTRANT) DaSilva, Aaron INDIVIDUAL UNITED STATES 3459 E. Thistle Avenue Toms River NEW JERSEY 08753

Attorney of Record Clinton J. Cusick

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SHAKE" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a stylized cup containing a drink in the shape of a wave, a straw, and the text "SHORE" to the left of the cup with a horizontal line under the text, the text "SHAKE" to the right of the cup with a horizontal line under the text.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Owner (REGISTRANT) DRIPP, INC. CORPORATION CALIFORNIA 4300 EDISON AVENUE CHINO, CALIFORNIA 91710

Attorney of Record Christina S. Loza

Prior Registrations 4139945

Description of Mark The color(s) orange is/are claimed as a feature of the mark. The mark consists of the stylized word "DRIPP" in orange.

Type of Mark TRADEMARK. SERVICE MARK.

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark COFFEE & YOGURT SCOOTER'S EST. 1998 ROOTED IN QUALITY

Goods and Services IC 035. US 100 101 102. G & S: drive-through retail store services featuring coffee, smoothies, frozen yogurt and related goods. FIRST USE: 20111227. FIRST USE IN COMMERCE: 20111227

IC 043. US 100 101. G & S: restaurant services; snack bar services; coffee shops; coffeeshouse services featuring coffee, smoothies, frozen yogurt and related goods. FIRST USE: 20111227. FIRST USE IN COMMERCE: 20111227

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 11.01.01 - Spoons
 11.01.05 - Pins, rolling; Rolling pins; Tongs (kitchen utensils)
 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles
 26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders

Serial Number 85916156

Filing Date April 26, 2013

Current Basis 1A

Original Filing Basis 1A

Published for Opposition October 1, 2013

Registration Number 4450951

Registration Date December 17, 2013

Owner (REGISTRANT) Scooter's Coffee, LLC LIMITED LIABILITY COMPANY NEBRASKA 6824 J Street Omaha NEBRASKA 68117

Attorney of Record Tracy L. Deutmeyer

Prior Registrations 3182703;3207069;4249693

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COFFEE & YOGURT" OR "EST. 1998" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of an outer circle having a solid border that displays the literal element, "COFFEE & YOGURT" at the top of the circle and the literal element, "ROOTED IN QUALITY", at the bottom of the circle and the mark also consists of an inner circle which depicts a stir stick and spoon, the literal element, "EST. 1998" and a partially enclosed rectangle that contains the literal element, "SCOOTER'S".

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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CAPTAIN COOKIE

Word Mark CAPTAIN COOKIE

Goods and Services IC 043. US 100 101. G & S: Booking of catering services for others; Cafe services; Catering services; Consulting in the field of restaurant menu development; Delicatessen services; Fast-food restaurant services; Food and drink catering; **Frozen yogurt** shop services in the nature of a restaurant; Ice cream shop services in the nature of a restaurant; Mobile restaurant services; Restaurant and cafe services; Restaurant and catering services; Restaurant services; Restaurant services featuring cookies, pastries, baked goods, desserts, snack foods, drinks, dairy products, milk, soy milk, flavored milk, non-dairy milk alternatives, ice cream, **frozen** dairy desserts, **frozen** non-dairy desserts, sorbet, gelato, custard, **frozen** custard, **yogurt**, **frozen yogurt**, and ice milk; Restaurants featuring home delivery; Self-service restaurants; Take-out restaurant services. FIRST USE: 20120316. FIRST USE IN COMMERCE: 20120316

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85861701

Filing Date February 27, 2013

Current Basis 1A

Original Filing Basis 1A

Published for Opposition July 30, 2013

Registration Number 4418098

Registration Date October 15, 2013

Owner (REGISTRANT) KIRK'S COOKIES, LLC LIMITED LIABILITY COMPANY VIRGINIA 7445
PATTERSON RD. FALLS CHURCH VIRGINIA 22043

Attorney of Record bert J. Kimmer

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COOKIE" APART FROM THE MARK AS SHOWN

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Micai

Word Mark MICAI

Goods and Services IC 043. US 100 101. G & S: Consulting in the field of restaurant menu development; delicatessen services; fast-food restaurant services; **frozen yogurt** shop services in the nature of a restaurant; ice cream shop services in the nature of a restaurant; making reservations and bookings for restaurants and meals; mobile restaurant services; providing information and advice on hotels and restaurants to tourists and business travelers; providing on-line reviews of restaurants and hotels; providing progressive dinner events where participants sample meals and drinks at a series of restaurants; providing reviews of restaurants; reservation of restaurants; restaurant and cafe services; restaurant and catering services; restaurant and hotel services; restaurant reservation services; restaurant services; restaurant services featuring global food or cuisine; restaurant services, including sit-down service of food and take-out restaurant services; restaurant services, namely, providing of food and beverages for consumption on and off the premises; restaurants featuring home delivery; salad bars; self-service restaurants; take-out restaurant services; travel agency services, namely, making reservations and bookings for restaurants and meals. FIRST USE: 20010120. FIRST USE IN COMMERCE: 20040220

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85856005

Filing Date February 21, 2013

Current Basis 1A
Original Filing Basis 1B
Published for Opposition July 16, 2013
Registration Number 4539358
Registration Date May 27, 2014
Owner (REGISTRANT) Singh, Somraj INDIVIDUAL UNITED STATES 4661 Alhambra Dr Fremont CALIFORNIA 94536
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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**A SOPHISTICATED COFFEE BAR
WHERE EVERYTHING DRIPPS**

| | |
|------------------------------------|---|
| Word Mark | A SOPHISTICATED COFFEE BAR WHERE EVERYTHING DRIPPS |
| Goods and Services | IC 035. US 100 101 102. G & S: Retail bakery shops; Retail ice cream store services; Retail store and on-line retail store services featuring coffee; Retail stores featuring ice cream sandwiches, frozen yogurt sandwiches, sorbet sandwiches, gelato sandwiches, baked goods, cookies and non-alcoholic beverages. FIRST USE: 20100831. FIRST USE IN COMMERCE: 20100831 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 85807761 |
| Filing Date | December 20, 2012 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | May 14, 2013 |
| Registration Number | 4376304 |
| Registration Date | July 30, 2013 |
| Owner | (REGISTRANT) DRIPP, INC. CORPORATION CALIFORNIA 4300 EDISON AVENUE CHINO CALIFORNIA 91710 |

Attorney of Record Christina S. Loza
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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IT'S WHY YOU WORK OUT

| | |
|------------------------------------|---|
| Word Mark | IT'S WHY YOU WORK OUT |
| Goods and Services | IC 035. US 100 101 102. G & S: Retail bakery shops; Retail ice cream store services; Retail store and on-line retail store services featuring coffee; Retail stores featuring ice cream sandwiches, frozen yogurt sandwiches, sorbet sandwiches, gelato sandwiches, baked goods, cookies and non-alcoholic beverages. FIRST USE: 20120131. FIRST USE IN COMMERCE: 20120131 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 85806810 |
| Filing Date | December 19, 2012 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | December 17, 2013 |
| Registration Number | 4490342 |
| Registration Date | March 4, 2014 |
| Owner | (REGISTRANT) DRIPP, INC. CORPORATION CALIFORNIA 4300 EDISON AVENUE CHINO CALIFORNIA 91710 |

Attorney of Record Christina S. Loza
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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bluecherry

| | |
|------------------------------------|--|
| Word Mark | BLUECHERRY |
| Goods and Services | IC 043. US 100 101. G & S: Restaurant and café services featuring frozen yogurt, frozen yogurt confections, parfaits, tea, coffee and non-alcoholic beverages. FIRST USE: 20130524. FIRST USE IN COMMERCE: 20130524 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 85744800 |
| Filing Date | October 3, 2012 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | April 16, 2013 |
| Registration Number | 4495712 |
| Registration Date | March 11, 2014 |
| Owner | (REGISTRANT) Coffee Break, Inc. CORPORATION ILLINOIS c/o Ted Zatos 1415 West Stone Addision ILLINOIS 60101 |
| Attorney of Record | Beverly A. Berneman |

Type of Mark **SERVICE MARK**
Register **PRINCIPAL**
Live/Dead
Indicator **LIVE**

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Freshëns

Word Mark FRESHËNS
Goods and Services IC 043. US 100 101. G & S: **Frozen yogurt** shop services in the nature of a restaurant; Ice cream shop services in the nature of a restaurant; Restaurant services; Restaurant services featuring juice based beverages, crepes, **frozen yogurt** and **frozen yogurt** based beverages and confections, ice cream and ice cream based beverages and confections, juice based beverages, pretzels, salads, and smoothie beverages; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Snack bar services. FIRST USE: 19850000. FIRST USE IN COMMERCE: 19850000

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85650771

Filing Date June 13, 2012

Current Basis 1A

Original Filing Basis 1A

Published for Opposition August 21, 2012

Registration Number 4237885

International Registration Number 1125794

Registration Date November 6, 2012

Owner (REGISTRANT) Yogurt Ventures U.S.A., Inc. CORPORATION GEORGIA 1750 The Exchange Atlanta GEORGIA 30339

Attorney of Record Jack A. Wheat

Prior Registrations 1419551;1655698;4074320;AND OTHERS

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Olive Joe's

Word Mark OLIVE JOE'S

Goods and Services IC 043. US 100 101. G & S: Bar and restaurant services; Cafe; Cafe and restaurant services; Cafe-restaurants; Carry-out restaurants; Catering; Coffee and tea bars; Coffee bars; Coffee shops; Coffee-house and snack-bar services; Delicatessens; Fast-food restaurants; **Frozen yogurt** shop services in the nature of a restaurant; Ice cream parlors; Ice cream shop services in the nature of a restaurant; Juice bar services; Providing of food and drink; Providing social meeting, banquet and social function facilities; Restaurant; Restaurant and bar services, including restaurant carryout services; Restaurant and cafe services; Restaurant and catering services; Restaurant, bar and catering services; Restaurants; Restaurants featuring home delivery. FIRST USE: 20101026. FIRST USE IN COMMERCE: 20101223

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85161926

Filing Date October 26, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 6, 2011

Registration Number 4096927
Registration Date February 7, 2012
Owner (REGISTRANT) Fellas Deli Incorporated CORPORATION MINNESOTA 106 Wildwood Road Willernie MINNESOTA 55090
Attorney of Record Jeffrey Ian Scott
Type of Mark SERVICE MARK
Register PRINCIPAL
Other Data The name(s), portrait(s), and/or signature(s) shown in the mark identifies "Joseph G. Bostany", whose consent(s) to register is made of record.
Live/Dead Indicator LIVE

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Word Mark OPA! SIGNATURE

Translations The English translation of "OPA" in the mark is "a colloquial Greek expression of happiness, euphoria or exuberance".

Goods and Services IC 043. US 100 101. G & S: Bar and restaurant services; Cafe and restaurant services; Cafe-restaurants; Carry-out restaurants; Consultation services in the field of restaurant menu development; Delicatessens; Fast food and non-stop restaurant services; Fast-food restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Hotel and restaurant reservation services; Hotel and restaurant services; Hotel, bar and restaurant services; Hotel, motel, restaurant, bar and catering services; Hotel, restaurant and bar services; Hotel, restaurant and catering services; Ice cream shop services in the nature of a restaurant; Mobile restaurant services; Providing advice to tourists and business travelers on hotel and restaurant destinations; Providing on-line reviews of restaurants and hotels; Providing progressive dinner events where participants sample meals and drinks at a series of restaurants; Providing reviews of restaurants; Provision of food and drink in restaurants; Reservation of restaurants; Restaurant; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant and cafe services; Restaurant and catering services; Restaurant and hotel services; Restaurant reservation services; Restaurant services; Restaurant services featuring sandwiches; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Restaurant, bar and catering services; Restaurants; Restaurants featuring home delivery; Salad bars; Self service restaurants; Self-service restaurants; Take-out restaurant services. FIRST USE: 20110402. FIRST USE IN COMMERCE: 20111115

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 26.11.21 - Rectangles that are completely or partially shaded

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

Serial Number 85301790

Filing Date April 21, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 13, 2011

Registration Number 4106862

Registration Date February 28, 2012

Owner (REGISTRANT) Angelo Heropoulos INDIVIDUAL UNITED STATES 1745 Hicks Ave. San Jose CALIFORNIA 95125

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the stylized wording "OPA! SIGNATURE" surrounded by a rectangle. The stylized wording "OPA!" is partially underlined and appears above the stylized term "SIGNATURE".

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark MOO MOO'S YOGURT BAR

Goods and Services IC 035. US 100 101 102. G & S: Retail store services featuring self-serve frozen yogurt, frozen yogurt toppings, coffee, cappuccino. FIRST USE: 20101115. FIRST USE IN COMMERCE: 20101115

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 03.07.01 - Cattle; Oxen, cows, calves, bulls; Steers
 03.07.24 - Stylized bovines, deer, antelopes, goats, sheep, pigs, cows, bulls, buffalo, moose
 06.03.03 - Ocean; Ripples (multiple waves); Waves, open sea (multiple waves)
 26.11.21 - Rectangles that are completely or partially shaded
 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters

Serial Number 85206618

Filing Date December 28, 2010

Current Basis 1A

Original Filing Basis 1A

Published for Opposition June 7, 2011

Registration Number 4015344

Registration Date August 23, 2011

Owner (REGISTRANT) Moo-Moo's Yogurt Bar, Inc. CORPORATION ARKANSAS 11 Pebble Drive
Greenbriar ARKANSAS 72058

Attorney of Record Elise M Stubbe

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "YOGURT BAR" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a cartoon drawing of a cow to the right of which is the stylized wording "MOO MOO'S" underneath which is a horizontal line above the wording "YOGURT BAR", all set against a rectangular background carrier at the corners of which are floral design elements.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark FRENCH ACCENT BY MARKET CREATIONS
Goods and Services IC 043. US 100 101. G & S: Bar and restaurant services; Cafe and restaurant services; Cafe-restaurants; Cafeteria and restaurant services; Carry-out restaurants; Catering; Catering for the provision of food and beverages; Catering in fast-food cafeterias; Catering of food and drinks; Catering services; Delicatessens; Fast food and non-stop restaurant services; Fast-food restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Hotel and restaurant services; Hotel, bar and restaurant services; Hotel, motel, restaurant, bar and catering services; Hotel, restaurant and bar services; Hotel, restaurant and catering services; Ice cream shop services in the nature of a restaurant; Mobile restaurant services; Restaurant; Restaurant and bar services; Restaurant and bar services, including restaurant carryout services; Restaurant and cafe services; Restaurant and catering services; Restaurant and hotel services; Restaurant services; Restaurant services featuring sandwiches; Restaurant services featuring French fusion cuisine; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Restaurant, bar and catering services; Restaurants; Restaurants featuring home delivery; Salad bars; Self service restaurants; Self-service restaurants; Take-out restaurant services. FIRST USE: 20100901. FIRST USE IN COMMERCE: 20100901
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design 09.05.06 - Chef's Hat
Search Code 26.03.21 - Ovals that are completely or partially shaded
Serial Number 85195404
Filing Date December 10, 2010

Current Basis 1A
Original Filing Basis 1A
Published for Opposition May 17, 2011
Registration Number 4005564
Registration Date August 2, 2011
Owner (REGISTRANT) BMG Harvest II, Inc. DBA French Accent CORPORATION ILLINOIS Restaurant Level 2 233 South Wacker Drive Chicago ILLINOIS 60606
Attorney of Record Jingu Kim
Prior Registrations 3223691
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the term "French Accent by Market Creations" with the term "French" in white with a blue outline, the term "Accent" in white with a red outline and the term "by Market Creations" in blue. A white chef's hat with black outlines appears above the wording an oval appears behind the entire mark that contains a miscellaneous design in white and light tan.
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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MAROON BELLS COLORADO

| | |
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| Word Mark | MAROON BELLS COLORADO |
| Goods and Services | IC 043. US 100 101. G & S: cafe and snack bar services featuring chocolates, coffee, tea, ice cream, frozen yogurt , and dessert fondue. FIRST USE: 20100500. FIRST USE IN COMMERCE: 20100719 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 85087464 |
| Filing Date | July 19, 2010 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | December 28, 2010 |
| Registration Number | 3930951 |
| Registration Date | March 15, 2011 |
| Owner | (REGISTRANT) Maroon Bells of Colorado, Inc. CORPORATION NEVADA 8600 Park Meadows Dr. Lone Tree COLORADO 80108 |
| Attorney of Record | Craig A. Fieschko |

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COLORADO" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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| | |
|---------------------------------|--|
| Word Mark | °C CUP |
| Goods and Services | IC 043. US 100 101. G & S: Restaurant services featuring frozen yogurt, yogurt toppings, beverages, and soft drinks. FIRST USE: 20080808. FIRST USE IN COMMERCE: 20080808 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 01.15.09 - Snowflakes 24.15.04 - Arrowheads 24.17.25 - Biohazard symbol; Degree sign (°); Equal sign (=); Greater than symbol > (mathematical); Handicapped symbol; Hazardous materials symbol; Less than symbol < (mathematical); Pound sign (#) 26.01.13 - Circles, two (not concentric); Two circles 26.01.21 - Circles that are totally or partially shaded. 26.17.03 - Dotted line(s); Lines, dotted |
| Serial Number | 85055071 |
| Filing Date | June 4, 2010 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | April 26, 2011 |
| Registration Number | 3992293 |

Registration Date July 12, 2011

Owner (REGISTRANT) Green Pea Corporation DBA C-CUP CORPORATION CALIFORNIA 9566 Las Tunas Drive Temple City CALIFORNIA 91780

Attorney of Record Alphan K. Tsoi

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the symbol of the degree Celsius character "°C" and the word "CUP". In between the two terms, there's a snowflake design located in a circle outlined by dashed line with an arrowhead.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Retro Burger

Word Mark RETRO BURGER

Goods and Services IC 043. US 100 101. G & S: Cafe-restaurants; Carry-out restaurants; Fast-food restaurants; **Frozen yogurt** shop services in the nature of a restaurant; Ice cream shop services in the nature of a restaurant; Restaurant; Restaurant and catering services; Restaurant services featuring sandwiches; Restaurant services featuring Hamburgers, Cheeseburgers; Restaurant services, including sit-down service of food and take-out restaurant services; Restaurants. FIRST USE: 20100507. FIRST USE IN COMMERCE: 20100507

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85034717

Filing Date May 10, 2010

Current Basis 1A

Original Filing Basis 1A

Published for Opposition April 12, 2011

Registration Number 3983981

Registration Date June 28, 2011

Owner (REGISTRANT) Maund Foods, LLC DBA Retro Burger LIMITED LIABILITY COMPANY
 MASSACHUSETTS 12 Old Middlesex Path Arlington MASSACHUSETTS 02474

Attorney of Record Adam E. Schwartz

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BURGER" APART FROM THE MARK AS SHOWN

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Spanish Island Restaurant

Word Mark SPANISH ISLAND RESTAURANT

Goods and Services IC 043. US 100 101. G & S: Bar and restaurant services; Cafe and restaurant services; Cafe-restaurants; Cafeteria and restaurant services; Carry-out restaurants; Delicatessens; Fast food and non-stop restaurant services; Fast-food restaurants; Fast-food restaurants and snackbars; **Frozen yogurt** shop services in the nature of a restaurant; Hotel and restaurant services; Hotel, motel, restaurant, bar and catering services; Hotel, restaurant and bar services; Hotel, restaurant and catering services; Ice cream shop services in the nature of a restaurant; Provision of food and drink in restaurants; Restaurant. FIRST USE: 20050901. FIRST USE IN COMMERCE: 20050901

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85017953

Filing Date April 20, 2010

Current Basis 1A

Original Filing Basis 1A

Published for Opposition March 22, 2011

Registration Number 3972920

Registration Date June 7, 2011

Owner (REGISTRANT) Ramona Del Carmen Amarante DBA Spanish Island Restaurant Ramona Del Carmen Amarante, a U.S. citizen SOLE PROPRIETORSHIP PENNSYLVANIA 209 Rabbit Run Rd. Philadelphia NEW JERSEY 19149

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RESTAURANT" APART FROM THE MARK AS SHOWN

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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SLOAN'S

Word Mark SLOAN'S

Goods and Services IC 030. US 046. G & S: Frozen desserts, namely, sorbet , ice cream and frozen yogurt; bakery goods, namely, cookies, pastries and candy; chocolate; chocolate covered nuts; chocolate covered pretzels. FIRST USE: 19991103. FIRST USE IN COMMERCE: 19991103

IC 043. US 100 101. G & S: Carry out and eat-in restaurants featuring ice cream, desserts and snack food. FIRST USE: 19991103. FIRST USE IN COMMERCE: 19991103

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Search Facility Classification Code NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks

Serial Number 77659246

Filing Date January 29, 2009

Current Basis 1A

Original Filing Basis 1A

Published for Opposition May 26, 2009

Registration Number 3666434
Registration Date August 11, 2009
Owner (REGISTRANT) Sloan's, Inc. CORPORATION FLORIDA 112 Clematis Street West Palm Beach FLORIDA 33401
Attorney of Record Paul J. Kennedy
Prior Registrations 2523569
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL-2(F)
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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Word Mark IF FALAI

Goods and Services IC 030. US 046. G & S: Desserts and dessert preparations, namely, bakery products, fudge, tarts, pies, chocolate, cakes, cookies, biscuits, pastries, puffs pastry, confectioneries, **frozen yogurt**, flavored custard, meat and vegetable pastries, ice cream and **frozen** confections, confectionery ices, sorbet, confectionery jellies, puddings, coffee, tea, iced tea, cocoa, sugar, rice, tapioca, sago, flour and cereal based snack foods, bread, sandwiches, honey, molasses syrup, mustard, vinegar, sauces, chocolate milk; hot chocolate; chocolate food beverages not being dairy-based or vegetable based, muesli and processed cereals, pralines, noodles, flour-based gnudi, pici, homemade pasta, lasagna, pasta cacao, flour-based gnocchi, marzipan, pancakes, pizza, popcorn, quiche, rice cakes, waffles, salad dressings, snacks and foods comprising or containing flour, wheat flour or wheat meal, namely, corn chips, and flour based chips, caramels, and liquorices. FIRST USE: 20020815. FIRST USE IN COMMERCE: 20020815

IC 043. US 100 101. G & S: Cafés, cafeterias, restaurant services, take-away food and drink services, snack bars, bistro services, catering services, food cooking services, food preparation, consultancy services in relation to food preparation and food cooking services, advisory services relating to catering, providing banquet and social function facilities for special occasions, consultancy services relating to baking techniques. FIRST USE: 20020815. FIRST USE IN COMMERCE: 20020815

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.11.21 - Rectangles that are completely or partially shaded

Trademark LETS-2 IF Two letters or combinations of multiples of two letters

Search Facility SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons

Classification Code SHAPES-MISC Miscellaneous shaped designs

Serial Number 77526213

Filing Date July 18, 2008

Current Basis 1A

Original Filing Basis 1A

Published for Opposition May 26, 2009

Registration Number 3665877

Registration Date August 11, 2009

Owner (REGISTRANT) Falai, Iacopo INDIVIDUAL ITALY Apartment 4A 171 North 7th Street Brooklyn NEW YORK 11211

Attorney of Record Felix B. Reznick

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the black, stylized, capitalized letters "IF", which appear in the top portion of the mark, surrounded by a black rectangle, and below which appears the word "FALAI" in black capital letters.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

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Word Mark SNO:LA

Goods and Services IC 030. US 046. G & S: FROZEN YOGURT, FROZEN YOGURT MIXES, ICE CREAM, GELATO, SHERBET, COOKIES, CRACKERS, CEREAL BASED ENERGY BARS. FIRST USE: 20060801. FIRST USE IN COMMERCE: 20060801

IC 035. US 100 101 102. G & S: RETAIL STORE SERVICES FEATURING FROZEN YOGURT, YOGURT, FROZEN YOGURT MIXES, ICE CREAM, GELATO, SHERBET, FROZEN DESSERTS, COOKIES, CRACKERS, [BOTTLED DRINKING WATER, BOTTLED WATER,] FRUIT JUICES, VEGETABLE JUICES, ENERGY DRINKS, FRUIT DRINKS, SPORTS DRINKS, FROZEN FRUIT BEVERAGES, SMOOTHIES, FROZEN FRUIT-BASED BEVERAGES [, ENERGY BARS, COOK BOOKS, GUIDE BOOKS FEATURING RESTAURANTS, ENTERTAINMENT AND ORGANIC PRODUCTS, GREETING CARDS, PAPER STATIONERY, INSULATED CONTAINERS FOR FOOD OR BEVERAGE, INSULATED BAGS FOR FOOD OR BEVERAGES, PARASOLS, DIGITAL MEDIA, NAMELY, CD'S, DVD'S, DOWNLOADABLE AUDIO FILES, FEATURING MUSIC, APRONS, T-SHIRTS, CAPS, HATS, SWEATSHIRTS, SWEAT PANTS, SWEAT SHORTS, SHIRTS AND JACKETS]. FIRST USE: 20060801. FIRST USE IN COMMERCE: 20060801

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.15.09 - Snowflakes
26.01.21 - Circles that are totally or partially shaded.
27.03.01 - Geometric figures forming letters, numerals or punctuation
27.03.05 - Objects forming letters or numerals

Trademark Search Facility Classification INAN Inanimate objects such as lighting,clouds,footprints,atomic configurations,snowflakes,rainbows,flames
LETS-2 LA Two letters or combinations of multiples of two letters

Code LETTER-3-OR-MORE SNO Combination of three or more letters as part of the mark
 NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and
 mathematical signs,zodiac signs,prescription marks
 SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles

Serial Number 77271764

Filing Date September 5, 2007

Current Basis 1A

Original Filing Basis 1B

Published for Opposition August 19, 2008

Registration Number 3632210

Registration Date June 2, 2009

Owner (REGISTRANT) Snola, Inc. CORPORATION CALIFORNIA 100 S. Doheny Drive Suite 1009 Los Angeles CALIFORNIA 90048

Attorney of Record Clement Cheng

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the lowercase letters "sno", with the "o" having a snowflake design inside it; a semi-colon; and the lowercase letters "la".

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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LAPPERT'S HAWAII

Word Mark LAPPERT'S HAWAII

Goods and Services IC 030. US 046. G & S: Bakery desserts; cookies; **frozen** confections; **frozen yogurt**; ice cream; ice cream drinks; ice cream cakes; coffee and coffee-based beverages; and coffee beans. **FIRST USE: 19990406. FIRST USE IN COMMERCE: 19990501**

IC 035. US 100 101 102. G & S: Retail shops featuring ice cream and coffee. **FIRST USE: 19990406. FIRST USE IN COMMERCE: 19990501**

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Search Facility Classification Code NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks

Serial Number 77406655

Filing Date February 26, 2008

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 9, 2008

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3579019

Registration Date February 24, 2009

Owner (REGISTRANT) Lappert's , Inc. CORPORATION HAWAII 1-3555 Kaunualii Highway P.O. Box 692 Hanapepe HAWAII 96716

Attorney of Record Anna W. Manville

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HAWAII" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Other Data Registration limited to the area comprising the state of Hawaii pursuant to Concurrent Use Proceeding No. 94002395. Concurrent use with Registration Nos. 1451116, 1845794, 2043342, 2043345 and 4140646.

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B-SMOOTH

| | |
|---------------------------------|--|
| Word Mark | B-SMOOTH |
| Goods and Services | IC 042. US 100 101. G & S: RESTAURANT SERVICES FEATURING SANDWICHES, BEVERAGES, FROZEN YOGURT, SMOOTHIES, AND RELATED FAST FOOD ITEMS FOR CONSUMPTION ON OR OFF THE PREMISES. FIRST USE: 20010606. FIRST USE IN COMMERCE: 20010606 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 76181520 |
| Filing Date | December 15, 2000 |
| Current Basis | 1A |
| Original Filing Basis | 1B |
| Published for Opposition | March 5, 2002 |
| Registration Number | 2660446 |
| Registration Date | December 10, 2002 |
| Owner | (REGISTRANT) B-SMOOTH, L.L.C. LIMITED LIABILITY COMPANY ILLINOIS 414 N. Orleans Chicago ILLINOIS 60610 |
| Attorney of Record | Nora A. Preece |
| Type of Mark | SERVICE MARK |
| Register | PRINCIPAL |
| Affidavit Text | SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20121229. |

Renewal 1ST RENEWAL 20121229
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COWAMONGUS

| | |
|------------------------------------|--|
| Word Mark | COWAMONGUS |
| Goods and Services | IC 029. US 046. G & S: FRUIT TOPPING; DAIRY-BASED BEVERAGES; MEAT, NAMELY, BEEF, CHICKEN AND PORK. FIRST USE: 20050301. FIRST USE IN COMMERCE: 20050301 |
| | IC 030. US 046. G & S: FROZEN CUSTARD, ICE CREAM, FROZEN YOGURT , FROZEN CONFECTIONS, SAUCES, CHOCOLATE TOPPING, COFFEE, AND COFFEE-BASED BEVERAGES. FIRST USE: 20050301. FIRST USE IN COMMERCE: 20050301 |
| | IC 043. US 100 101. G & S: RESTAURANT SERVICES. FIRST USE: 20050301. FIRST USE IN COMMERCE: 20050301 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 77432422 |
| Filing Date | March 26, 2008 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | August 5, 2008 |
| Registration Number | 3520314 |

Registration Date October 21, 2008

Owner (REGISTRANT) Cowamongus, LLC LIMITED LIABILITY COMPANY TEXAS PO Box 536025
Grand Prairie TEXAS 750536025

Attorney of Record Cheryl P. Leb

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 8 (6-YR).

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CHICBERRY

Word Mark CHICBERRY

Goods and Services IC 035. US 100 101 102. G & S: Retail store services featuring **frozen yogurt**, smoothies, muffins, coffee, water. FIRST USE: 20090806. FIRST USE IN COMMERCE: 20090806

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77726991

Filing Date May 1, 2009

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 8, 2009

Registration Number 3829296

Registration Date August 3, 2010

Owner (REGISTRANT) Romain Investment, Corp. CORPORATION FLORIDA #443 9737 NW 41 Street Doral FLORIDA 33178

Attorney of Record Albert Bordas,

Type of Mark SERVICE MARK

Register PRINCIPAL

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Typed Drawing

Word Mark THE CHOCOLATE FACTORY

Goods and Services IC 030. US 046. G & S: Chocolate bakery goods and products, excluding cheesecake; candy, chocolate, truffles, fudge, caramel, coffee, tea, cappuccino, espresso, cocoa, cocoa mixes, crepes, spices, food flavoring, flavored ices, ice cream, **frozen yogurt**, pastries, souffles, and flavored, sweetened gelatin desserts, all sold through restaurant outlets. FIRST USE: 20100802. FIRST USE IN COMMERCE: 20100802

IC 043. US 100 101. G & S: Restaurants, restaurant services, take-out restaurant services, delicatessens, cocktail lounges and bar services, food services, catering; consulting services in the field of hospitality; consulting services in the field of culinary arts; contract food services. FIRST USE: 20100802. FIRST USE IN COMMERCE: 20100802

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78254378

Filing Date May 27, 2003

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 8, 2004

Registration Number 3875027

Registration Date November 9, 2010

Owner (REGISTRANT) THE CHOCOLATE FACTORY LIMITED LIABILITY COMPANY OHIO 1053 Pineknot Drive Cincinnati OHIO 45238

Attorney of Record JARED M. BARRETT

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHOCOLATE" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK, SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15, SECT 8 (6-YR).

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| Word Mark | BEECHER'S |
| Goods and Services | IC 030. US 046. G & S: Coffee; Cookies; Frozen yogurt ; Gelato; Pastries; Roasted coffee beans; Sandwiches. FIRST USE: 20030615. FIRST USE IN COMMERCE: 20030615 |
| | IC 043. US 100 101. G & S: Restaurant services. FIRST USE: 20031127. FIRST USE IN COMMERCE: 20031127 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 08.09.01 - Ice cream, sherbet and frozen yogurt in cones; Sundae 27.03.05 - Objects forming letters or numerals |
| Trademark Search Facility Classification Code | ART-08.09 Frozen confections; ice NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks |
| Serial Number | 78679731 |
| Filing Date | July 27, 2005 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | June 6, 2006 |
| Registration Number | 3287848 |

Registration Date September 4, 2007

Owner (REGISTRANT) Beecher's Gelato & Gourmet Coffee, LLC LIMITED LIABILITY COMPANY
PENNSYLVANIA 161 Windwood Drive Wexford PENNSYLVANIA 15090

Prior Registrations 3057282

Description of Mark Color is not claimed as a feature of the mark. The mark consists of Stylized word having a stylized gelato-filled cone as part of the initial letter.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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USPOON

| | |
|------------------------------------|---|
| Word Mark | USPOON |
| Goods and Services | <p>IC 030. US 046. G & S: Coffee; candy; breakfast foods, namely, breakfast cereals; coffee-based beverages; yogurt, namely, frozen yogurt. FIRST USE: 20120112. FIRST USE IN COMMERCE: 20130118</p> <p>IC 032. US 045 046 048. G & S: Smoothies; fruit beverages. FIRST USE: 20120112. FIRST USE IN COMMERCE: 20130118</p> <p>IC 035. US 100 101 102. G & S: Self-serve frozen yogurt and self-serve breakfast cereals shop services. FIRST USE: 20120112. FIRST USE IN COMMERCE: 20130118</p> <p>IC 043. US 100 101. G & S: Restaurant services, namely, providing of food and beverages for consumption on and off the premises. FIRST USE: 20120112. FIRST USE IN COMMERCE: 20130118</p> |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 85332215 |
| Filing Date | May 27, 2011 |
| Current Basis | 1A |
| Original Filing Basis | 1B |

**Published for
Opposition** May 29, 2012

**Registration
Number** 4309683

Registration Date March 26, 2013

Owner (REGISTRANT) TMJL, LLC LIMITED LIABILITY COMPANY MARYLAND 413 Main Street
Reisterstown MARYLAND 21136

Attorney of Record David S. Taylor

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

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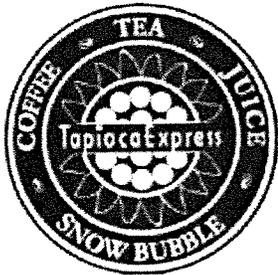
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Word Mark
Goods and Services

TAPIOCA EXPRESS TEA JUICE SNOWBUBBLE COFFEE

IC 021. US 002 013 023 029 030 033 040 050. G & S: Drinking straws, disposable cups and lids made of paper or plastic, plastic beverage carriers, namely, cups, portable beverage container holder; insulating sleeve for beverage cups, tea canister. FIRST USE: 19990622. FIRST USE IN COMMERCE: 19990622

IC 029. US 046. G & S: Prepared meat, prepared poultry, prepared seafood, cooked vegetables, meat based snack food, corn dogs, vegetable based snack foods, tofu-based snacks, potato-based snack foods, beverages, namely, dairy-based beverages, **yogurt**-based beverages, non-dairy creamer, jellies, aloe vera prepared for human consumption, combination meals consisting primarily of a meat or vegetable-based entree and starch; processed red beans. FIRST USE: 19990622. FIRST USE IN COMMERCE: 19990622

IC 030. US 046. G & S: Coffee, espresso, prepared coffee and coffee based beverages, tea, tea bags, tea leaves, green tea, oolong tea (Chinese tea), tea-based beverages, mixes in the nature of concentrates, syrups or powders used in the preparation of tea based beverages, cocoa, cocoa powder, flavoring syrups, flavorings for beverages, tapioca, puddings, dessert puddings, fructose for food, non-dairy **frozen** confections, seasoned coating mixtures for food, seasoning mixes, grain based-snack foods, dumplings, egg rolls, sandwiches, noodles, bread crumbs, food starch, **frozen** desserts consisting of fruit and cream or cream substitutes, **frozen** desserts consisting of flavored ice blocks with toppings, cookies, candy, **frozen yogurt** confections. FIRST USE: 19990622. FIRST USE IN COMMERCE: 19990622

IC 032. US 045 046 048. G & S: Concentrates, syrups or powders for making soft drinks or tea-flavored beverages, fruit juices and fruit drinks, **frozen** fruit drinks, syrups for making beverages, fruit beverages, soda pops, bottled water. FIRST USE: 19990622. FIRST USE IN COMMERCE:

19990622

IC 035. US 100 101 102. G & S: Wholesale distributorships featuring food, beverages, disposable containers, and packaging materials for food or beverages. FIRST USE: 19990622. FIRST USE IN COMMERCE: 19990622

IC 043. US 100 101. G & S: Restaurant services, take-out restaurant services, café services, snack bar services. FIRST USE: 19990622. FIRST USE IN COMMERCE: 19990622

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 01.05.04 - Sun with rays but neither partially exposed nor with facial features

Search Code 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles
26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles

Serial Number 85560927

Filing Date March 5, 2012

Current Basis 1A

Original Filing Basis 1A

Published for Opposition February 12, 2013

Registration Number 4326896

Registration Date April 30, 2013

Owner (REGISTRANT) Tapioca Express, Inc. CORPORATION CALIFORNIA 1908 Central Avenue South El Monte CALIFORNIA 91733

Attorney of Record Albert J.C. Chang

Prior Registrations 2533412

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE TAPIOCA" IN CLASSES 29, 30, 32, AND 35, "TAPIOCA EXPRESS" IN CLASS 43 AND "COFFEE", "TEA", "JUICE" AND "SNOWBUBBLE" IN CLASSES 29, 30, 32, 35 AND 43 APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of two concentric circles with the literal element "TEA JUICE SNOWBUBBLE COFFEE" between the circles, and a sun design in the center of the inner circle bisected by the literal element "Tapioca Express".

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

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