

ESTTA Tracking number: **ESTTA729302**

Filing date: **02/24/2016**

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	02/24/2016
Attachments	GFI - Fourth Notice of Reliance - pt.1.pdf(5356952 bytes ) GFI - Fourth Notice of Reliance - pt.2.pdf(3948719 bytes ) GFI - Fourth Notice of Reliance - pt.3.pdf(4346923 bytes ) GFI - Fourth Notice of Reliance - pt.4.pdf(2249194 bytes )

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

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

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

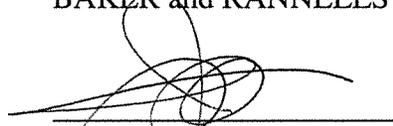
Please take notice that Petitioner, Goya Foods, Inc., pursuant to 37 CFR 2.122(e) is hereby noticing its reliance on Official Records of the U.S. Patent and Trademark Office, (TESS and TTABVUE database records), evidencing TTAB proceedings involving Opposer.

Attached is a Summary Chart of proceedings showing (1) Opposition or Cancellation number, (2) case title, (3) a description of the application or registration in issue, and (4) the outcome of the proceeding. The Summary Chart is followed by the following type documents for each entry: (1) TTABVUE abstract of the case, (2) TTABVUE copy of the final decision in the case (where accessible), and (3) a TESS copy of the application or registration in issue in the case.

The chart and accompanying documents are all relevant to the strength and fame of Opposer's cited marks (5<sup>th</sup> Dupont factor), the extent to which Opposer has a right to exclude others from use of Opposer's cited marks (11<sup>th</sup> Dupont factor), and the policing and enforcement by Opposer of its cited marks.

Respectfully submitted,

BAKER and RANNELLS PA

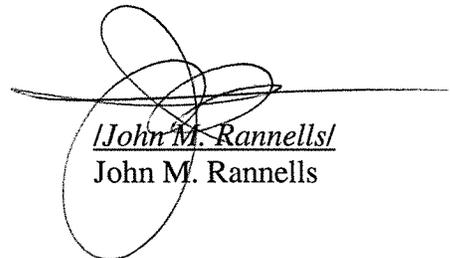


John M. Rannells  
Attorney for Opposer  
575 Route 28, Suite 102  
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(908) 722-5640  
jmr@br-tmlaw.com

**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 24<sup>th</sup> day of February, 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

**GOYA FOODS, INC.  
PROCEEDINGS BEFORE THE  
U.S. TRADEMARK TRIAL AND APPEAL BOARD**

Opp. 91224456	<i>GFI v Gaya Life Limited</i>	Ser. 86574475 GAYA LIFE and design Cls. 5, 30, 35	Opposition sustained. 11/30/2015
Opp. 91222907	<i>GFI v BC Fashion, Inc.</i>	Ser. 86437490 COYA Cl. 25	Opposition sustained 10/26/2015
Opp. 91221772	<i>GFI v Goya Health Ltd.</i>	Ser. 86250951 GOYA HEALTH Cl. 44  Ser. 86250949 GOYA HEALTH and design Cl. 44	Applicant withdrew its applications accordingly, the opposition dismissed without prejudice. 9/23/2015
Opp. 91218411	<i>GFI v Roderick Blandino</i>	Ser. 86163781 G.O.Y.A.M.S. Cl. 25	Opposition sustained 1/7/2015
Opp. 91219420	<i>GFI v Goza Tequila, LLC</i>	Ser. 86147227 GOZA Cl. 33	Applicant withdrew its application accordingly, the opposition dismissed without prejudice. 11/18/2015
Opp. 91217356	<i>GFI v Shenzhen East Guoyue Tchnology Co. Ltd.</i>	Ser. 86107543 GOYESTORE and design Cl. 3	Opposition sustained 10/16/2015
Canc 92058247	<i>GFI v D. Jacobson &amp; Sons Limited</i>	Reg. 3531103 GOLA Many classes	Registrant voluntarily cancelled Cls 3, 9, 12, 14, 26, 28, 32, 33 (leaving Cls 16, 18, 25 and 35 with amended list of goods/services).

			Petition dismissed without prejudice 6/2/2015
Opp. 91213977	<i>GFI v Jameson Leslie, LLC</i>	Ser. 85911968 GOGOVA Cl. 5	Opposition sustained 3/8/2014
Opp. 91213356	<i>GFI v Wikicell Designs, Inc.</i>	Ser. 85858066 GO-YUM Cl. 33  Ser. 85858064 GOYUM Cl. 30  Ser. 85858060 GOYUM Cl. 33  Ser. 85858056 GOYUM Cl. 30	Opposition sustained 3/3/2014
Opp. 91211830	<i>GFI v Jose Villar</i>	Ser. 85581356 DON GOYO Cl. 34	Opposition sustained 12/19/2013
Opp. 91205374	<i>GFI v KLP &amp; JGP Corp.</i>	Ser. 85191064 GO YO! And design Cl. 30	Application abandoned. Accordingly, opposition dismissed without prejudice. 7/30/2014
Opp. 91205036	<i>GFI v Gaya Minerals Limited</i>	Ser. 85456190 GAYA Cl. 3	Opposition sustained 11/20/2012
Opp. 91204896	<i>GFI v Keith Teboul, Alvaro Goya and Francisco Goya</i>	Ser. 85210331 GOYA Cl. 28	Application withdrawn; opposition dismissed without prejudice 11/7/2012
Opp. 91201685	<i>GFI v Boundary Waters Brands, LLC</i>	Ser. 85305128 JOYA	Opposition sustained 12/7/2011

		Cl. 32	
Opp. 91195676	<i>GFI v John Edward Denn</i>	Ser. 77917944 GOyaadi! Cl. 25	Opposition sustained 10/5/2010
Opp. 91192944	<i>GFI v International Harvest, Inc.</i>	Ser. 77771265 GO YO OAT Cl. 30	Opposition sustained 1/20/2010
Opp. 91185335	<i>GFI v Vincent &amp; Sons Enterprises, Inc.</i>	Ser. 77384071 GOVIA Cls. 29, 30, 32, 32	Opposition sustained 3/20/2009
Opp. 91184568	<i>GFI v Cooperative Business International, Inc.</i>	Ser. 77380495 GAYO SUPREME Cl. 30 (coffee beans)	Opposition sustained 9/3/2008
Opp. 91184113	<i>GFI v Tamagoya Co., Ltd</i>	Ser. 76654349 TAMAGOYA and design Cls. 29 and 30	Opposition sustained 1/24/2009
Opp. 91180036	<i>GFI v GoYin, LLC</i>	Ser. 77050075 GOYIN Cl. 5  Ser. 77050086 GOYIN and design Cl. 5	Applications abandoned' Opposition dismissed with prejudice 7/31/2008
Opp. 91174786	<i>GFI v West Coast Corporation International Holdings (PTY) Ltd.</i>	Ser. 78670351 GOIYA SOUTH AFRICA Cl. 33	Application abandoned; Opposition dismissed without prejudice 6/18/2008
Opp. 91174066	<i>GFI v Conservas Hoya, S.A.</i>	Ser. 78812129 HOYA and design Cl. 29	Opposition sustained 5/2/2007
Opp. 91173174	<i>GFI v Denis Moody</i>	Ser. 78797858 ERGOYA Cl. 25	Opposition sustained 11/7/2006
Opp. 91167752	<i>GFI v. Korea Yakult Co., Ltd.</i>	Ser. 78545281 KOYA and design Cl. 32	Application abandoned; Opposition dismissed

			without prejudice 1/30/2007
Opp. 91165325	<i>GFI v Mirage Australasia Pty. Ltd.</i>	Ser. 78271259 GOYA 551 Cls. 9 and 28	Opposition sustained 9/6/2005
Canc. 92043807	<i>GFI v. Jamie Belcastro</i>	Reg. 2712285 GOYA Cl. 5	Petition to Cancel granted 4/18/2005
Opp. 91161222	<i>GFI v Thomas M. Wilson</i>	Ser. 76550655 GO-YO! Cl. 25	Opposition sustained 12/17/2004
Opp. 91159230	<i>Goyard St-Honore v GFI</i>	Reg. 2866597 GOYA Cl. 18	Opposition dismissed with prejudice 5/25/2004
Opp. 91156258	<i>GFI v Wakefern Food Corp.</i>	Ser. 76434000 GOYO Cl. 29 (yogurt)	Application withdrawn; Opposition dismissed without prejudice 8/6/2003
Opp. 91155903	<i>GFI v Raisin Social Limited</i>	Ser. 75899469 GOIYA KGEISJE stylized Cl. 33	Application abandoned; Opposition sustained 6/26/2003
Opp. 91155856	<i>GFI v Raisin Social Limited</i>	Ser. 75899467 GOIYA KGEISJE Cl. 33	Opposition sustained 9/15/2003
Opp. 91155919	<i>GFI v Industrias Titan, S.A.</i>	Ser. 78060112 GOYA Cls. 2 and 16	Application abandoned; Opposition dismissed without prejudice 1/28/2010
Opp. 91153635	<i>GFI v AKC Commodities, Inc.</i>	Ser. 76357134 NOYA Cl. 30	Opposition sustained 4/29/2003
Canc. 92030908	<i>GFI v Holland Coffee, Inc.</i>	Reg. 2321558 GAYO MOUNTAIN	Petition granted (2d) 9/12/2006

		COFFEE Cl. 30	
Opp. 91119578	<i>GFI v Rumpus Corporation</i>	Ser. 75617949 GOYO Cl. 28	Opposition sustained 5/15/2001
Opp. 91111173	<i>GFI v Tequila Cuervo La Rojena, S.A. de C.V.</i>	Ser. 75281518 JOYA DE MEXICO Cl. 33	Opposition dismissed with prejudice 6/21/2000 Applicant abandoned its mark
Opp. 91108998	<i>GFI v Cita Tabacos de Canarias, S.A.</i>	Ser. 74701465 GOYA Cl. 34	Opposition sustained 11/12/1998
Canc. 92026600	<i>GFI v C.F. Martin &amp; Co., Inc.</i>	Reg. 0682579 GOYA Cl. 15	Dismissed as moot; Mark assigned to GFI 11/23/1999
Canc. 92026765	<i>GFI v Goya Limited</i>	Reg. 0838522 GOYA Cl. 3	Petition to cancel granted 4/7/2000
Opp. 91097428	<i>GFI v Carol Waksal and Mary Kate Fleming-Krull</i>	Ser. 74514348 JOYA Cl. 28	Opposition sustained 3/5/1996
Opp. 91095328	<i>GFI v Kunyoung Foods Co., Ltd</i>	Ser. 74435504 GAYA Cl. 32	Opposition sustained 12/6/1995
Opp. 91095114	<i>GFI v T.J. Luce Company, Inc.</i>	Ser. 74371242 GAYA MEXICAN VANILLA Cl. 30	Opposition sustained 5/24/1995
Opp. 91089373	<i>GFI v Zoya Inc.</i>	Ser. 74215950 ZOYA Cl. 14	Dismissed without prejudice 11/9/1993 Mark cancelled §8
Op. 91087451	<i>GFI v Fyffes Group Limited</i>	Ser. 74188070 HOYA	Opposition sustained 1/6/1997

		Cl. 31	
Canc. 92019423	<i>GFI v Productos e Ingredientes Internacionales S.A.</i>	Reg. 1606618 JOYA Cl. 32	Petition to Cancel granted 7/30/1991
Canc. 92019197	<i>GFI v Giovanni Punzo S.A.S.</i>	Reg. 1492440 GIOVA Cl. 29	Application withdrawn; dismissed without prejudice 6/6/1991
Canc. 92017367	<i>Chantal de Guerre Debout v. GFI</i>	Reg. 1407455 GOYA Cl. 9  Reg. 1283430 GOYA Cl. 25  Reg. 1309470 GOYA Cl. 42	Dismissed with prejudice 6/7/1994
Opp. 91076456	<i>GFI v Chantal de Guerre Debout</i>	Ser. 73549765 CHANTAL GOYA and design Cls. 25, 26, 28	Opposition sustained 7/11/1994
Opp. 91050778	<i>Borden, Inc. v GFI</i>	Ser. 72322981 ... IF IT IS GOYA IT HAS TO BE GOOD Cl. 29	Opposition dismissed 4/20/1972

**United States Patent and Trademark Office**

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91224456**Filing Date:** 10/20/2015**Status:** Terminated**Status Date:** 11/30/2015**General Contact Number:** 571-272-8500**Interlocutory Attorney:** JENNIFER KRISP**Paralegal Name:** MONIQUE HILL-TYSON**Defendant****Name:** Gaya Life Limited

**Correspondence:** EDWARD G GREIVE  
 RENNER KENNER GREIVE BOBAK TAYLOR & WEBE  
 106 S MAIN ST  
 AKRON, OH 44308-1417  
 UNITED STATES  
 eggreive@rennerkenner.com  
 Phone: 330-376-1242

**Serial #:** 86574475Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GAYA LIFE ORGANIC HEALTH SUPPLEMENTS**Plaintiff****Name:** Goya Foods, Inc.

**Correspondence:** STEPHEN L BAKER  
 BAKER AND RANNELLS PA  
 575 ROUTE 28  
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 UNITED STATES  
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 tmlaw.com,k.hnasko@br-tmlaw.com,s.baker@br-  
 tmlaw.com  
 Phone: 908-722-5640

**Serial #:** 85716233Application FileAssignment**Registration** 4397659  
#:**Application Status:** Registered**Mark:** GOYA**Serial #:** 78451791Application FileAssignment**Registration** 3001516  
#:**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

<b>Serial #:</b> <u>72160704</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>764033</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>72429883</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>962193</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>73485909</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1354559</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>74084484</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1695011</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>74144498</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1689199</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>76267384</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>2653723</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>77421878</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>3640777</u> #:
<b>Application Status:</b> Section 8 and 15 - Accepted and Acknowledged <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>78004128</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>2502127</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>77630588</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>3654004</u> #:
<b>Application Status:</b> Section 8 and 15 - Accepted and Acknowledged <b>Mark:</b> GOYA LATIN CAFÉ			

**Serial #:** [77904649](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3825092](#)  
**Application Status:** Registered  
**Mark:** GOYA

**Serial #:** [77539854](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3570054](#)  
**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [85004980](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4462937](#)  
**Application Status:** Registered  
**Mark:** LA COCINA GOYA

**Serial #:** [85041442](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4462955](#)  
**Application Status:** Registered  
**Mark:** LA COCINA GOYA

**Serial #:** [75867700](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2735075](#)  
**Application Status:** Renewed  
**Mark:** LA COCINA GOYA

**Serial #:** [74316336](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1859228](#)  
**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [74316340](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1857320](#)  
**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [74316337](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1860499](#)  
**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [72441391](#)      [Application File](#)      [Assignment](#)      **Registration #:** [966178](#)  
**Application Status:** Renewed  
**Mark:** GOYA



UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

mt

Mailed: November 30, 2015

Opposition No. 91224456

*Goya Foods, Inc.*

*v.*

*Gaya Life Limited*

**By the Trademark Trial and Appeal Board:**

On November 23, 2015, applicant filed an abandonment of its application Serial No. 86574475 under Trademark Rule 2.68.

Trademark Rule 2.135, provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against the applicant.

Accordingly, because opposer's written consent to the abandonment is not of record, judgment is entered against applicant, the opposition is sustained and registration to applicant is refused.



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# GAYA LIFE

ORGANIC HEALTH SUPPLEMENTS

**Word Mark** GAYA LIFE ORGANIC HEALTH SUPPLEMENTS  
**Goods and Services** (ABANDONED) IC 005. US 006 018 044 046 051 052. G & S: Organic health food supplements  
 (ABANDONED) IC 030. US 046. G & S: Organic chocolate and sweets, namely, bon bons, cookies, and cakes, all including organic ingredients  
 (ABANDONED) IC 035. US 100 101 102. G & S: Retail store services featuring the sale of organic health food supplements

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

**Design Search Code** 05.03.25 - Leaf, single; Other leaves

**Serial Number** 86574475

**Filing Date** March 24, 2015

**Current Basis** 1B;44E

**Original Filing Basis** 1B;44D

**Published for Opposition** October 6, 2015

**Owner** (APPLICANT) Gaya Life Limited limited company (ltd.) HONG KONG 110 Long Mei Village Sai Kung, NT HONG KONG

**Attorney of Record** EDWARD G. GREIVE

**Priority Date** February 26, 2015

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORGANIC HEALTH SUPPLEMENTS" APART FROM THE MARK AS SHOWN

**Description of Mark** The color(s) black and green is/are claimed as a feature of the mark. The mark consists of the words "GAYA LIFE" written in black and positioned over the words "ORGANIC HEALTH SUPPLEMENTS", also written in black, with a depiction of a green leaf above the words "GAYA LIFE".

**Type of Mark** TRADEMARK, SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** November 30, 2015

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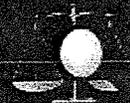
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**United States Patent and Trademark Office**

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**TTABVue. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91222907**Filing Date:** 07/22/2015**Status:** Terminated**Status Date:** 07/22/2015**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ELIZABETH A DUNN**Paralegal Name:** ELLEN YOWELL**Defendant****Name:** BC Fashion, Inc. DBA Coya Collection**Correspondence:**

BC FASHION INC  
 614 E 12TH ST  
 LOS ANGELES, CA 90015-2608  
 UNITED STATES  
 aspeed2009@gmail.com  
 Phone: 213-477-4578

**Serial #:** 86437490Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** COYA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L BAKER

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 tmlaw.com ,n.friedman@br-tmlaw.com,  
 r.mcgonigle@br-tmlaw.com  
 Phone: 908-722-5640

**Serial #:** 73405064Application FileAssignment**Registration** 1283430  
#:**Application Status:** Renewed**Mark:** GOYA**Serial #:** 73739165Application FileAssignment**Registration** 1917838  
#:**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [78199907](#)      [Application File](#)      [Assignment](#)      **Registration** [2866597](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78199916](#)      [Application File](#)      [Assignment](#)      **Registration** [2874334](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [85524863](#)      [Application File](#)      [Assignment](#)      **Registration** [4440789](#)  
#:

**Application Status:** Registered  
**Mark:** GOYA FOR KIDS

**Serial #:** [85524938](#)      [Application File](#)      [Assignment](#)      **Registration** [4440791](#)  
#:

**Application Status:** Registered  
**Mark:** GOYA FOR KIDS

**Serial #:** [85524903](#)      [Application File](#)      [Assignment](#)      **Registration** [4440790](#)  
#:

**Application Status:** Registered  
**Mark:** GOYA FOR KIDS

**Serial #:** [85566098](#)      [Application File](#)      [Assignment](#)      **Registration** [4210054](#)  
#:

**Application Status:** Registered  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** [78451791](#)      [Application File](#)      [Assignment](#)      **Registration** [3001516](#)  
#:

**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [72160704](#)      [Application File](#)      [Assignment](#)      **Registration** [764033](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [72429883](#)      [Application File](#)      [Assignment](#)      **Registration** [962193](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73485909      Application File      Assignment      **Registration** 1354559  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 74084484      Application File      Assignment      **Registration** 1695011  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 74144498      Application File      Assignment      **Registration** 1689199  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 76267384      Application File      Assignment      **Registration** 2653723  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 77421878      Application File      Assignment      **Registration** 3640777  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** 78004128      Application File      Assignment      **Registration** 2502127  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 77630588      Application File      Assignment      **Registration** 3654004  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA LATIN CAFÉ

**Serial #:** 77904649      Application File      Assignment      **Registration** 3825092  
#:

**Application Status:** Registered  
**Mark:** GOYA

**Serial #:** 77539854      Application File      Assignment      **Registration** 3570054  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** 85004980      [Application File](#)      [Assignment](#)      **Registration #:** 4462937

**Application Status:** Registered

**Mark:** LA COCINA GOYA

**Serial #:** 85041442      [Application File](#)      [Assignment](#)      **Registration #:** 4462955

**Application Status:** Registered

**Mark:** LA COCINA GOYA

**Serial #:** 75867700      [Application File](#)      [Assignment](#)      **Registration #:** 2735075

**Application Status:** Renewed

**Mark:** LA COCINA GOYA

**Serial #:** 74316336      [Application File](#)      [Assignment](#)      **Registration #:** 1859228

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** 74316340      [Application File](#)      [Assignment](#)      **Registration #:** 1857320

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** 74316337      [Application File](#)      [Assignment](#)      **Registration #:** 1860499

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** 72441391      [Application File](#)      [Assignment](#)      **Registration #:** 966178

**Application Status:** Renewed

**Mark:** GOYA

### Prosecution History

#	Date	History Text	Due Date
7	10/26/2015	<u>BD DECISION: SUSTAINED</u>	
6	10/26/2015	TERMINATED	
5	10/26/2015	<u>BD DECISION: SUSTAINED</u>	
4	09/16/2015	<u>NOTICE OF DEFAULT</u>	
3	07/22/2015	PENDING, INSTITUTED	
2	07/22/2015	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	08/31/2015
1	07/22/2015	<u>FILED AND FEE</u>	

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UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

ey

Mailed: October 26, 2015

Opposition No. 91222907

*Goya Foods, Inc.*

*v.*

*BC Fashion, Inc. DBA Coya Collection*

**By the Trademark Trial and Appeal Board:**

On September 16, 2015, the Board issued a notice of default to Applicant because no answer had been filed.

No response to the notice of default has been filed.

Accordingly, judgment by default is hereby entered against Applicant, the opposition is sustained, and registration to Applicant is refused. *See* Fed. R. Civ. P. 55(b) and Trademark Rule 2.106(a).

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# Coya

**Word Mark** COYA

**Goods and Services** (ABANDONED) IC 025. US 022 039. G & S: Bridesmaid dresses; Dresses; Dresses, namely, prom dress, cocktail dress, party dress; Evening dresses; Wedding dresses. FIRST USE: 20120601. FIRST USE IN COMMERCE: 20120601

**Standard Characters Claimed**

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

**Serial Number** 86437490

**Filing Date** October 28, 2014

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** March 31, 2015

**Owner** (APPLICANT) BC Fashion, Inc. DBA Coya Collection CORPORATION CALIFORNIA 614 E. 12th St. Los Angeles CALIFORNIA 90015

**Type of Mark** TRADEMARK

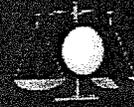
**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** October 26, 2015

**United States Patent and Trademark Office**

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91221772**Status:** Terminated**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ELIZABETH A DUNN**Paralegal Name:** JOI WILSON**Filing Date:** 04/30/2015**Status Date:** 09/23/2015**Defendant****Name:** Goya Health, Ltd.**Correspondence:** ELIZABETH BAIQ

NIXON PEABODY LLP

300 S RIVERSIDE PLZ

CHICAGO, IL 60606-6613

UNITED STATES

chitm@nixonpeabody.com, ebaio@nixonpeabody.com

Phone: 312-425-3900

**Serial #:** 86250951Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYA HEALTH**Serial #:** 86250949Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYA HEALTH**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** RYAN A MCGONIGLE

BAKER AND RANNELLS PA

575 ROUTE 28, STE 102

RARITAN, NJ 08869

UNITED STATES

ram@br-tmlaw.com, k.hnasko@br-tmlaw.com,

officeactions@br-tmlaw.com

Phone: 908-722-5640

**Serial #:** 85540065Application FileAssignment**Registration** 4552177  
#:**Application Status:** Registered**Mark:** GOYA FIESTA**Serial #:** 85975977Application FileAssignment**Registration** 4097241  
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**Application Status:** Registered**Mark:** LA COCINA GOYA

**Serial #:** [85975976](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4097240](#)

**Application Status:** Registered**Mark:** LA COCINA GOYA

**Serial #:** [85910118](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4443624](#)

**Application Status:** Registered**Mark:** GOYA ARROZ Y FRIJOLE: ¡EL DUO DINAMICONUTRICIONAL!

**Serial #:** [85819277](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4522936](#)

**Application Status:** Registered**Mark:** GOYA

**Serial #:** [85716233](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4397659](#)

**Application Status:** Registered**Mark:** GOYA

**Serial #:** [85668489](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4283060](#)

**Application Status:** Registered**Mark:** GOYA

**Serial #:** [85668463](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4283059](#)

**Application Status:** Registered**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** [85579052](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4332818](#)

**Application Status:** Registered**Mark:** GOYA RICE AND BEANS: THE DYNAMIC FOOD DUO!

**Serial #:** [85566098](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4210054](#)

**Application Status:** Registered**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** [85525016](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4440792](#)

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**Application Status:** Registered**Mark:** GOYA FOR KIDS

**Serial #:** [85524938](#)    [Application File](#)    [Assignment](#)    **Registration** [4440791](#)  
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**Application Status:** Registered**Mark:** GOYA FOR KIDS

**Serial #:** [85524903](#)    [Application File](#)    [Assignment](#)    **Registration** [4440790](#)  
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**Application Status:** Registered**Mark:** GOYA FOR KIDS

**Serial #:** [85524863](#)    [Application File](#)    [Assignment](#)    **Registration** [4440789](#)  
#:

**Application Status:** Registered**Mark:** GOYA FOR KIDS

**Serial #:** [85524749](#)    [Application File](#)    [Assignment](#)    **Registration** [4205278](#)  
#:

**Application Status:** Registered**Mark:** EL MUNDO DE GOYA KID

**Serial #:** [85304075](#)    [Application File](#)    [Assignment](#)    **Registration** [4128040](#)  
#:

**Application Status:** Registered**Mark:** GOYA

**Serial #:** [85140925](#)    [Application File](#)    [Assignment](#)    **Registration** [4547864](#)  
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**Application Status:** Registered**Mark:** SE É GOYA...TEM QUE SER BOM

**Serial #:** [85041442](#)    [Application File](#)    [Assignment](#)    **Registration** [4462955](#)  
#:

**Application Status:** Registered**Mark:** LA COCINA GOYA

**Serial #:** [85004980](#)    [Application File](#)    [Assignment](#)    **Registration** [4462937](#)  
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**Application Status:** Registered**Mark:** LA COCINA GOYA

**Serial #:** [78958624](#)    [Application File](#)    [Assignment](#)    **Registration** [3593247](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [78701470](#)    [Application File](#)    [Assignment](#)    **Registration** [3210454](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [78199916](#)    [Application File](#)    [Assignment](#)    **Registration** [2874334](#)  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78199907](#)    [Application File](#)    [Assignment](#)    **Registration** [2866597](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78451791](#)    [Application File](#)    [Assignment](#)    **Registration** [3001516](#)  
#:

**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [78004128](#)    [Application File](#)    [Assignment](#)    **Registration** [2502127](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [77539854](#)    [Application File](#)    [Assignment](#)    **Registration** [3570054](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [77630588](#)    [Application File](#)    [Assignment](#)    **Registration** [3654004](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77904649](#)    [Application File](#)    [Assignment](#)    **Registration** [3825092](#)  
#:

**Application Status:** Registered  
**Mark:** GOYA

**Serial #:** 77421878      Application File      Assignment      **Registration** 3640777  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** 76267384      Application File      Assignment      **Registration** 2653723  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 75867700      Application File      Assignment      **Registration** 2735075  
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**Application Status:** Renewed  
**Mark:** LA COCINA GOYA

**Serial #:** 75321229      Application File      Assignment      **Registration** 2786688  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 75312800      Application File      Assignment      **Registration** 2183842  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 74144498      Application File      Assignment      **Registration** 1689199  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73485909      Application File      Assignment      **Registration** 1354559  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73792351      Application File      Assignment      **Registration** 1621463  
#:

**Application Status:** Renewed  
**Mark:** SAZON GOYA

**Serial #:** 72441391      Application File      Assignment      **Registration** 966178  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 72160704    Application File    Assignment    **Registration** 764033  
#:

**Application Status:** Renewed

**Mark:** GOYA

**Prosecution History**

#	Date	History Text	Due Date
8	09/23/2015	TERMINATED	
7	09/23/2015	<u>BD DECISION: DISMISSED W/O PREJ</u>	
6	10/03/2015	<u>W/DRAW OF APPLICATION W/ CONSENT</u>	
5	05/19/2015	<u>SUSPENDED</u>	
4	05/19/2015	<u>STIP TO SUSPEND PEND DISP CIV ACTION</u>	
3	04/30/2015	PENDING, INSTITUTED	
2	04/30/2015	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	06/09/2015
1	04/30/2015	<u>FILED AND FEE</u>	

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UNITED STATES PATENT AND TRADEMARK OFFICE  
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P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

VV

Mailed: September 23, 2015

Opposition No. 91221772

*Goya Foods, Inc.*

*v.*

*Goya Health, Ltd.*

**By the Trademark Trial and Appeal Board:**

On September 3, 2015, Opposer filed the parties' stipulation, whereby the parties stipulated that the above-entitled proceedings may be resumed; Applicant's application Serial Nos. 86250951 and 86250949 may be withdrawn, with Opposer's written consent, and Opposer's notice of opposition may be withdrawn without prejudice.

In view thereof, the proceedings are resumed, application Serial Nos. 86250951 and 86250949 stand abandoned, and the opposition is dismissed without prejudice.  
*See Trademark Rules 2.106(c) and 2.135.*

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# GOYA HEALTH

**Word Mark** GOYA HEALTH

**Goods and Services** (ABANDONED) IC 044. US 100 101. G & S: Integrative, holistic, and behavioral health services and health behavior counseling services

**Standard Characters Claimed**

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

**Serial Number** 86250951

**Filing Date** April 14, 2014

**Current Basis** 1B

**Original Filing Basis** 1A;1B

**Published for Opposition** March 31, 2015

**Owner** (APPLICANT) Goya Health, Ltd. CORPORATION ILLINOIS 8174 Day Rd. Carbondale ILLINOIS 62901

**Attorney of Record** Elizabeth Baio

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

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** September 23, 2015

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<b>Word Mark</b>	GOYA HEALTH
<b>Goods and Services</b>	(ABANDONED) IC 044. US 100 101. G & S: Integrative, holistic, and behavioral health services and health behavior counseling services
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	05.05.25 - Daffodils; Iris (flower); Other flowers
<b>Serial Number</b>	86250949
<b>Filing Date</b>	April 14, 2014
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1A;1B
<b>Published for Opposition</b>	March 31, 2015
<b>Owner</b>	(APPLICANT) Goya Health, Ltd. CORPORATION ILLINOIS 8174 Day Rd. Carbondale ILLINOIS 62901
<b>Attorney of Record</b>	Elizabeth Baio
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HEALTH" APART FROM THE MARK AS SHOWN
<b>Description of Mark</b>	The color(s) black, green, blue, yellow and pink is/are claimed as a feature of the mark. The mark consists of the word "GOYA" stylized and capitalized in black with four petals or ovals in the colors green, yellow, blue and pink arranged diagonally from each other and superimposed on the letter "O" in the word "GOYA" and the word "HEALTH" in green below the word "GOYA".
<b>Type of Mark</b>	SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead</b>	

**Indicator**      DEAD

**Abandonment  
Date**      September 23, 2015

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91218411**Filing Date:** 09/17/2014**Status:** Terminated**Status Date:** 01/07/2015**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ELIZABETH WINTER**Paralegal Name:** LALITA GREENE**Defendant****Name:** Roderick Blandino**Correspondence:** RODERICK BLANDINO  
3720 SW 43RD AVE  
WEST PARK, FL 33023-6235  
UNITED STATES  
boobieblandino76@gmail.com  
Phone: 654-701-0037**Serial #:** 86163781Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** G.O.Y.A.M.S**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** RYAN A MCGONIGLE  
BAKER AND RANNELLS PA  
575 ROUTE 28, SUITE 102  
RARITAN, NJ 08869  
UNITED STATES  
officeactions@br-tmlaw.com, k.hnasko@br-  
tmlaw.com, ram@br-tmlaw.com  
Phone: 908-722-5640**Serial #:** 73405064Application FileAssignment**Registration** 1283430  
#:**Application Status:** Renewed**Mark:** GOYA**Serial #:** 75321229Application FileAssignment**Registration** 2786688  
#:**Application Status:** Renewed**Mark:** GOYA**Serial #:** 78199907Application FileAssignment**Registration** 2866597  
#:

**Application Status:** Renewed**Mark:** GOYA**Serial #:** [78199916](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2874334](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [85304075](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4128040](#)**Application Status:** Registered**Mark:** GOYA**Serial #:** [85524938](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4440791](#)**Application Status:** Registered**Mark:** GOYA FOR KIDS**Serial #:** [85524863](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4440789](#)**Application Status:** Registered**Mark:** GOYA FOR KIDS**Serial #:** [85524903](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4440790](#)**Application Status:** Registered**Mark:** GOYA FOR KIDS**Serial #:** [85525016](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4440792](#)**Application Status:** Registered**Mark:** GOYA FOR KIDS**Serial #:** [72160704](#)      [Application File](#)      [Assignment](#)      **Registration #:** [764033](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [72429883](#)      [Application File](#)      [Assignment](#)      **Registration #:** [962193](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [73485909](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1354559](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [76267384](#)      [Application File](#)      [Assignment](#)      **Registration** [2653723](#)  
#:

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [77421878](#)      [Application File](#)      [Assignment](#)      **Registration** [3640777](#)  
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**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [78004128](#)      [Application File](#)      [Assignment](#)      **Registration** [2502127](#)  
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**Application Status:** Renewed**Mark:** GOYA**Prosecution History**

#	Date	History Text	Due Date
7	01/07/2015	TERMINATED	
6	01/07/2015	<a href="#">BD DECISION: SUSTAINED</a>	
5	11/14/2014	<a href="#">NOTICE OF DEFAULT</a>	
4	11/13/2014	<a href="#">P MOT FOR DEFAULT JUDGMENT</a>	
3	09/17/2014	PENDING, INSTITUTED	
2	09/17/2014	<a href="#">NOTICE AND TRIAL DATES SENT; ANSWER DUE:</a>	10/27/2014
1	09/17/2014	<a href="#">FILED AND FEE</a>	

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UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

lg

Mailed: January 7, 2015

Opposition No. 91218411

Goya Foods, Inc.

v.

Roderick Blandino

**By the Trademark Trial and Appeal Board:**

On November 14, 2014, the Board issued a notice of default to applicant because no answer had been filed.

No response to the notice of default has been filed.

Accordingly, judgment by default is hereby entered against applicant, the opposition is sustained, and registration to applicant is refused. *See* Fed. R. Civ. P. 55(b), and Trademark Rule 2.106(a).

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**Record 1 out of 1**[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*( Use the "Back" button of the Internet Browser to return to TESS)***G.O.Y.A.M.S**

<b>Word Mark</b>	G.O.Y.A.M.S
<b>Goods and Services</b>	(ABANDONED) IC 025. US 022 039. G & S: Hats; Pants; Shirts
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	86163781
<b>Filing Date</b>	January 13, 2014
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	May 20, 2014
<b>Owner</b>	(APPLICANT) Blandino, Roderick INDIVIDUAL UNITED STATES 3720 SW 43 Ave. Westpark FLORIDA 33023
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	January 7, 2015

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91219420**Filing Date:** 11/20/2014**Status:** Terminated**Status Date:** 11/18/2015**General Contact Number:** 571-272-8500**Interlocutory Attorney:** YONG OH (RICHARD) KIM**Paralegal Name:** KARL S KOCHERSPERGER**Defendant****Name:** Goza Tequila, LLC**Correspondence:** MARK L SEIGEL

THE SEIGEL LAW FIRM LLC

1827 POWERS FERRY RD NE BLDG 6 , STE 201

ATLANTA, GA 30339

UNITED STATES

seigel@addipvalue.com, service@AddIPvalue.com

Phone: 770-395-5920

**Serial #:** 86147227Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOZA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** RYAN MCGONIGLE

BAKER AND RANNELLS PA

575 ROUTE 28 SUITE 102

RARITAN, NJ 08869

UNITED STATES

r.mcgonigle@br-tmlaw.com, k.hnasko@br-

tmlaw.com

Phone: 908-722-5640

**Serial #:** 78701470Application FileAssignment**Registration #:** 3210454**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA**Serial #:** 85566098Application FileAssignment**Registration #:** 4210054**Application Status:** Registered**Mark:** SI ES GOYA TIENE QUE SER BUENO**Serial #:** 78451791Application FileAssignment**Registration #:** 3001516

#:

**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD**Serial #:** [72160704](#)      [Application File](#)      [Assignment](#)      **Registration #:** [764033](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [72429883](#)      [Application File](#)      [Assignment](#)      **Registration #:** [962193](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [73485909](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1354559](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [74084484](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1695011](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [74144498](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1689199](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [76267384](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2653723](#)**Application Status:** Renewed**Mark:** GOYA**Serial #:** [77421878](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3640777](#)**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA**Serial #:** [78004128](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2502127](#)**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [77630588](#)    [Application File](#)    [Assignment](#)    **Registration** [3654004](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged

**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77904649](#)    [Application File](#)    [Assignment](#)    **Registration** [3825092](#)  
#:

**Application Status:** Registered

**Mark:** GOYA

**Serial #:** [77539854](#)    [Application File](#)    [Assignment](#)    **Registration** [3570054](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged

**Mark:** GOYA

**Serial #:** [85004980](#)    [Application File](#)    [Assignment](#)    **Registration** [4462937](#)  
#:

**Application Status:** Registered

**Mark:** LA COCINA GOYA

**Serial #:** [85041442](#)    [Application File](#)    [Assignment](#)    **Registration** [4462955](#)  
#:

**Application Status:** Registered

**Mark:** LA COCINA GOYA

**Serial #:** [75867700](#)    [Application File](#)    [Assignment](#)    **Registration** [2735075](#)  
#:

**Application Status:** Renewed

**Mark:** LA COCINA GOYA

**Serial #:** [74316336](#)    [Application File](#)    [Assignment](#)    **Registration** [1859228](#)  
#:

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** [74316340](#)    [Application File](#)    [Assignment](#)    **Registration** [1857320](#)  
#:

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** [74316337](#)    [Application File](#)    [Assignment](#)    **Registration** [1860499](#)  
#:

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

Serial #: 72441391

Application File

Assignment

Registration 966178  
#:

**Application Status:** Renewed

**Mark:** GOYA

**Prosecution History**

#	Date	History Text	Due Date
16	11/18/2015	TERMINATED	
15	11/18/2015	<u>BD DECISION: DISMISSED W/O PREJ</u>	
14	11/03/2015	<u>W/DRAW OF APPLICATION</u>	
13	10/13/2015	<u>RESPONSE DUE 30 DAYS (DUE DATE)</u>	11/12/2015
12	09/29/2015	<u>W/DRAW OF APPLICATION</u>	
11	08/27/2015	<u>SUSPENDED</u>	
10	08/27/2015	<u>P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS</u>	
9	04/27/2015	<u>SUSPENDED</u>	
8	04/27/2015	<u>STIP TO SUSP PEND SETTL NEGOTIATIONS</u>	
7	01/31/2015	<u>CORRECTION TO BD ORDER</u>	
6	01/13/2015	<u>SUSPENDED</u>	
5	01/13/2015	<u>D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS</u>	
4	12/29/2014	<u>ANSWER</u>	
3	11/20/2014	PENDING, INSTITUTED	
2	11/20/2014	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	12/30/2014
1	11/20/2014	<u>FILED AND FEE</u>	

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P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

kk

Mailed: November 18, 2015

Opposition No. 91219420

*Goya Foods, Inc.*

*v.*

*Goza Tequila, LLC*

**By the Trademark Trial and Appeal Board:**

On November 3, 2015, Applicant filed an abandonment of its application Serial No. 86147227, with prejudice, and with Opposer's written consent.

In view thereof, application Serial No. 86147227 stands abandoned with prejudice, and the opposition is dismissed without prejudice. See Trademark Rule 2.135.



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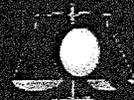
# GOZA

Word Mark	GOZA
Translations	The English translation of "GOZA" in the mark is "enjoy".
Goods and Services	(ABANDONED) IC 033. US 047 049. G & S: Distilled Spirits
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86147227
Filing Date	December 18, 2013
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	October 21, 2014
International Registration Number	1204218
Owner	(APPLICANT) Goza Tequila, LLC LIMITED LIABILITY COMPANY GEORGIA 1109 Valley Overlook Dr., NE Atlanta GEORGIA 30324
Attorney of Record	Mark L. Seigel
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	November 18, 2015

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**TTABVue. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91217356**Filing Date:** 07/14/2014**Status:** Terminated**Status Date:** 07/14/2014**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ELIZABETH WINTER**Paralegal Name:** MONIQUE HILL-TYSON**Defendant****Name:** Shenzhen East Guoyue Technology Co. Ltd**Correspondence:** ANTHEA LEE10685B HAZELHURST DR # 9123  
HOUSTON, TX 77043-3238  
UNITED STATES  
mr.kgip@gmail.com**Serial #:** 86107543Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYESTORE**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L BAKERBAKER AND RANNELLS  
575 ROUTE 28  
RARITAN, NJ 08869  
UNITED STATES  
officeactions@br-tmlaw.com  
Phone: 908-722-5640**Serial #:** 75321229Application FileAssignment**Registration #:** 2786688**Application Status:** Renewed**Mark:** GOYA**Serial #:** 77904649Application FileAssignment**Registration #:** 3825092**Application Status:** Registered**Mark:** GOYA**Serial #:** 78004128Application FileAssignment**Registration #:** 2502127**Application Status:** Renewed**Mark:** GOYA

<b>Serial #:</b> <a href="#">74177006</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">1774726</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> GO GOYA			
<b>Serial #:</b> <a href="#">73485909</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">1354559</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> GOYA			
<b>Serial #:</b> <a href="#">78448554</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">3532388</a>
<b>Application Status:</b> Section 8 and 15 - Accepted and Acknowledged			
<b>Mark:</b> GOYO			
<b>Serial #:</b> <a href="#">72160704</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">764033</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> GOYA			
<b>Serial #:</b> <a href="#">78451791</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">3001516</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> ...IF IT IS GOYA IT HAS TO BE GOOD			
<b>Serial #:</b> <a href="#">72322981</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">942879</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> ...IF IT IS GOYA IT HAS TO BE GOOD			
<b>Serial #:</b> <a href="#">73171616</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">1122501</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> SI ES GOYA TIENE QUE SER BUENO			
<b>Serial #:</b> <a href="#">85566098</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">4210054</a>
<b>Application Status:</b> Registered			
<b>Mark:</b> SI ES GOYA TIENE QUE SER BUENO			
<b>Serial #:</b> <a href="#">74316336</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">1859228</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> JOYAS DE GOYA			
<b>Serial #:</b> <a href="#">74316337</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">1860499</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> JOYAS DE GOYA			
<b>Serial #:</b> <a href="#">74144498</a>	<a href="#">Application File</a>	<a href="#">Assignment</a>	<b>Registration #:</b> <a href="#">1689199</a>
<b>Application Status:</b> Renewed			
<b>Mark:</b> GOYA			

**Serial #:** [77421878](#)   [Application File](#)   [Assignment](#)   **Registration #:** [3640777](#)  
**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [77630588](#)   [Application File](#)   [Assignment](#)   **Registration #:** [3654004](#)  
**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77539854](#)   [Application File](#)   [Assignment](#)   **Registration #:** [3570054](#)  
**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [74084484](#)   [Application File](#)   [Assignment](#)   **Registration #:** [1695011](#)  
**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [72429883](#)   [Application File](#)   [Assignment](#)   **Registration #:** [962193](#)  
**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [73405064](#)   [Application File](#)   [Assignment](#)   **Registration #:** [1283430](#)  
**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [76267384](#)   [Application File](#)   [Assignment](#)   **Registration #:** [2653723](#)  
**Application Status:** Renewed  
**Mark:** GOYA

### Prosecution History

#	Date	History Text	Due Date
<a href="#">7</a>	10/16/2014	<a href="#">BD DECISION: SUSTAINED</a>	
<a href="#">6</a>	10/16/2014	TERMINATED	
<a href="#">5</a>	10/16/2014	<a href="#">BD DECISION: SUSTAINED</a>	
<a href="#">4</a>	09/04/2014	<a href="#">P MOT FOR DEFAULT JUDGMENT</a>	
<a href="#">3</a>	07/14/2014	PENDING, INSTITUTED	
<a href="#">2</a>	07/14/2014	<a href="#">NOTICE AND TRIAL DATES SENT; ANSWER DUE:</a>	08/23/2014
<a href="#">1</a>	07/14/2014	<a href="#">FILED AND FEE</a>	

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P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

MT

Mailed: October 16, 2014

Opposition No. 91217356

Goya Foods, Inc.

v.

Shenzhen East Guoyue Technology  
Co. Ltd

**By the Trademark Trial and Appeal Board:**

An answer to the notice of opposition was due on August 23, 2014. The record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed September 4, 2014, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. *See* Trademark Rule 2.127(a).

---

<sup>1</sup> If an applicant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the applicant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against an applicant for failure to file a timely answer may also be raised by means of a motion filed by the opposer. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default. *See* TBMP §312.01.

Opposition No. 91217356

Accordingly, judgment is hereby entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. *See* Fed. R. Civ. P. 55(b) and Trademark Rule 2.127(a).



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**Word Mark** GOYESTORE

**Goods and Services** (ABANDONED) IC 003. US 001 004 006 050 051 052. G & S: Adhesives for affixing false eyelashes; Cosmetic preparations for removing gel nails, acrylic nails, and nail polish; Cosmetic preparations for skin care; Cosmetic preparations for slimming purposes; Cosmetics; Cotton wool for cosmetic purposes; Depilatory preparations; Eye shadow; Eyebrow pencils; False eyelashes; False nails; Lip gloss; Lipsticks; Lotions for cosmetic purposes; Make-up powder; Nail art stickers; Nail care preparations; Nail polish; Perfumes; Rouges. FIRST USE: 20130420. FIRST USE IN COMMERCE: 20130420

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

**Design** 26.01.21 - Circles that are totally or partially shaded.

**Search Code** 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

**Serial Number** 86107543

**Filing Date** November 1, 2013

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** April 1, 2014

**Owner** (APPLICANT) Shenzhen East Guoyue Technology Co. Ltd CORPORATION CHINA 4F of Bldg. A, the 2nd Industrial Zone, 6th Gushu Qinhui Street of Xixiang, Bao'an Dist., Shenzhen CHINA

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a circle and an arc above wording "GOYESTORE" in stylized font.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead** DEAD

**Indicator**

**Abandonment Date** October 16, 2014

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P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Am

Mailed: June 2, 2015

Cancellation No. 92058247

Goya Foods, Inc.

v.

D. Jacobson & Sons Limited

**By the Trademark Trial and Appeal Board:**

On May 28, 2015, Petitioner filed a withdrawal of the petition to cancel, with Respondent's written consent.<sup>1</sup>

In view thereof, the petition to cancel is dismissed without prejudice. *See* Trademark Rule 2.114(c).

---

<sup>1</sup> Petitioner's withdrawal does not indicate proof of service of a copy of same on counsel for Registrant, as required by Trademark Rule 2.119. A copy of the withdrawal can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.



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# GOLA

#### Word Mark

GOLA

#### Translations

The English translation of GOLA is "Throat".

#### Goods and Services

(CANCELLED) IC 003. US 001 004 006 050 051 052. G & S: [ Soaps, namely, detergent soap and cosmetic soaps; perfumes and perfumery; essential oils; cosmetics; non-medicated toiletries; hair lotions; dentifrices; deodorants, namely, personal deodorant; talcum powder; shampoos; hair conditioner; shaving preparations and shaving soaps; lotions for skin, hair, face and body; hair waving and aftershave lotions; lipsticks; toothpaste; eau de cologne; wax preparations for treating footwear and sporting articles, namely, cobblers' wax; preparations, creams and polishes for cleaning, polishing and protecting footwear, namely, shoe cream, shoe polish; non-medicated preparations and goods for treating or neutralizing the effects of foot perspiration and foot odour, namely, foot deodorant spray, foot powder, foot cream. ]

(CANCELLED) IC 009. US 021 023 026 036 038. G & S: [ Prerecorded optical and solid state data carriers featuring music and/or video; prerecorded data carriers featuring music and/or video, prerecorded recording discs featuring music and/or video; calculators, calculating scales; computers, cameras, cinematographic cameras; camcorders, video cameras, camera cases; camera, cinematographic and slide films, exposed; prerecorded video tape, motion picture film, optical discs and digital video discs featuring television films, programmes and advertisements; cinematographic films; video films; projection screens; magnets; refrigerator magnets; thermometers; electrically operated cigarette lighters for land vehicles; electric irons; batteries; mechanical signs; luminous signs; neon signs; apparatus for holograms; telephones; mobile telephones; telephone receivers; pagers; spectacles, eye glasses; sunglasses; contact lenses; frames for spectacles, eye glasses and sunglasses; binoculars; telescopes; anti-glare glasses and anti-glare sunglasses; cases, holders, chains and cords for spectacles, eye glasses, sunglasses, contact lenses, binoculars and telescopes; computers; computer hardware; computer equipment, namely, keyboards, monitors; personal computers; handheld computers; blank computer discs; cartridges, discs and software for computer games; video game cartridges, video game discs, video game software, video game tape cassettes; programs for electronic games; apparatus and instruments for use with computer, video, TV and electronic games, namely, video game machines for use with televisions, video game joysticks; compact discs featuring computer software for enabling internet access and pre-recorded chip cards containing programming for enabling access to the Internet; modems; recorded computer software for educational video games; educational equipment connected to a TV receiver or a telematics terminal, namely, educational software featuring instruction in sports; drinks dispensers being vending machines. measuring instruments, namely, graduated rulers; tape measures; speed indicators;

protective clothing and protective headgear, namely, helmets and protective footwear, namely, industrial boots and industrial shoes; protective clothing, headgear and footwear for use in sporting, athletic, gymnastic, recreational and leisure activities, namely, protective helmets for sports, goggles for sports, protective face guards being parts of protective helmets; ski goggles; diving suits; gloves for diving; safety markers to be used on floats for bathing and swimming; life jackets; swimming belts for divers, namely, weight belts; swimming life jackets; motorcycling helmets, bicycling helmets; protective face guards affixed to protective helmets; protective mouth guards, namely, gum shields for industrial use; inflatable floatation devices in the nature of water wings; televisions; radios; portable radios; tape and cassette players; hi-fi equipment, namely, stereo receivers and stereo amplifiers; personal stereos, audio speakers, stereo amplifiers, graphic equalizers, speaker enclosures; personal CD players; blank CD ROMs for sound or video recording; prerecorded data carriers, namely, memory cards, flash memory cards, prerecorded record disks, prerecorded discs, prerecorded audio tapes, prerecorded video cassettes and prerecorded audio cartridges all bearing sound recordings, video recordings, data, images, games, graphics, texts and information, all of the above in the field of sport and popular culture; blank data carriers, namely, memory cards; flash memory cards, blank record disks, blank computer discs, blank audio tapes, blank audio cassettes and blank audio cartridges for use in bearing sound recordings, video recordings, data, images, games, graphics, texts, computer programmes and information. bags, carriers, boxes, covers and containers adapted to carry telephones, mobile telephones, cameras, video cameras, spectacles, sunglasses, contact lenses and handheld computers ]

(CANCELLED) IC 012. US 019 021 023 031 035 044. G & S: [ bicycles, tricycles, prams, pushchairs and baby carriages ]

(CANCELLED) IC 014. US 002 027 028 050. G & S: [ Precious metals and their alloys; jewellery; precious stones; horological and chronometric instruments and parts thereof; clocks and watches; pendants, keys, key rings, key chains, badges and tie bars all being wholly or principally of precious metals or coated therewith; tie pins, cuff links. ]

IC 016. US 002 005 022 023 029 037 038 050. G & S: [ Paper and cardboard; paper envelopes for packaging; greeting cards; corrugated cardboard boxes; magazines in the field of fashion, footwear, clothing and sports; newspapers; ] (( books in the field of fashion, footwear, clothing and sports; )) [ posters; stationery; business stationery; writing paper; writing pads; drawing pads; desk pads, note pads, jotting pads; envelopes; photograph albums, coin albums, stamp albums; diaries; address books; photographs; photograph frames; framed pictures; adhesives for stationery or household purposes; adhesive bands and tapes for stationery or household purposes; adhesive tape dispensers for stationery or household use; typewriters; staples; writing and drawing instruments and implements; pens; pencils; stationery cases; pen boxes; pencil boxes; writing case sets comprised of pens, pencils and note pads; artists' brushes, pastels, pens and pencils; paint brushes; crayons, pastels and chalks; chalk boards and blackboards; instructional and teaching materials in the form of printed manuals and books in the field of games, games involving ordinary playing cards; postcards; greeting cards; filing boxes for storage of business and personal records and paper expanding filing cases, namely, document files; stamp albums; trays for use in philately, namely, stamp trays; indoor aquaria (aquariums); gift wrap paper; trash carrier bags, namely, plastic refuse bags; children's and babies paper napkins (diapers); calendars; pictures; maps; printed plans; flip charts, printed charts, score charts; paper tissues; fabric gift bags, paper bags; paper pouches and paper containers for packaging; stickers; decalcomanias; table napkins of paper; atlases; terrestrial and celestial globes; binders; loose leaf binders. document files, paper expanding files; folders; stationery covers, namely, document covers, leather book covers; graphic art reproductions; books in the field of advertisements and advertising boards of paper or cardboard; ] (( printed signs of paper or cardboard )) \* in the field of fashion, footwear, clothing and sports \* [ ; printed arithmetical tables; blank paper tapes and cards for recording of computer programmes (programs); index cards; telephone indexes; personal organizers; paper labels; paper knives (letter openers); paper mats for glasses; paper beer mats; paper weights; pencil holders; pen holders; pencil sharpeners; desktop organizers; prints, namely, pictures; erasers; rubber erasers; drawing, drafting rulers; bookmarks, paper gift bags; printed height charts; photograph albums ]

IC 018. US 001 002 003 022 041. G & S: Holdalls, [ tote bags, tote cases, ] sports bags, sports holdalls, carry-on bags, [ clutch bags, handbags, duffel bags, ] shoulder bags, [ garment bags for travel, brief cases, key cases, luggage, toiletry cases sold empty, wallets, suitcases, overnight cases, trunks for travelling, valises, purses, ] backpacks, rucksacks, bags and holdalls for sports clothing, all

purpose sports equipment bags and holdalls, [ traveling bags, ] school bags \* ; exclusive of shopping bags designed or adapted for groceries as well as for insulated bags for the transport of foods and beverages \* [, satchels, waist bags and fanny packs. ]

IC 025. US 022 039. G & S: Clothing, namely, [ swimwear, robes, belts, blouses, shorts, camisoles, capes, cardigans, sweaters, pullovers, tank tops, jumpers, culottes, chemises, coats, sports coats, jackets, sports jackets, waistcoats, suits, trouser suits, skirt suits, coveralls, dresses, dusters, gloves, mufflers, mittens, headwear, hats, caps, jeans, jogging suits, tracksuits, jumpsuits, warm-up suits, kerchiefs, leotards, lounge wear, neckerchiefs, ties, neckties, nightgowns, pajamas, rainwear, raincoats, scarves, shirts, snow suits, T-shirts, sweatshirts, sweat pants, sweat suits, tennis wear tops, tennis wear shorts, trousers, underwear, headbands, sweatbands, stockings, socks, hosiery, ] footwear, boots, shoes, [ sandals, ] athletic footwear, athletic shoes, sports shoes, sports footwear, training shoes, training footwear [, slippers, rain shoes, and overshoes. ]

(CANCELLED) IC 026. US 037 039 040 042 050. G & S: [ Lace and embroidery, ribbons and braid; buttons for clothing; hooks and eyes, sewing pins and needles; artificial flowers; badges for wearing, namely, ornamental cloth patches; hair ornaments; hair, shoe, strap and clothing buckles; snap fasteners and slide fasteners, zipper fasteners; basket and belt clasps, slide fasteners, sewing pins, bobbles (pompoms) and hair bands; cuff links, tie pins and tie studs not of precious metal, shoe laces; shoe buckles, shoe eyelets, metal fasteners for shoes and boots, rug hooks, shoe ornaments not of precious metal ]

(CANCELLED) IC 028. US 022 023 038 050. G & S: [ Gymnastic and sporting articles, namely, balls, pucks and shuttlecocks for sports and games for use in playing golf, tennis, lacrosse, soccer, handball, rugby, cricket, basketball, field hockey, baseball, squash, ice hockey and badminton; articles of protective wear for use in sports and games, namely, athletic protective pads for use in field hockey, ice hockey, tennis, lacrosse, soccer, American football, handball, rugby, cricket, basketball, baseball, squash, badminton, boxing, running and athletics; shin guards for athletic use; knee and elbow guards, shin pads, protective soccer gloves and protective body armour for sports, namely, safety padding for soccer; gloves and mitts for athletic use in games and sports, namely, goal keepers gloves, and gloves and mitts for use in playing field hockey, ice hockey, lacrosse, American football, cricket, baseball, boxing and athletics; catchers' mitts; ice skates, roller skates, in-line skates; golf clubs, rackets for tennis, squash and badminton, sticks for field hockey, ice hockey and lacrosse, bats for cricket and baseball; skiing, hockey and ice hockey equipment, namely, skis, ski covers, field hockey and ice hockey leg guards, shoulder pads, thigh pads, abdominal guards, knee pads, knee protectors and knee bandages, bindings and release mechanisms for skis; bags and holdalls specially adapted for sports equipment. ]

(CANCELLED) IC 032. US 045 046 048. G & S: [ Beers; mineral and aerated waters; fruit drinks and fruit juices; syrups for making beverages, fruit drinks and colas; soft drinks; aerated mineral waters, lemonade, cola drinks, energy drinks, sports drinks, isotonic drinks ]

(CANCELLED) IC 033. US 047 049. G & S: [ Alcoholic beverages, namely, wine, whiskies, gin, rum, brandy, vodka; distilled spirits, wine coolers being drinks; prepared alcoholic cocktails ]

IC 035. US 100 101 102. G & S: The bringing together, for the benefit of others, of a variety of [ clothing, ] footwear, [ headgear, namely, swimwear, robes, belts, blouses, shorts, camisoles, capes, cardigans, sweaters, pullovers, tank tops, jumpers, culottes, chemises, coats, sports coats, jackets, sports jackets, waistcoats, suits, trouser suits, skirt suits, coveralls, dresses, dusters, gloves, mufflers, mitts, headwear, hats, caps, jeans, jogging suits, tracksuits, jumpsuits, warm-up suits, kerchiefs, leotards, lounge wear, neckerchiefs, ties, neckties, nightgowns, pajamas, rainwear, raincoats, scarves, shirts, snow suits, T-shirts, sweatshirts, sweat pants, sweat suits, tennis wear tops, tennis wear shorts, trousers, underwear, headbands, sweatbands, stockings, socks, hosiery, footwear, ] boots, shoes, [ sandals, ] athletic footwear, athletic shoes, sports shoes, sports footwear, training shoes, training footwear, [ slippers, rain shoes, overshoes, ] bags, [ cases, ] \* and \* holdalls [ and gymnastic and sporting articles, ] enabling customers to conveniently view and purchase those goods from [ a general merchandise store, a clothing store, a sports goods store, from a catalogue, via mail order catalogue, or ] the internet; the organization of exhibitions relating to footwear for commercial or advertising purposes \* ; exclusive of food and beverage related goods as well as shopping bags designed or adapted for groceries as well as for insulated bags for the transport of foods and beverages \*

**Standard**

**Characters  
Claimed**

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

**Trademark Search Facility Classification Code** SHAPES-MISC Miscellaneous shaped designs

**Serial Number** 79022869

**Filing Date** September 11, 2004

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** August 7, 2007

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

**Registration Number** 3531103

**International Registration Number** 0882620

**Registration Date** November 11, 2008

**Owner** (REGISTRANT) D. Jacobson & Sons Limited limited company (Ltd.) UNITED KINGDOM Cloughfold, Bacup Road Rawtenstall, Lancashire UNITED KINGDOM BB4 7PA

**Attorney of Record** Holly Pekowsky

**Prior Registrations** 2568775

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

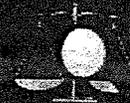
**Affidavit Text** SECT 15. SECTION 71

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System**

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**Opposition****Number:** 91213977**Status:** Terminated**Filing Date:** 12/12/2013**Status Date:** 03/08/2014**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ANDREW P BAXLEY**Paralegal Name:** NICOLE M THIER**Defendant****Name:** Jameson Leslie, LLC**Correspondence:** JOHN C STRINGHAM

WORKMAN NYDEGGER

60 E SOUTH TEMPLE, STE 1000

SALT LAKE CITY, UT 84111-1011

UNITED STATES

jstringham@wnlaw.com, docketing@wnlaw.com

Phone: 801-533-9800

**Serial #:** 85911968Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOGOVA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L BAKER

BAKER AND RANNELLS

575 ROUTE 28

RARITAN, NJ 08869

UNITED STATES

officeactions@br-tmlaw.com, s.baker@br-

tmlaw.com, p.chang@br-tmlaw.com, k.worosila@br-

tmlaw.com, k.hnasko@br-tmlaw.com, s.cesaro@br-

tmlaw.com

Phone: 908-722-5640

**Serial #:** 73485909Application FileAssignment**Registration** 1354559

#:

**Application Status:** Renewed**Mark:** GOYA**Serial #:** 78004128Application FileAssignment**Registration** 2502127

#:

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [74177006](#) [Application File](#) [Assignment](#) **Registration #:** [1774726](#)

**Application Status:** Renewed  
**Mark:** GO GOYA

**Serial #:** [78448554](#) [Application File](#) [Assignment](#) **Registration #:** [3532388](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYO

**Serial #:** [72160704](#) [Application File](#) [Assignment](#) **Registration #:** [764033](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78451791](#) [Application File](#) [Assignment](#) **Registration #:** [3001516](#)

**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [72322981](#) [Application File](#) [Assignment](#) **Registration #:** [942879](#)

**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [73171616](#) [Application File](#) [Assignment](#) **Registration #:** [1122501](#)

**Application Status:** Renewed  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** [85566098](#) [Application File](#) [Assignment](#) **Registration #:** [4210054](#)

**Application Status:** Registered  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** [74316336](#) [Application File](#) [Assignment](#) **Registration #:** [1859228](#)

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [74316337](#) [Application File](#) [Assignment](#) **Registration #:** [1860499](#)

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [74144498](#)    [Application File](#)    [Assignment](#)    **Registration** [1689199](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [77421878](#)    [Application File](#)    [Assignment](#)    **Registration** [3640777](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [77630588](#)    [Application File](#)    [Assignment](#)    **Registration** [3654004](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77539854](#)    [Application File](#)    [Assignment](#)    **Registration** [3570054](#)  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [77904649](#)    [Application File](#)    [Assignment](#)    **Registration** [3825092](#)  
#:

**Application Status:** Registered  
**Mark:** GOYA

**Serial #:** [74084484](#)    [Application File](#)    [Assignment](#)    **Registration** [1695011](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [72429883](#)    [Application File](#)    [Assignment](#)    **Registration** [962193](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [73405064](#)    [Application File](#)    [Assignment](#)    **Registration** [1283430](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [76267384](#)    [Application File](#)    [Assignment](#)    **Registration** [2653723](#)  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Prosecution History**

#	Date	History Text	Due Date
6	03/08/2014	TERMINATED	
5	03/08/2014	<u>BD DECISION: SUSTAINED</u>	
4	01/30/2014	<u>P MOT FOR DEFAULT JUDGMENT</u>	
3	12/12/2013	PENDING, INSTITUTED	
2	12/12/2013	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	01/21/2014
1	12/12/2013	<u>FILED AND FEE</u>	

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

nmt

Mailed: March 8, 2014

Opposition No. 91213977

Goya Foods, Inc.

v.

Jameson Leslie, LLC

Answer was due on January 21, 2014. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed January 30, 2014, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby

---

<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

Opposition No. 91213977

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

***By the Trademark Trial  
and Appeal Board***

**United States Patent and Trademark Office**

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**Record 1 out of 1**[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*( Use the "Back" button of the Internet Browser to return to TESS)*

# GOGOVA

**Word Mark** GOGOVA

**Goods and Services** (ABANDONED) IC 005. US 006 018 044 046 051 052. G & S: Protein supplement shakes; dietary and nutritional supplements; food supplements

**Standard Characters Claimed**

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

**Serial Number** 85911968

**Filing Date** April 23, 2013

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** September 17, 2013

**Owner** (APPLICANT) Jameson Leslie, LLC LIMITED LIABILITY COMPANY UTAH 275 West 200 North Suite 310 Lindon UTAH 84042

**Attorney of Record** John C. Stringham

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

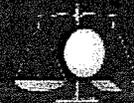
**Live/Dead Indicator** DEAD

**Abandonment Date** March 8, 2014

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**United States Patent and Trademark Office**

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TTABVue. Trademark Trial and Appeal Board Inquiry System

v1.9

**Opposition****Number:** 91213356**Filing Date:** 11/06/2013**Status:** Terminated**Status Date:** 02/03/2014**General Contact Number:** 571-272-8500**Interlocutory Attorney:** CHERYL S GOODMAN**Paralegal Name:** MONIQUE HILL-TYSON**Defendant****Name:** Wikicell Designs, Inc.**Correspondence:** WILLIAM O FERRON JR  
SEED IP LAW GROUP PLLC  
701 5TH AVE STE 5400  
SEATTLE, WA 98104-7064  
UNITED STATES  
BillF.Docketing@SeedIP.com**Serial #:** 85858066Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GO-YUM**Serial #:** 85858064Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GO-YUM**Serial #:** 85858060Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYUM**Serial #:** 85858056Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYUM**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L BAKER  
BAKER AND RANNELLS PA  
575 ROUTE 28  
RARITAN, NJ 08869  
UNITED STATES  
officeactions@br-tmlaw.com, s.baker@br-  
tmlaw.com, p.chang@br-tmlaw.com, k.worosila@br-  
tmlaw.com, k.hnasko@br-tmlaw.com, s.cesaro@br-

tmlaw.com  
Phone: 908-722-5640

**Serial #:** 78004128      Application File      Assignment      **Registration** 2502127  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73485909      Application File      Assignment      **Registration** 1354559  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 72160704      Application File      Assignment      **Registration** 764033  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 78451791      Application File      Assignment      **Registration** 3001516  
#:

**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** 72322981      Application File      Assignment      **Registration** 942879  
#:

**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** 73171616      Application File      Assignment      **Registration** 1122501  
#:

**Application Status:** Renewed  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** 85566098      Application File      Assignment      **Registration** 4210054  
#:

**Application Status:** Registered  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** 74316336      Application File      Assignment      **Registration** 1859228  
#:

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** 74316337      Application File      Assignment      **Registration** 1860499  
#:

**Application Status:** Renewed**Mark:** JOYAS DE GOYA

**Serial #:** [74144498](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1689199](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [77421878](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3640777](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [77630588](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3654004](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77539854](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3570054](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [77904649](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3825092](#)

**Application Status:** Registered**Mark:** GOYA

**Serial #:** [74084484](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1695011](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [72429883](#)      [Application File](#)      [Assignment](#)      **Registration #:** [962193](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [78701470](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3210454](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [73405064](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1283430](#)

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** 76267384

Application File

Assignment

**Registration** 2653723  
#:

**Application Status:** Renewed

**Mark:** GOYA

**Prosecution History**

#	Date	History Text	Due Date
6	02/03/2014	TERMINATED	
5	02/03/2014	<u>BD DECISION: SUSTAINED</u>	
4	01/02/2014	<u>P MOT FOR DEFAULT JUDGMENT</u>	
3	11/06/2013	PENDING, INSTITUTED	
2	11/06/2013	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	12/16/2013
1	11/06/2013	<u>FILED AND FEE</u>	

Results as of 02/19/2016 05:15 PM

**Search:**

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

MT

Mailed: February 3, 2014

Opposition No. 91213356

Goya Foods, Inc.

v.

Wikicell Designs, Inc.

Answer was due on December 16, 2013. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed January 2, 2014, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby

---

<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

Opposition No. 91213356

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

***By the Trademark Trial  
and Appeal Board***

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# GO-YUM

**Word Mark** GO-YUM

**Goods and Services** (ABANDONED) IC 033. US 047 049. G & S: Alcoholic beverages containing fruit; Alcoholic tea-based beverage; Alcoholic coffee-based beverage; Liquor in ice cream form; Alcoholic energy drinks; Liquor; Distilled Spirits; Prepared alcoholic cocktail

**Standard Characters Claimed**

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

**Serial Number** 85858066

**Filing Date** February 22, 2013

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** July 23, 2013

**Owner** (APPLICANT) Wikicell Designs, Inc. CORPORATION DELAWARE 300 Technology Square Cambridge MASSACHUSETTS 02139

**Attorney of Record** William O. Ferron, Jr.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** February 3, 2014



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**Record 1 out of 1**

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

# GO-YUM

**Word Mark** GO-YUM

**Goods and Services** (ABANDONED) IC 030. US 046. G & S: Frozen dessert consisting of fruit and cream or cream substitutes; Non-dairy frozen confections; Yogurt-covered fruit; Tea-based beverages with fruit flavoring; Fruit teas; Edible fruit ices; Tea; Iced tea; Iced coffee; Coffee; Coffee based beverages; Frozen yogurt, Frozen yogurt confections, Ice cream; Sorbet; Ice cream drinks; Ice cream desserts; Ice cream substitute; Gelato; Frozen confections; Non-dairy frozen confections; Chocolate confections; Chocolate; Candy; Salad dressing; Sushi

**Standard Characters Claimed**

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

**Serial Number** 85858064

**Filing Date** February 22, 2013

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** July 23, 2013

**Owner** (APPLICANT) Wikicell Designs, Inc. CORPORATION DELAWARE 300 Technology Square Cambridge MASSACHUSETTS 02139

**Attorney of Record** William O. Ferron, Jr.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead**

**Indicator**      DEAD

**Abandonment Date**      February 3, 2014

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# GOYUM

<b>Word Mark</b>	GOYUM
<b>Goods and Services</b>	(ABANDONED) IC 033. US 047 049. G & S: Alcoholic beverages containing fruit; Alcoholic tea-based beverage; Alcoholic coffee-based beverage; Liquor in ice cream form; Alcoholic energy drinks; Liquor; Distilled Spirits; Prepared alcoholic cocktail
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	85858060
<b>Filing Date</b>	February 22, 2013
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	July 23, 2013
<b>Owner</b>	(APPLICANT) Wikicell Designs, Inc. CORPORATION DELAWARE 300 Technology Square Cambridge MASSACHUSETTS 02139
<b>Attorney of Record</b>	William O. Ferron, Jr.
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	February 3, 2014

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

GOYUM

Word Mark GOYUM
Goods and Services (ABANDONED) IC 030. US 046. G & S: Frozen dessert consisting of fruit and cream or cream substitutes; Non-dairy frozen confections; Yogurt-covered fruit; Tea-based beverages with fruit flavoring; Fruit teas; Edible fruit ices; Tea; Iced tea; Iced coffee; Coffee; Coffee based beverages; Frozen yogurt, Frozen yogurt confections, Ice cream; Sorbet; Ice cream drinks; Ice cream desserts; Ice cream substitute; Gelato; Frozen confections; Non-dairy frozen confections; Chocolate confections; Chocolate; Candy; Salad dressing; Sushi

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85858056

Filing Date February 22, 2013

Current Basis 1B

Original Filing Basis 1B

Published for Opposition July 23, 2013

Owner (APPLICANT) Wikicell Designs, Inc. CORPORATION DELAWARE 300 Technology Square Cambridge MASSACHUSETTS 02139

Attorney of Record William O. Ferron, Jr.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator DEAD

**Abandonment**

**Date**

February 3, 2014

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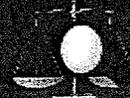
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**TTABVUE. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91211830**Filing Date:** 07/31/2013**Status:** Terminated**Status Date:** 02/05/2014**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ELIZABETH WINTER**Paralegal Name:** VICTORIA VISTAUX VON**Defendant****Name:** Jose Villar**Correspondence:** RAJ ABHYANKERRAJ ABHYANKER PC  
1580 W EL CAMINO REAL STE 8  
MOUNTAIN VIEW, CA 94040-2462  
UNITED STATES  
trademarks@rajpatent.com  
Phone: 650-965-8731**Serial #:** 85581356Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** DON GOYO**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L BAKERBAKER AND RANNELLS PA  
575 ROUTE 28  
RARITAN, NJ 08869  
UNITED STATES  
officeactions@br-tmlaw.com, s.baker@br-  
tmlaw.com, p.chang@br-tmlaw.com, k.worosila@br-  
tmlaw.com, k.hnasko@br-  
tmlaw.com, n.friedman@br-tmlaw.com  
Phone: 908-722-5640**Serial #:** 78958624Application FileAssignment**Registration #:** 3593247**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA**Serial #:** 75321229Application FileAssignment**Registration #:** 2786688**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [78199907](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2866597](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78219413](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2797941](#)

**Application Status:** Cancelled - Section 8  
**Mark:** GOYA

**Serial #:** [77904649](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3825092](#)

**Application Status:** Registered  
**Mark:** GOYA

**Serial #:** [74144498](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1689199](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [72429883](#)      [Application File](#)      [Assignment](#)      **Registration #:** [962193](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [73405064](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1283430](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [76267384](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2653723](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [85304075](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4128040](#)

**Application Status:** Registered  
**Mark:** GOYA

**Serial #:** [77630588](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3654004](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77630588](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3654004](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77421878](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3640777](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [75887828](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2423267](#)

**Application Status:** Renewed  
**Mark:** LA GRAN FAMILIA GOYA

**Serial #:** [73171616](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1122501](#)

**Application Status:** Renewed  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** [85566098](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4210054](#)

**Application Status:** Registered  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** [85668463](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4283059](#)

**Application Status:** Registered  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

#### Prosecution History

#	Date	History Text	Due Date
6	02/05/2014	TERMINATED	
5	12/19/2013	<u>BD DECISION: SUSTAINED</u>	
4	10/11/2013	<u>NOTICE OF DEFAULT</u>	
3	07/31/2013	PENDING, INSTITUTED	
2	07/31/2013	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	09/09/2013
1	07/31/2013	<u>FILED AND FEE</u>	

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

kk

Mailed: December 19, 2013

Opposition No. 91211830

Goya Foods, Inc.

v.

Jose Villar

On October 11, 2013, the Board sent a notice of default to applicant because no answer had been filed.

The record shows no response thereto.

Accordingly, judgment by default is hereby entered against applicant, the opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55, and Trademark Rule 2.106(a).

*By the Trademark Trial  
and Appeal Board*



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# DON GOYO

<b>Word Mark</b>	DON GOYO
<b>Goods and Services</b>	(ABANDONED) IC 034. US 002 008 009 017. G & S: Cigars. FIRST USE: 19870909. FIRST USE IN COMMERCE: 19870909
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	85581356
<b>Filing Date</b>	March 27, 2012
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	April 2, 2013
<b>Owner</b>	(APPLICANT) Villar, Jose INDIVIDUAL UNITED STATES 7060 S.w. 156 ct. Miami FLORIDA 33193
<b>Attorney of Record</b>	Raj Abhyanker
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Other Data</b>	The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	February 5, 2014

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**United States Patent and Trademark Office**[Home](#) [Site Index](#) [Search](#) [Guides](#) [Contacts](#) [eBusiness](#) [eBiz alerts](#) [News](#) [Help](#)**TTABVue. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91205374**Filing Date:** 05/30/2012**Status:** Terminated**Status Date:** 07/30/2014**General Contact Number:** 571-272-8500**Interlocutory Attorney:** JENNIFER KRISP**Paralegal Name:** NICOLE M THIER**Defendant****Name:** KLP & JGP Corp**Correspondence:** WILLIAM R GRAEFE JR  
FISHER ZUCKER LLC  
21 SOUTH 21ST STREET  
PHILADELPHIA, PA 19103  
UNITED STATES  
bgraefe@fisherzucker.com  
Phone: 215-825-3100**Serial #:** 85191064Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GO YO!**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L BAKER  
BAKER AND RANNELLS PA  
100 SEAVIEW DRIVE, SUITE 102  
RARITAN, NJ 08869  
UNITED STATES  
officeactions@br-tmlaw.com, ram@br-tmlaw.com,  
k.hnasko@br-tmlaw.com, r.mcgonogle@br-  
tmlaw.com  
Phone: 908-722-5640**Mark:** GOYA**Serial #:** 78004128      Application File      Assignment      **Registration** 2502127  
#:**Application Status:** Renewed**Mark:** GOYA**Serial #:** 73485909      Application File      Assignment      **Registration** 1354559  
#:**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** 72160704      Application File      Assignment      **Registration** 764033  
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**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 78451791      Application File      Assignment      **Registration** 3001516  
#:

**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** 72322981      Application File      Assignment      **Registration** 942879  
#:

**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** 74316336      Application File      Assignment      **Registration** 1859228  
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**Application Status:** Renewed**Mark:** JOYAS DE GOYA

**Serial #:** 74316337      Application File      Assignment      **Registration** 1860499  
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**Application Status:** Renewed**Mark:** JOYAS DE GOYA

**Serial #:** 74144498      Application File      Assignment      **Registration** 1689199  
#:

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 77421878      Application File      Assignment      **Registration** 3640777  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** 77630588      Application File      Assignment      **Registration** 3654004  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA LATIN CAFÉ

**Serial #:** 77539854      Application File      Assignment      **Registration** 3570054  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged

**Mark: GOYA**

**Serial #:** 77904649      Application File      Assignment      **Registration** 3825092  
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**Application Status:** Registered**Mark: GOYA**

**Serial #:** 74084484      Application File      Assignment      **Registration** 1695011  
#:

**Application Status:** Renewed**Mark: GOYA**

**Serial #:** 72429883      Application File      Assignment      **Registration** 962193  
#:

**Application Status:** Renewed**Mark: GOYA**

**Serial #:** 73405064      Application File      Assignment      **Registration** 1283430  
#:

**Application Status:** Renewed**Mark: GOYA**

**Serial #:** 76267384      Application File      Assignment      **Registration** 2653723  
#:

**Application Status:** Renewed**Mark: GOYA****Prosecution History**

#	Date	History Text	Due Date
26	07/30/2014	TERMINATED	
<u>25</u>	07/30/2014	<u>BD DECISION: DISMISSED W/O PREJ</u>	
<u>24</u>	07/28/2014	<u>W/DRAW OF APPLICATION W/ CONSENT</u>	
<u>23</u>	07/15/2014	<u>P OPP/RESP TO MOTION</u>	
<u>22</u>	06/28/2014	<u>SUSP PEND DISP OF OUTSTNDNG MOT</u>	
<u>21</u>	06/25/2014	<u>D MOT FOR INVOLUNTARY DISMISSAL</u>	
<u>20</u>	04/03/2014	<u>SUSPENDED</u>	
<u>19</u>	04/03/2014	<u>P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS</u>	
<u>18</u>	02/03/2014	<u>SUSPENDED</u>	
<u>17</u>	02/03/2014	<u>D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS</u>	
<u>16</u>	12/19/2013	<u>SUSPENDED</u>	
<u>15</u>	12/19/2013	<u>P MOT FOR EXT W/ CONSENT</u>	
<u>14</u>	10/22/2013	<u>EXTENSION OF TIME GRANTED</u>	
<u>13</u>	10/22/2013	<u>P MOT FOR EXT W/ CONSENT</u>	
<u>12</u>	08/27/2013	<u>EXTENSION OF TIME GRANTED</u>	
<u>11</u>	08/27/2013	<u>P MOT FOR EXT W/ CONSENT</u>	
<u>10</u>	08/22/2013	<u>P NOTICE OF TAKING TESTIMONY</u>	

- 9 03/25/2013 EXTENSION OF TIME GRANTED
- 8 03/25/2013 P MOT FOR EXT W/ CONSENT
- 7 10/02/2012 PROCEEDINGS RESUMED
- 6 08/21/2012 SUSPENDED PENDING DISP OF OUTSTNDNG MOT
- 5 08/17/2012 P'S MOTION TO STRIKE
- 4 07/10/2012 ANSWER
- 3 05/31/2012 PENDING, INSTITUTED
- 2 05/31/2012 NOTICE AND TRIAL DATES SENT; ANSWER DUE: 07/10/2012
- 1 05/30/2012 FILED AND FEE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

dmd

Mailed: July 30, 2014

Opposition No. 91205374

Goya Foods, Inc.

v.

KLP & JGP Corp

**By the Trademark Trial and Appeal Board:**

On July 28, 2014, applicant filed an abandonment of its application Serial No. 85191064, with opposer's written consent.

In view thereof, application Serial No. 85191064 stands abandoned, and the opposition is dismissed without prejudice.<sup>1</sup> See Trademark Rule 2.135.

---

<sup>1</sup> In view of the abandonment of the application involved herein, and the dismissal of the instant proceeding, all outstanding matters are deemed moot



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**Word Mark** GO YO!  
**Goods and Services** (ABANDONED) IC 030. US 046. G & S: Frozen yogurt. FIRST USE: 20100610. FIRST USE IN COMMERCE: 20100610  
**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  
 05.03.25 - Leaf, single; Other leaves  
**Serial Number** 85191064  
**Filing Date** December 6, 2010  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** January 31, 2012  
**Owner** (APPLICANT) KLP & JGP CORP CORPORATION FLORIDA 1000 N. Congress Avenue Boyton Beach FLORIDA 33426  
**Attorney of Record** Lane J. Fisher  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the stylized wording "GO YO!". A leaf image appears over the "O" in "GO". The "G" and "Y" are capitalized.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** July 30, 2014

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System**

v1.9

**Opposition****Number:** 91205036**Filing Date:** 05/02/2012**Status:** Terminated**Status Date:** 11/20/2012**General Contact Number:** 571-272-8500**Interlocutory Attorney:** JENNIFER KRISP**Paralegal Name:** ROCHELLE L ADAMS**Defendant****Name:** Gaya Minerals Limited**Correspondence:** WAHEEDAN JARIWALLA  
29 CARLTON CRESCENT  
SOUTHAMPTON SO152EW,  
UNITED KINGDOM  
waheedan@jariwalla.com  
Phone: +44 2380 23597**Serial #:** 85456190Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GAYA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L BAKER  
BAKER AND RANNELLS PA  
575 ROUTE 28 , SUITE 102  
RARITAN, NJ 08869  
UNITED STATES  
officeactions@br-tmlaw.com,k.hnasko@br-  
tmlaw.com  
Phone: 908-722-5640**Serial #:** 75321229Application FileAssignment**Registration** 2786688  
#:**Application Status:** Renewed**Mark:** GOYA**Serial #:** 72429883Application FileAssignment**Registration** 962193  
#:**Application Status:** Renewed**Mark:** GOYA**Serial #:** 72322981Application FileAssignment**Registration** 942879  
#:

**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [72441391](#)      [Application File](#)      [Assignment](#)      **Registration #:** [966178](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [72160704](#)      [Application File](#)      [Assignment](#)      **Registration #:** [764033](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [73171616](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1122501](#)

**Application Status:** Renewed**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** [73405064](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1283430](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [73485909](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1354559](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [73564116](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1395064](#)

**Application Status:** Renewed**Mark:** 'GOYA OH BOY-A'

**Serial #:** [73738136](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1525945](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [73739165](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1917838](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [73792351](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1621463](#)

**Application Status:** Renewed**Mark:** SAZON GOYA

**Serial #:** 74084484      Application File      Assignment      **Registration** 1695011  
#:

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 74117530      Application File      Assignment      **Registration** 1739172  
#:

**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** 74177006      Application File      Assignment      **Registration** 1774726  
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**Application Status:** Renewed**Mark:** GO GOYA

**Serial #:** 85304075      Application File      Assignment      **Registration** 4128040  
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**Application Status:** Registered**Mark:** GOYA

**Serial #:** 85975977      Application File      Assignment      **Registration** 4097241  
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**Application Status:** Registered**Mark:** LA COCINA GOYA

**Serial #:** 85975976      Application File      Assignment      **Registration** 4097240  
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**Application Status:** Registered**Mark:** LA COCINA GOYA

**Serial #:** 78958624      Application File      Assignment      **Registration** 3593247  
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**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** 78701470      Application File      Assignment      **Registration** 3210454  
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**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** 78451791      Application File      Assignment      **Registration** 3001516  
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**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** 78004128    Application File    Assignment    **Registration** 2502127  
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**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 78448554    Application File    Assignment    **Registration** 3532388  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYO

**Serial #:** 78349028    Application File    Assignment    **Registration** 2980916  
#:

**Application Status:** Section 8 - Accepted**Mark:** FRANCISCO GOYA

**Serial #:** 78219413    Application File    Assignment    **Registration** 2797941  
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**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** 78199916    Application File    Assignment    **Registration** 2874334  
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**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 78199907    Application File    Assignment    **Registration** 2866597  
#:

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 77904649    Application File    Assignment    **Registration** 3825092  
#:

**Application Status:** Registered**Mark:** GOYA

**Serial #:** 77630588    Application File    Assignment    **Registration** 3654004  
#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA LATIN CAFÉ

**Serial #:** 77539854    Application File    Assignment    **Registration** 3570054

#:

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** 77421878      [Application File](#)      [Assignment](#)      **Registration #:** 3640777

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** 77054508      [Application File](#)      [Assignment](#)      **Registration #:** 3395462

**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** 76267384      [Application File](#)      [Assignment](#)      **Registration #:** 2653723

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 75887828      [Application File](#)      [Assignment](#)      **Registration #:** 2423267

**Application Status:** Renewed**Mark:** LA GRAN FAMILIA GOYA

**Serial #:** 75867700      [Application File](#)      [Assignment](#)      **Registration #:** 2735075

**Application Status:** Renewed**Mark:** LA COCINA GOYA

**Serial #:** 75312802      [Application File](#)      [Assignment](#)      **Registration #:** 2225196

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 75312801      [Application File](#)      [Assignment](#)      **Registration #:** 2225195

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 75312800      [Application File](#)      [Assignment](#)      **Registration #:** 2183842

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 75037932    Application File    Assignment    **Registration** 2155281  
#:

**Application Status:** Renewed

**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** 75037926    Application File    Assignment    **Registration** 2155280  
#:

**Application Status:** Renewed

**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** 75037924    Application File    Assignment    **Registration** 2169948  
#:

**Application Status:** Renewed

**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** 74144498    Application File    Assignment    **Registration** 1689199  
#:

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** 74316340    Application File    Assignment    **Registration** 1857320  
#:

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** 74316337    Application File    Assignment    **Registration** 1860499  
#:

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** 74316336    Application File    Assignment    **Registration** 1859228  
#:

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

### Prosecution History

#	Date	History Text	Due Date
9	11/20/2012	TERMINATED	
8	11/20/2012	<u>BOARD'S DECISION: SUSTAINED</u>	
7	11/19/2012	<u>WITHDRAWAL OF APPLICATION</u>	
6	07/19/2012	<u>MOTION GRANTED; ANSWER ACCEPTED</u>	
5	06/19/2012	<u>D'S MOTION FOR AN EXTENSION OF TIME</u>	
4	06/19/2012	<u>ANSWER</u>	
3	05/04/2012	PENDING, INSTITUTED	
2	05/04/2012	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	06/13/2012
1	05/02/2012	<u>FILED AND FEE</u>	

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

RA

Mailed: November 20, 2012

Opposition No. 91205036

Goya Foods, Inc.

v.

Gaya Minerals Limited

On November 19, 2012, applicant filed an abandonment of its application Serial No. 85456190.

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

*By the Trademark Trial  
and Appeal Board*

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# GAYA

<b>Word Mark</b>	GAYA
<b>Goods and Services</b>	(ABANDONED) IC 003. US 001 004 006 050 051 052. G & S: Make-up; cosmetics
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	85456190
<b>Filing Date</b>	October 26, 2011
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	April 3, 2012
<b>Owner</b>	(APPLICANT) Gaya Minerals Limited private limited company ISRAEL Aba Even 18 Hertzeliya Pituach ISRAEL
<b>Attorney of Record</b>	Waheedan Jariwalla
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	November 20, 2012

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System**

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**Opposition****Number:** 91204896**Filing Date:** 04/25/2012**Status:** Terminated**Status Date:** 11/07/2012**General Contact Number:** 571-272-8500**Interlocutory Attorney:** MARY CATHERINE FAINT**Paralegal Name:** MILLICENT CANADY**Defendant****Name:** Keith Teboul, Alvaro Goya and Francisco Goya**Correspondence:** ROBERT CROTEAU  
205 E ANAPAMU STREET  
SANTA BARBARA, CA 93101  
UNITED STATES  
RobCroteauAttorney@gmail.com  
Phone: 805-965-7014**Serial #:** 85210331Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L BAKER  
BAKER and RANNELLS PA  
575 ROUTE SUITE 102  
RARITAN, NJ 08869  
UNITED STATES  
r.mcgonigle@br-tmlaw.com, s.baker@br-  
tmlaw.com  
Phone: 908-722-5640**Serial #:** 78958624Application FileAssignment**Registration #:** 3593247**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA**Serial #:** 75321229Application FileAssignment**Registration #:** 2786688**Application Status:** Renewed**Mark:** GOYA**Serial #:** 78199907Application FileAssignment**Registration #:** 2866597

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [78219413](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2797941](#)

**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** [77904649](#)    [Application File](#)    [Assignment](#)    **Registration #:** [3825092](#)

**Application Status:** Registered**Mark:** GOYA

**Serial #:** [74144498](#)    [Application File](#)    [Assignment](#)    **Registration #:** [1689199](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [72429883](#)    [Application File](#)    [Assignment](#)    **Registration #:** [962193](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [73405064](#)    [Application File](#)    [Assignment](#)    **Registration #:** [1283430](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [76267384](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2653723](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [85304075](#)    [Application File](#)    [Assignment](#)    **Registration #:** [4128040](#)

**Application Status:** Registered**Mark:** GOYA

**Serial #:** [77630588](#)    [Application File](#)    [Assignment](#)    **Registration #:** [3654004](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77421878](#)    [Application File](#)    [Assignment](#)    **Registration #:** [3640777](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** 75887828    Application File    Assignment    **Registration** 2423267  
**#:**

**Application Status:** Renewed**Mark:** LA GRAN FAMILIA GOYA**Prosecution History**

#	Date	History Text	Due Date
12	11/07/2012	TERMINATED	
<u>11</u>	11/07/2012	<u>BD'S DECISION: DISMISSED W/O PREJUDICE</u>	
<u>10</u>	10/01/2012	<u>WITHDRAWAL OF APPLICATION</u>	
<u>9</u>	08/03/2012	<u>EXTENSION OF TIME GRANTED</u>	
<u>8</u>	08/03/2012	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
<u>7</u>	06/14/2012	<u>BOARD'S COMMUNICATION</u>	
<u>6</u>	05/29/2012	<u>D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY</u>	
<u>5</u>	05/29/2012	<u>EXTENSION OF TIME GRANTED</u>	
<u>4</u>	05/29/2012	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
<u>3</u>	04/25/2012	PENDING, INSTITUTED	
<u>2</u>	04/25/2012	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	06/04/2012
<u>1</u>	04/25/2012	<u>FILED AND FEE</u>	

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mc

Mailed: November 7, 2012

Opposition No. 91204896

Goya Foods, Inc.

v.

Keith Teboul, Alvaro Goya  
and Francisco Goya

On October 1, 2012, the parties filed applicant's abandonment of its application Serial No. 85210331, with opposer's written consent, and opposer's withdrawal of opposition without prejudice.

In view thereof, application Serial No. 85210331 stands abandoned, and the opposition is dismissed without prejudice. See Trademark Rules 2.106(c) and 2.135.<sup>1</sup>

*By the Trademark Trial  
and Appeal Board*

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<sup>1</sup>The Board notes that applicant failed to include proof of service of a copy of its October 1, 2012 motion on opposer, as required by Trademark Rule 2.119(a). To expedite this matter, opposer is directed to the following URL where it may view a copy of said motion:

<http://ttabvue.uspto.gov/ttabvue/v?pno=91204896&pty=OPP&eno=10>

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# Goya

**Word Mark** GOYA

**Goods and Services** (ABANDONED) IC 028. US 022 023 038 050. G & S: Windsurfing boards, windsurfing booms, windsurfing masts, windsurfing fins and windsurfing harnesses. FIRST USE: 19940801. FIRST USE IN COMMERCE: 19940801

**Standard Characters Claimed**

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

**Serial Number** 85210331

**Filing Date** January 4, 2011

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** December 27, 2011

**Owner** (APPLICANT) Teboul, Keith INDIVIDUAL UNITED STATES P.O. Box 882 Haiku HAWAII 96708  
 (APPLICANT) Goya, Alvaro INDIVIDUAL UNITED STATES P.O. Box 882 Haiku HAWAII 96708  
 (APPLICANT) Goya, Francisco INDIVIDUAL UNITED STATES P.O. Box 882 Haiku HAWAII 96708

**Attorney of Record** Robert Croteau

**Prior Registrations** 2980916

**Type of Mark** TRADEMARK

**Register** PRINCIPAL-2(F)

**Live/Dead  
Indicator** DEAD

**Abandonment  
Date** November 7, 2012

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**Opposition****Number:** 91201685**Filing Date:** 09/20/2011**Status:** Terminated**Status Date:** 12/07/2011**General Contact Number:** 571-272-8500**Interlocutory Attorney:** JENNIFER KRISP**Paralegal Name:** VERONICA P WHITE**Defendant****Name:** Boundary Waters Brands, LLC**Correspondence:** TARA J ANDERSONFAFINSKI MARK & JOHNSON PA  
775 PRAIRIE CENTER DRIVE, SUITE 400  
EDEN PRAIRIE, MN 55344-7322  
UNITED STATES  
tara.anderson@fmjlaw.com  
Phone: 952-995-9500**Serial #:** 85305128Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** JOYA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** LINDA KURTHBAKER & RANNELLS PA  
575 ROUTE 28, SUITE 102  
RARITAN, NJ 08869  
UNITED STATES  
officeactions@br-tmlaw.com,k.hnasko@br-  
tmlaw.com  
Phone: 908-722-5640**Serial #:** 74316337Application FileAssignment**Registration #:** 1860499**Application Status:** Renewed**Mark:** JOYAS DE GOYA**Serial #:** 74316336Application FileAssignment**Registration #:** 1859228**Application Status:** Renewed**Mark:** JOYAS DE GOYA**Serial #:** 74316340Application FileAssignment**Registration #:** 1857320

#:

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [71646179](#)      [Application File](#)      [Assignment](#)      **Registration #:** [622395](#)

**Application Status:** Expired  
**Mark:** GOYA

**Serial #:** [71667185](#)      [Application File](#)      [Assignment](#)      **Registration #:** [625975](#)

**Application Status:** Expired  
**Mark:** GOYA

**Serial #:** [71696268](#)      [Application File](#)      [Assignment](#)      **Registration #:** [635283](#)

**Application Status:** Expired  
**Mark:** GOYA

**Serial #:** [72160704](#)      [Application File](#)      [Assignment](#)      **Registration #:** [764033](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [72429883](#)      [Application File](#)      [Assignment](#)      **Registration #:** [962193](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [73487439](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1349891](#)

**Application Status:** Cancelled - Section 8  
**Mark:** GOYA

**Serial #:** [73485909](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1354559](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [74144498](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1689199](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 74117530

Application File

Assignment

**Registration** 1739172

**#:**

**Application Status:** Cancelled - Section 8

**Mark:** GOYA

**Prosecution History**

#	Date	History Text	Due Date
6	12/07/2011	TERMINATED	
5	12/07/2011	<u>BOARD'S DECISION: SUSTAINED</u>	
4	11/03/2011	<u>P'S MOTION FOR DEFAULT JUDGEMENT</u>	
3	09/20/2011	PENDING, INSTITUTED	
2	09/20/2011	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	10/30/2011
1	09/20/2011	<u>FILED AND FEE</u>	

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UNITED STATES PATENT AND TRADEMARK OFFICE  
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P.O. Box 1451  
Alexandria, VA 22313-1451

nmt

Mailed: December 7, 2011

Opposition No. 91201685

Goya Foods, Inc.

v.

Boundary Waters Brands, LLC

Answer was due on October 30, 2011. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed November 3, 2011, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby

---

<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

*By the Trademark Trial  
and Appeal Board*



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**JOYA**

**Word Mark** JOYA  
**Translations** The English translation of "JOYA" is "jewel".  
**Goods and Services** (ABANDONED) IC 032. US 045 046 048. G & S: Soft drinks, namely, sodas  
**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 85305128  
**Filing Date** April 26, 2011  
**Current Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** August 23, 2011  
**Owner** (APPLICANT) Boundary Waters Brands, LLC LIMITED LIABILITY COMPANY MINNESOTA 1921 Ewing Avenue South Minneapolis MINNESOTA 55416  
**Attorney of Record** Tara J. Anderson  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** December 7, 2011

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**Opposition****Number:** 91195676**Filing Date:** 07/15/2010**Status:** Terminated**Status Date:** 10/05/2010**General Contact Number:** 571-272-8500**Interlocutory Attorney:** YONG OH (RICHARD) KIM**Paralegal Name:** NICOLE M THIER**Defendant****Name:** John Edward Denn**Correspondence:** JOHN EDWARD DENN  
5317 MIRROR LAKES DR  
EDINA, MN 55436-2051  
UNITED STATES  
johndenn@me.com**Serial #:** 77917944Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYAADI!**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** STEPHEN L. BAKER  
BAKER & RANNELLS, PA  
575 ROUTE 28, SUITE 102  
RARITAN, NJ 08826  
UNITED STATES  
officeactions@br-tmlaw.com,k.hnasko@br-  
tmlaw.com,l.kurth@br-tmlaw.com  
Phone: 908-722-5640**Serial #:** 73405064Application FileAssignment**Registration** 1283430  
#:**Application Status:** Renewed**Mark:** GOYA**Serial #:** 77228588Application FileAssignment**Registration** 4019709  
#:**Application Status:** Registered**Mark:** GOYAVERA**Serial #:** 77223689Application FileAssignment**Registration** 4019708  
#:**Application Status:** Registered

**Mark:** GOYABERA

**Serial #:** [85041442](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4462955](#)

**Application Status:** Registered**Mark:** GOYA LA COCINA

**Serial #:** [85004980](#)      [Application File](#)      [Assignment](#)      **Registration #:** [4462937](#)

**Application Status:** Registered**Mark:** LA COCINA GOYA

**Serial #:** [78958624](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3593247](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [78701470](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3210454](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [78219413](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2797941](#)

**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** [78448554](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3532388](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYO

**Serial #:** [78451791](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3001516](#)

**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [78199916](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2874334](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [78199910](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2797713](#)

**Application Status:** Cancelled - Section 8

**Mark:** GOYA

**Serial #:** [78199907](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2866597](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [78004128](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2502127](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [77904649](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3825092](#)

**Application Status:** Registered**Mark:** GOYA

**Serial #:** [77630588](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3654004](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77539854](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3570054](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [77527320](#)      [Application File](#)      [Assignment](#)

**Application Status:** Abandoned - No Statement Of Use Filed**Mark:** GOYA FRUITOS

**Serial #:** [77115993](#)      [Application File](#)      [Assignment](#)

**Application Status:** Abandoned - No Statement Of Use Filed**Mark:** GOYA ON THE GO

**Serial #:** [77421878](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3640777](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [77054508](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3395462](#)

**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** [76267384](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2653723](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [75867700](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2735075](#)

**Application Status:** Renewed  
**Mark:** LA COCINA GOYA

**Serial #:** [75887828](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2423267](#)

**Application Status:** Renewed  
**Mark:** LA GRAN FAMILIA GOYA

**Serial #:** [75321229](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2786688](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [75312802](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2225196](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [75312801](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2225195](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [75312800](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2183842](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [74316340](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1857320](#)

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [74316336](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1859228](#)

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** 74177006      Application File      Assignment      **Registration** 1774726  
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**Application Status:** Renewed  
**Mark:** GO GOYA

**Serial #:** 74144498      Application File      Assignment      **Registration** 1689199  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 74117530      Application File      Assignment      **Registration** 1739172  
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**Application Status:** Cancelled - Section 8  
**Mark:** GOYA

**Serial #:** 74084484      Application File      Assignment      **Registration** 1695011  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73738136      Application File      Assignment      **Registration** 1525945  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73711658      Application File      Assignment      **Registration** 1515637  
#:

**Application Status:** Renewed  
**Mark:** GOYO

**Serial #:** 73739165      Application File      Assignment      **Registration** 1917838  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73564116      Application File      Assignment      **Registration** 1395064  
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**Application Status:** Renewed  
**Mark:** 'GOYA OH BOY-A'

**Serial #:** 72441391      Application File      Assignment      **Registration** 966178  
#:

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [72429883](#)    [Application File](#)    [Assignment](#)    **Registration #:** [962193](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [72401524](#)    [Application File](#)    [Assignment](#)    **Registration #:** [944183](#)

**Application Status:** Renewed**Mark:** GOYITA

**Serial #:** [72322981](#)    [Application File](#)    [Assignment](#)    **Registration #:** [942879](#)

**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [72160704](#)    [Application File](#)    [Assignment](#)    **Registration #:** [764033](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [73792351](#)    [Application File](#)    [Assignment](#)    **Registration #:** [1621463](#)

**Application Status:** Renewed**Mark:** SAZON GOYA**Prosecution History**

#	Date	History Text	Due Date
6	10/05/2010	TERMINATED	
5	10/05/2010	<u>BOARD'S DECISION: SUSTAINED</u>	
4	08/30/2010	<u>P'S MOTION FOR DEFAULT JUDGEMENT</u>	
3	07/15/2010	PENDING, INSTITUTED	
2	07/15/2010	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	08/24/2010
1	07/15/2010	<u>FILED AND FEE</u>	

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Search:

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

MT

Mailed: October 5, 2010

Opposition No. 91195676

Goya Foods, Inc.

v.

John Edward Denn

Answer was due on August 24, 2010. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed August 30, 2010, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby

---

<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

*By the Trademark Trial  
and Appeal Board*

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**Record 1 out of 1**[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*( Use the "Back" button of the Internet Browser to return to TESS)***GOyaadi!****Word Mark** GOYAADI!**Goods and Services** (ABANDONED) IC 025. US 022 039. G & S: Short-sleeved or long-sleeved t-shirts**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM**Serial Number** 77917944**Filing Date** January 22, 2010**Current Basis** 1B**Original Filing Basis** 1B**Published for Opposition** June 15, 2010**Owner** (APPLICANT) Denn, John Edward INDIVIDUAL UNITED STATES 5317 Mirror Lakes Drive Edina MINNESOTA 55436**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of letters in a typewriter font spelling out "GOyaadi" with an exclamation point (!) at the end. The "G" and the "O" are capitalized. All other letters are lowercase with no spaces between any of the letters.**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** DEAD**Abandonment Date** October 5, 2010[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSER DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)

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**TTABVue. Trademark Trial and Appeal Board Inquiry System**

v1.9

**Opposition****Number:** 91192944**Filing Date:** 12/09/2009**Status:** Terminated**Status Date:** 01/20/2010**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ANGELA LYKOS**Paralegal Name:** ROCHELLE L ADAMS**Defendant****Name:** International Harvest, Inc.**Correspondence:** STEPHEN R. BARRESEDilworth & Barrese  
333 Earle Ovington Blvd  
Uniondale, NY 11797-2511  
UNITED STATES**Serial #:** 77771265Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GO YO OAT**Plaintiff****Name:** GOYA FOODS, INC.**Correspondence:** Stephen L. BakerBaker and Rannells, PA  
575 Route 28, Suite 102  
Raritan, NJ 08869  
UNITED STATES  
s.baker@br-tmlaw.com,n.friedman@br-  
tmlaw.com,d.comunale@br-  
tmlaw.com,K.Hnasko@br-  
tmlaw.com,officeactions@br-tmlaw.com  
Phone: 908-722-5640**Serial #:** 78958624Application FileAssignment**Registration #:** 3593247**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA**Serial #:** 78701470Application FileAssignment**Registration #:** 3210454**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** [78448554](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3532388](#)

**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYO

**Serial #:** [78451791](#)      [Application File](#)      [Assignment](#)      **Registration #:** [3001516](#)

**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [78219413](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2797941](#)

**Application Status:** Cancelled - Section 8  
**Mark:** GOYA

**Serial #:** [78199916](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2874334](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78199910](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2797713](#)

**Application Status:** Cancelled - Section 8  
**Mark:** GOYA

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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78085519](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2837184](#)

**Application Status:** Cancelled - Section 8  
**Mark:** WHAT A WAY TO GOYA

**Serial #:** [78004128](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2502127](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [77115993](#)      [Application File](#)      [Assignment](#)

**Application Status:** Abandoned - No Statement Of Use Filed  
**Mark:** GOYA ON THE GO

**Serial #:** [77527320](#)      [Application File](#)      [Assignment](#)  
**Application Status:** Abandoned - No Statement Of Use Filed  
**Mark:** GOYA FRUTITOS

**Serial #:** [77630588](#)      [Application File](#)      [Assignment](#)      **Registration** [3654004](#)  
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**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA LATIN CAFÉ

**Serial #:** [77228588](#)      [Application File](#)      [Assignment](#)      **Registration** [4019709](#)  
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**Application Status:** Registered  
**Mark:** GOYAVERA

**Serial #:** [77223689](#)      [Application File](#)      [Assignment](#)      **Registration** [4019708](#)  
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**Application Status:** Registered  
**Mark:** GOYABERA

**Serial #:** [77539854](#)      [Application File](#)      [Assignment](#)      **Registration** [3570054](#)  
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**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [77421878](#)      [Application File](#)      [Assignment](#)      **Registration** [3640777](#)  
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**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [77054508](#)      [Application File](#)      [Assignment](#)      **Registration** [3395462](#)  
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**Application Status:** Cancelled - Section 8  
**Mark:** GOYA

**Serial #:** [76267384](#)      [Application File](#)      [Assignment](#)      **Registration** [2653723](#)  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [76043759](#)      [Application File](#)      [Assignment](#)      **Registration** [2762172](#)  
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**Application Status:** Cancelled - Section 8  
**Mark:** IT'S GOTTA BE GOYA

**Serial #:** 75867700      Application File      Assignment      **Registration** 2735075  
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**Application Status:** Renewed  
**Mark:** LA COCINA GOYA

**Serial #:** 75887828      Application File      Assignment      **Registration** 2423267  
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**Application Status:** Renewed  
**Mark:** LA GRAN FAMILIA GOYA

**Serial #:** 75321229      Application File      Assignment      **Registration** 2786688  
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**Application Status:** Renewed  
**Mark:** GOYA

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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 75312801      Application File      Assignment      **Registration** 2225195  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 75312800      Application File      Assignment      **Registration** 2183842  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 75037924      Application File      Assignment      **Registration** 2169948  
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**Application Status:** Renewed  
**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** 75037932      Application File      Assignment      **Registration** 2155281  
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**Application Status:** Renewed  
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**Serial #:** 75037926      Application File      Assignment      **Registration** 2155280  
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**Application Status:** Renewed  
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**Serial #:** 74316340      Application File      Assignment      **Registration** 1857320  
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**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** 74316337      Application File      Assignment      **Registration** 1860499  
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**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

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**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** 74177006      Application File      Assignment      **Registration** 1774726  
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**Application Status:** Renewed  
**Mark:** GO GOYA

**Serial #:** 74144498      Application File      Assignment      **Registration** 1689199  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 74117530      Application File      Assignment      **Registration** 1739172  
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**Application Status:** Cancelled - Section 8  
**Mark:** GOYA

**Serial #:** 74084484      Application File      Assignment      **Registration** 1695011  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73171616      Application File      Assignment      **Registration** 1122501  
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**Application Status:** Renewed  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** 73738136      Application File      Assignment      **Registration** 1525945  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [73711658](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1515637](#)

**Application Status:** Renewed

**Mark:** GOYO

**Serial #:** [73792351](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1621463](#)

**Application Status:** Renewed

**Mark:** SAZON GOYA

**Serial #:** [73739165](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1917838](#)

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [73564116](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1395064](#)

**Application Status:** Renewed

**Mark:** 'GOYA OH BOY-A'

**Serial #:** [73485909](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1354559](#)

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [73405064](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1283430](#)

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [72441391](#)      [Application File](#)      [Assignment](#)      **Registration #:** [966178](#)

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [72429883](#)      [Application File](#)      [Assignment](#)      **Registration #:** [962193](#)

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [72401524](#)      [Application File](#)      [Assignment](#)      **Registration #:** [944183](#)

**Application Status:** Renewed

**Mark:** GOYITA

**Serial #:** [72322981](#)    [Application File](#)    [Assignment](#)    **Registration #:** [942879](#)

**Application Status:** Renewed

**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [72160704](#)    [Application File](#)    [Assignment](#)    **Registration #:** [764033](#)

**Application Status:** Renewed

**Mark:** GOYA

### Prosecution History

#	Date	History Text	Due Date
6	01/20/2010	TERMINATED	
5	01/20/2010	<u>BOARD'S DECISION: SUSTAINED</u>	
4	01/15/2010	<u>WITHDRAWAL OF APPLICATION</u>	
3	12/09/2009	PENDING, INSTITUTED	
2	12/09/2009	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	01/18/2010
1	12/09/2009	<u>FILED AND FEE</u>	

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**Search:**

UNITED STATES PATENT AND TRADEMARK OFFICE  
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P.O. Box 1451  
Alexandria, VA 22313-1451

kk/Lykos

Mailed: January 20, 2010

Opposition No. 91192944

Goya Foods, Inc.

v.

International Harvest, Inc.

On January 15, 2010, applicant filed an abandonment of its application Serial No. 77771265 without prejudice.<sup>1</sup>

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and

---

<sup>1</sup> Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said motion is forwarded herewith to counsel for opposer. Strict compliance with Trademark Rule 2.119 is required by applicant in all future papers filed with the Board.

registration to applicant is refused.

*By the Trademark Trial  
and Appeal Board*

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# GO YO OAT

<b>Word Mark</b>	GO YO OAT
<b>Goods and Services</b>	(ABANDONED) IC 030. US 046. G & S: Oatmeal cookies
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77771265
<b>Filing Date</b>	June 30, 2009
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	November 17, 2009
<b>Owner</b>	(APPLICANT) International Harvest, Inc. CORPORATION NEW YORK 606 Franklin Ave. Mount Vernon NEW YORK 10550
<b>Attorney of Record</b>	Stephen R. Barrese
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "OAT" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	January 20, 2010

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91185335**Filing Date:** 07/22/2008**Status:** Terminated**Status Date:** 03/20/2009**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ANN LINNEHAN VOGLER**Paralegal Name:** VICTORIA VISTAUXX VON**Defendant Serial/Reg. No. also in terminated case(s):** 91187218**Defendant****Name:** Vincent + Sons Enterprises, Inc.**Correspondence:** VINCENT + SONS ENTERPRISES, INC.4723 SW 176TH TERRACE  
MIRAMAR, FL 33029  
UNITED STATES

Phone: 33029

**Serial #:** 77384071Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOVIA**Plaintiff****Name:** GOYA FOODS, INC.**Correspondence:** Stephen L. BakerBaker and Rannells, PA  
575 Route 28, Suite 102  
Raritan, NJ 08869  
UNITED STATES  
n.friedman@br-tmlaw.com, s.baker@br-  
tmlaw.com  
Phone: 908-722-5640**Serial #:** 78958624Application FileAssignment**Registration** 3593247  
#:**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA**Serial #:** 78701470Application FileAssignment**Registration** 3210454  
#:**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA78451791Application FileAssignment**Registration** 3001516

**Serial #:****#:****Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** 78219413    Application File    Assignment    **Registration** 2797941  
**#:**

**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** 78199916    Application File    Assignment    **Registration** 2874334  
**#:**

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 78199910    Application File    Assignment    **Registration** 2797713  
**#:**

**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** 78199907    Application File    Assignment    **Registration** 2866597  
**#:**

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 78085519    Application File    Assignment    **Registration** 2837184  
**#:**

**Application Status:** Cancelled - Section 8**Mark:** WHAT A WAY TO GOYA

**Serial #:** 78004128    Application File    Assignment    **Registration** 2502127  
**#:**

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** 77421878    Application File    Assignment    **Registration** 3640777  
**#:**

**Application Status:** Section 8 and 15 - Accepted and Acknowledged**Mark:** GOYA

**Serial #:** 77115993    Application File    Assignment

**Application Status:** Abandoned - No Statement Of Use Filed**Mark:** GOYA ON THE GO

**Serial #:** 77228588    Application File    Assignment    **Registration** 4019709

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**Application Status:** Registered**Mark:** GOYAVERA

**Serial #:** [77223689](#)    [Application File](#)    [Assignment](#)    **Registration #:** [4019708](#)

**Application Status:** Registered**Mark:** GOYABERA

**Serial #:** [77054508](#)    [Application File](#)    [Assignment](#)    **Registration #:** [3395462](#)

**Application Status:** Cancelled - Section 8**Mark:** GOYA

**Serial #:** [76267384](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2653723](#)

**Application Status:** Renewed**Mark:** GOYA

**Serial #:** [76043759](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2762172](#)

**Application Status:** Cancelled - Section 8**Mark:** IT'S GOTTA BE GOYA

**Serial #:** [75887828](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2423267](#)

**Application Status:** Renewed**Mark:** LA GRAN FAMILIA GOYA

**Serial #:** [75867700](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2735075](#)

**Application Status:** Renewed**Mark:** LA COCINA GOYA

**Serial #:** [75037924](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2169948](#)

**Application Status:** Renewed**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** [75037932](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2155281](#)

**Application Status:** Renewed**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** [75037926](#)    [Application File](#)    [Assignment](#)    **Registration** [2155280](#)  
**#:**

**Application Status:** Renewed

**Mark:** FOR BETTER MEALS TURN TO GOYA

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**Application Status:** Renewed

**Mark:** GOYA

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**Application Status:** Renewed

**Mark:** GOYA

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**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [75312800](#)    [Application File](#)    [Assignment](#)    **Registration** [2183842](#)  
**#:**

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [74316340](#)    [Application File](#)    [Assignment](#)    **Registration** [1857320](#)  
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**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** [74316337](#)    [Application File](#)    [Assignment](#)    **Registration** [1860499](#)  
**#:**

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** [74316336](#)    [Application File](#)    [Assignment](#)    **Registration** [1859228](#)  
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**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Serial #:** [74177006](#)    [Application File](#)    [Assignment](#)    **Registration** [1774726](#)  
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**Application Status:** Renewed

**Mark:** GO GOYA

**Serial #:** [74144498](#)   [Application File](#)   [Assignment](#)   **Registration #:** [1689199](#)

**Application Status:** Renewed

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**Serial #:** [74117530](#)   [Application File](#)   [Assignment](#)   **Registration #:** [1739172](#)

**Application Status:** Cancelled - Section 8

**Mark:** GOYA

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**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [73792351](#)   [Application File](#)   [Assignment](#)   **Registration #:** [1621463](#)

**Application Status:** Renewed

**Mark:** SAZON GOYA

**Serial #:** [73739165](#)   [Application File](#)   [Assignment](#)   **Registration #:** [1917838](#)

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [73738136](#)   [Application File](#)   [Assignment](#)   **Registration #:** [1525945](#)

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**Mark:** GOYA

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**Application Status:** Renewed

**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** 72441391    Application File    Assignment    **Registration** 966178  
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**Application Status:** Renewed

**Mark:** GOYITA

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**Application Status:** Renewed

**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** 72160704    Application File    Assignment    **Registration** 764033  
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**Application Status:** Renewed

**Mark:** GOYA

### Prosecution History

#	Date	History Text	Due Date
15	03/20/2009	TERMINATED	
<u>14</u>	03/20/2009	<u>BOARD'S DECISION: SUSTAINED</u>	
<u>13</u>	12/29/2008	<u>P'S MOTION FOR DEFAULT JUDGEMENT</u>	
<u>12</u>	11/21/2008	<u>RESPONSE DUE 30 DAYS (DUE DATE)</u>	12/21/2008
<u>11</u>	10/31/2008	<u>D'S REQUEST TO WITHDRAW AS ATTORNEY</u>	
<u>10</u>	10/30/2008	<u>EXTENSION OF TIME GRANTED</u>	
<u>9</u>	10/30/2008	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
<u>8</u>	10/08/2008	<u>D'S MOTION FOR AN EXTENSION OF TIME</u>	
<u>7</u>	10/01/2008	<u>EXTENSION OF TIME GRANTED</u>	
<u>6</u>	10/01/2008	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
<u>5</u>	09/02/2008	<u>EXTENSION OF TIME GRANTED</u>	
<u>4</u>	09/02/2008	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
<u>3</u>	07/22/2008	PENDING, INSTITUTED	
<u>2</u>	07/22/2008	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	08/31/2008

2/20/2016

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1 07/22/2008 FILED AND FEE

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

tlc

Mailed: March 20, 2009

Opposition No. 91185335

GOYA FOODS, INC.

v.

VINCENT + SONS ENTERPRISES,  
INC.

Answer was due on December 21, 2008. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed December 29, 2008, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby

---

<sup>1</sup>If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

*By the Trademark Trial  
and Appeal Board*

---

plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

**United States Patent and Trademark Office**

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

<b>Word Mark</b>	<b>GOVIA</b>
<b>Translations</b>	The wording "GOVIA" has no meaning in English.
<b>Goods and Services</b>	(ABANDONED) IC 029. US 046. G & S: Soybean oil; Corn oil; Tomato paste; Processed beans  (ABANDONED) IC 030. US 046. G & S: Rice; Processed wheat; Wheat flour; Corn flour; Corn meal; Corn starch; Sugar; Processed corn  (ABANDONED) IC 031. US 001 046. G & S: Fresh wheat; Raw wheat; Unprocessed wheat; Fresh beans; Raw beans; Fresh corn; Raw corn  (ABANDONED) IC 032. US 045 046 048. G & S: Fruit juices and fruit drinks; Soda pops; Non-alcoholic beverages, namely, carbonated beverages
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77384071
<b>Filing Date</b>	January 30, 2008
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	July 8, 2008
<b>Owner</b>	(APPLICANT) VINCENT & SONS ENTERPRISES, INC. CORPORATION FLORIDA 4723 SW 176th Terrace Miramar FLORIDA 33029

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator DEAD

Abandonment Date March 20, 2009

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## Opposition

**Number:** 91184568

**Filing Date:** 06/11/2008

**Status:** Terminated

**Status Date:** 09/03/2008

**General Contact Number:** 571-272-8500

**Interlocutory Attorney:** FRANCES S WOLFSON

**Paralegal Name:** JOI WILSON

### Defendant

**Name:** Cooperative Business International, Inc.

**Correspondence:** JASON H. FOSTER  
 KREMBLAS, FOSTER, PHILLIPS & POLLICK  
 7632 SLATE RIDGE BLVD  
 REYNOLDSBURG, OH 43068-8159  
 UNITED STATES  
 jfoster@ohiopatent.com

**Serial #:** 77380495

Application File

Assignment

**Application Status:** Abandoned - After Inter-Partes Decision

**Mark:** GAYO SUPREME

### Plaintiff

**Name:** Goya Foods, Inc.

**Correspondence:** John M. Rannells  
 Baker and Rannells PA  
 575 Route 28 Suite 102  
 Raritan, NJ 08869  
 UNITED STATES  
 jmr@br-tmlaw.com, officeactions@br-tmlaw.com  
 Phone: 908-722-5640

**Serial #:** 72160704

Application File

Assignment

**Registration #:** 764033

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** 74144498

Application File

Assignment

**Registration #:** 1689199

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** 72429883

Application File

Assignment

**Registration #:** 962193

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [73485909](#)    [Application File](#)    [Assignment](#)    **Registration #:** [1354559](#)  
**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78701470](#)    [Application File](#)    [Assignment](#)    **Registration #:** [3210454](#)  
**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** [75312800](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2183842](#)  
**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [72322981](#)    [Application File](#)    [Assignment](#)    **Registration #:** [942879](#)  
**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [72441391](#)    [Application File](#)    [Assignment](#)    **Registration #:** [966178](#)  
**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [73564116](#)    [Application File](#)    [Assignment](#)    **Registration #:** [1395064](#)  
**Application Status:** Renewed  
**Mark:** 'GOYA OH BOY-A'

**Serial #:** [73792351](#)    [Application File](#)    [Assignment](#)    **Registration #:** [1621463](#)  
**Application Status:** Renewed  
**Mark:** SAZON GOYA

**Serial #:** [74084484](#)    [Application File](#)    [Assignment](#)    **Registration #:** [1695011](#)  
**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [78004128](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2502127](#)  
**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [76267384](#)    [Application File](#)    [Assignment](#)    **Registration #:** [2653723](#)  
**Application Status:** Renewed  
**Mark:** GOYA

#### Prosecution History

#	Date	History Text	Due Date
6	09/03/2008	TERMINATED	
5	09/03/2008	<u>BOARD'S DECISION: SUSTAINED</u>	

2/20/2016

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<u>4</u>	08/01/2008	<u>P'S MOTION FOR DEFAULT JUDGEMENT</u>	
<u>3</u>	06/11/2008	PENDING, INSTITUTED	
<u>2</u>	06/11/2008	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	07/21/2008
<u>1</u>	06/11/2008	<u>FILED AND FEE</u>	

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

dmd

Mailed: September 3, 2008

Opposition No. 91184568

Goya Foods, Inc.

v.

Cooperative Business  
International, Inc.

Answer was due on July 21, 2008. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed August 1, 2008, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby

---

<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

*By the Trademark Trial  
and Appeal Board*

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plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.



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GAYO SUPREME

Word Mark	GAYO SUPREME
Goods and Services	(ABANDONED) IC 030. US 046. G & S: Coffee beans
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77380495
Filing Date	January 25, 2008
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	May 13, 2008
Owner	(APPLICANT) Cooperative Business International, Inc. CORPORATION DELAWARE 5898 Cleveland Avenue Columbus OHIO 43231
Attorney of Record	Jason H. Foster
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SUPREME" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	September 3, 2008

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System**

v1.9

**Opposition****Number:** 91184113**Filing Date:** 05/14/2008**Status:** Terminated**Status Date:** 01/24/2009**General Contact Number:** 571-272-8500**Interlocutory Attorney:** YONG OH (RICHARD) KIM**Paralegal Name:** LALITA GREENE**Defendant****Name:** TAMAGOYA CO., LTD.**Correspondence:** MARK S. BICKS  
ROYLANCE, ABRAMS, BERDO & GOODMAN  
1300 19TH Street, NW, Suite 600  
WASHINGTON, DC 20036-1649  
UNITED STATES

Phone: 202 659-9076

**Serial #:** 76654349Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** TAMAGOYA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** Stephen L. Baker  
Baker and Rannels, PA  
575 Route 28 Suite 102  
Raritan, NJ 08869  
UNITED STATES  
s.baker@br-tmlaw.com,n.friedman@br-  
tmlaw.com,d.comunale@br-  
tmlaw.com;K.Hnasko@br-  
tmlaw.com,officeactions@br-tmlaw.com  
Phone: 908-722-5640**Serial #:** 78451791Application FileAssignment**Registration** 3001516  
#:**Application Status:** Renewed**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD**Serial #:** 78085519Application FileAssignment**Registration** 2837184  
#:**Application Status:** Cancelled - Section 8**Mark:** WHAT A WAY TO GOYA

**Serial #:** 78004128      Application File      Assignment      **Registration** 2502127  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 75037932      Application File      Assignment      **Registration** 2155281  
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**Application Status:** Renewed  
**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** 76043759      Application File      Assignment      **Registration** 2762172  
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**Application Status:** Cancelled - Section 8  
**Mark:** IT'S GOTTA BE GOYA

**Serial #:** 72429883      Application File      Assignment      **Registration** 962193  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 74316336      Application File      Assignment      **Registration** 1859228  
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**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** 72441391      Application File      Assignment      **Registration** 966178  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 74177006      Application File      Assignment      **Registration** 1774726  
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**Application Status:** Renewed  
**Mark:** GO GOYA

**Serial #:** 75037924      Application File      Assignment      **Registration** 2169948  
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**Application Status:** Renewed  
**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** 78701470      Application File      Assignment      **Registration** 3210454  
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**Application Status:** Section 8 and 15 - Accepted and Acknowledged  
**Mark:** GOYA

**Serial #:** 78219413      Application File      Assignment      **Registration #:** 2797941

**Application Status:** Cancelled - Section 8

**Mark:** GOYA

**Serial #:** 78199916      Application File      Assignment      **Registration #:** 2874334

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** 78199910      Application File      Assignment      **Registration #:** 2797713

**Application Status:** Cancelled - Section 8

**Mark:** GOYA

**Serial #:** 78199907      Application File      Assignment      **Registration #:** 2866597

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** 75887828      Application File      Assignment      **Registration #:** 2423267

**Application Status:** Renewed

**Mark:** LA GRAN FAMILIA GOYA

**Serial #:** 75867700      Application File      Assignment      **Registration #:** 2735075

**Application Status:** Renewed

**Mark:** LA COCINA GOYA

**Serial #:** 76267384      Application File      Assignment      **Registration #:** 2653723

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** 75037926      Application File      Assignment      **Registration #:** 2155280

**Application Status:** Renewed

**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** 75321229      Application File      Assignment      **Registration #:** 2786688

**Application Status:** Renewed

**Mark:** GOYA

<b>Serial #:</b> <u>75312802</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>2225196</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>75312801</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>2225195</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>75312800</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>2183842</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>74316340</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1857320</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> JOYAS DE GOYA			
<b>Serial #:</b> <u>74144498</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1689199</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>74117530</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1739172</u> #:
<b>Application Status:</b> Cancelled - Section 8 <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>74084484</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1695011</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>74316337</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1860499</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> JOYAS DE GOYA			
<b>Serial #:</b> <u>73792351</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1621463</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> SAZON GOYA			

**Serial #:** 73739165      Application File      Assignment      **Registration** 1917838  
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**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73738136      Application File      Assignment      **Registration** 1525945  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73564190      Application File      Assignment      **Registration** 1407455  
#:

**Application Status:** Expired  
**Mark:** GOYA

**Serial #:** 73564116      Application File      Assignment      **Registration** 1395064  
#:

**Application Status:** Renewed  
**Mark:** 'GOYA OH BOY-A'

**Serial #:** 73485909      Application File      Assignment      **Registration** 1354559  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73405064      Application File      Assignment      **Registration** 1283430  
#:

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** 73171616      Application File      Assignment      **Registration** 1122501  
#:

**Application Status:** Renewed  
**Mark:** SI ES GOYA TIENE QUE SER BUENO

**Serial #:** 72322981      Application File      Assignment      **Registration** 942879  
#:

**Application Status:** Renewed  
**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** 72160704      Application File      Assignment      **Registration** 764033  
#:

**Application Status:** Renewed

**Mark: GOYA**

**Serial #:** 73711658      Application File      Assignment      **Registration** 1515637  
**#:**

**Application Status:** Renewed**Mark:** GOYO**Granted To Date:** 06/07/2008**Prosecution History**

#	Date	History Text	Due Date
14	01/24/2009	TERMINATED	
13	01/24/2009	<u>BOARD'S DECISION: SUSTAINED</u>	
12	12/19/2008	<u>WITHDRAWAL OF APPLICATION</u>	
11	12/29/2008	<u>P'S MOTION FOR DEFAULT JUDGEMENT</u>	
10	11/21/2008	<u>RESPONSE DUE 30 DAYS (DUE DATE)</u>	12/21/2008
9	07/29/2008	<u>CHANGE OF CORRESPONDENCE ADDRESS</u>	
8	07/22/2008	<u>P'S MOTION TO AMEND PLEADING/AMENDED PLEADING</u>	
7	06/30/2008	<u>AMENDED ANSWER</u>	
6	06/24/2008	<u>ANSWER</u>	
5	06/24/2008	<u>AMENDED PLEADINGS ACCEPTED. ANSWER DUE THIRTY DAYS; DATES RESET</u>	
4	05/27/2008	<u>P'S MOTION TO AMEND PLEADING/AMENDED PLEADING</u>	
3	05/15/2008	PENDING, INSTITUTED	
2	05/15/2008	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	06/24/2008
1	05/14/2008	<u>FILED AND FEE</u>	

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

kk

Mailed: January 24, 2009

Opposition No. 91184113

Goya Foods, Inc.

v.

TAMAGOYA CO., LTD.

On December 19, 2008, applicant filed an abandonment of its application Serial No. 76654349 without prejudice. The abandonment was not served on opposer.<sup>1</sup>

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

---

<sup>1</sup> Future filings must comply with the service requirements in Trademark Rule 2.119 and TBMP Section 113 (2d ed. rev. 2004). The Board may decline to consider future non-compliant filings.

*By the Trademark Trial  
and Appeal Board*



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TAMAGOYA

玉子屋

<b>Word Mark</b>	TAMAGOYA
<b>Translations</b>	The non-Latin characters in the mark transliterate to "TAMAGOYA" and this means Eggs Shop in English. The English translation of the word "TAMAGOYA" in the mark is Eggs Shop.
<b>Goods and Services</b>	(ABANDONED) IC 029. US 046. G & S: BENTO, NAMELY, JAPANESE FOOD CONSISTING OF MEAT VEGETABLES AND RICE PREPARED IN A BOX  (ABANDONED) IC 030. US 046. G & S: PREPARED MEALS CONSISTING PRIMARILY OF PASTA OR RICE; SANDWICHES; SUSHI, HAMBURGER SANDWICHES; PIZZA; HOT DOG SANDWICHES; MEAT PIES; PASTRIES; AND RAVIOLI  (ABANDONED) IC 043. US 100 101. G & S: CATERING
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.15.03 - Chickens, hens, roosters; Chicks; Hens; Rooster 03.15.24 - Stylized birds and bats 08.13.02 - Eggs, in shell 28.01.03 - Asian characters; Chinese characters; Japanese characters
<b>Serial Number</b>	76654349
<b>Filing Date</b>	January 31, 2006
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	April 8, 2008
<b>Owner</b>	(APPLICANT) TAMAGOYA CO., LTD. CORPORATION JAPAN No. 44-7, Chuo 8-Chome Ohta-Ku, Tokyo JAPAN
<b>Attorney of Record</b>	Mark S. Bicks

**Description of Mark**      Color is not claimed as a feature of the mark.  
**Type of Mark**      TRADEMARK. SERVICE MARK  
**Register**            PRINCIPAL  
**Live/Dead Indicator**      DEAD  
**Abandonment Date**      January 24, 2009

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## Opposition

**Number:** 91180036

**Filing Date:** 10/12/2007

**Status:** Terminated

**Status Date:** 07/31/2008

**General Contact Number:** 571-272-8500

**Interlocutory Attorney:** JENNIFER KRISP

**Paralegal Name:** ROCHELLE L ADAMS

### Defendant

**Name:** GoYin, LLC

**Correspondence:** Gary P. Oakeson

Thorpe North & Western LLP  
8180 South 700 East  
Sandy, UT 84070  
UNITED STATES

Phone: 801-566-6633

**Serial #:** 77050075

Application File

Assignment

**Application Status:** Abandoned - No Statement Of Use Filed

**Mark:** GOYIN

**Serial #:** 77050086

Application File

Assignment

**Application Status:** Abandoned - No Statement Of Use Filed

**Mark:** GOYIN

### Plaintiff

**Name:** Goya Foods, Inc.

**Correspondence:** Stephen L. Baker

Baker and Rannells, PA  
575 Route 28, Suite 102  
Raritan, NJ 08869  
UNITED STATES  
s.baker@br-tmlaw.com,n.friedman@br-  
tmlaw.com,d.comunale@br-  
tmlaw.com,K.Hnasko@br-  
tmlaw.com,officeactions@br-tmlaw.com  
Phone: 908-722-5640

**Serial #:** 78701470

Application File

Assignment

**Registration** 3210454

**#:**

**Application Status:** Section 8 and 15 - Accepted and Acknowledged

**Mark:** GOYA

**Serial #:** [78451791](#)    [Application File](#)    [Assignment](#)    **Registration** [3001516](#)  
#:

**Application Status:** Renewed

**Mark:** ...IF IT IS GOYA IT HAS TO BE GOOD

**Serial #:** [78219413](#)    [Application File](#)    [Assignment](#)    **Registration** [2797941](#)  
#:

**Application Status:** Cancelled - Section 8

**Mark:** GOYA

**Serial #:** [78199916](#)    [Application File](#)    [Assignment](#)    **Registration** [2874334](#)  
#:

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [78199910](#)    [Application File](#)    [Assignment](#)    **Registration** [2797713](#)  
#:

**Application Status:** Cancelled - Section 8

**Mark:** GOYA

**Serial #:** [78199907](#)    [Application File](#)    [Assignment](#)    **Registration** [2866597](#)  
#:

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [78085519](#)    [Application File](#)    [Assignment](#)    **Registration** [2837184](#)  
#:

**Application Status:** Cancelled - Section 8

**Mark:** WHAT A WAY TO GOYA

**Serial #:** [78004128](#)    [Application File](#)    [Assignment](#)    **Registration** [2502127](#)  
#:

**Application Status:** Renewed

**Mark:** GOYA

**Serial #:** [75887828](#)    [Application File](#)    [Assignment](#)    **Registration** [2423267](#)  
#:

**Application Status:** Renewed

**Mark:** LA GRAN FAMILIA GOYA

**Serial #:** [75867700](#)    [Application File](#)    [Assignment](#)    **Registration** [2735075](#)  
#:

**Application Status:** Renewed

**Mark:** LA COCINA GOYA

**Serial #:** [76267384](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2653723](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [75037932](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2155281](#)

**Application Status:** Renewed  
**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** [75037926](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2155280](#)

**Application Status:** Renewed  
**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** [75037924](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2169948](#)

**Application Status:** Renewed  
**Mark:** FOR BETTER MEALS TURN TO GOYA

**Serial #:** [75321229](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2786688](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [75312802](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2225196](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [75312801](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2225195](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [75312800](#)      [Application File](#)      [Assignment](#)      **Registration #:** [2183842](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [74316340](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1857320](#)

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [74316336](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1859228](#)

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [74177006](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1774726](#)

**Application Status:** Renewed  
**Mark:** GO GOYA

**Serial #:** [74144498](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1689199](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [74117530](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1739172](#)

**Application Status:** Cancelled - Section 8  
**Mark:** GOYA

**Serial #:** [74084484](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1695011](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [74316337](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1860499](#)

**Application Status:** Renewed  
**Mark:** JOYAS DE GOYA

**Serial #:** [73792351](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1621463](#)

**Application Status:** Renewed  
**Mark:** SAZON GOYA

**Serial #:** [73739165](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1917838](#)

**Application Status:** Renewed  
**Mark:** GOYA

**Serial #:** [73738136](#)      [Application File](#)      [Assignment](#)      **Registration #:** [1525945](#)

**Application Status:** Renewed  
**Mark:** GOYA

<b>Serial #:</b> <u>73564190</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1407455</u> #:
<b>Application Status:</b> Expired <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>73564116</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1395064</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> 'GOYA OH BOY-A'			
<b>Serial #:</b> <u>73485909</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1354559</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>73405064</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1283430</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>73171616</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>1122501</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> SI ES GOYA TIENE QUE SER BUENO			
<b>Serial #:</b> <u>72429883</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>962193</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>72322981</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>942879</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> ...IF IT IS GOYA IT HAS TO BE GOOD			
<b>Serial #:</b> <u>72441391</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>966178</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			
<b>Serial #:</b> <u>72160704</u>	<u>Application File</u>	<u>Assignment</u>	<b>Registration</b> <u>764033</u> #:
<b>Application Status:</b> Renewed <b>Mark:</b> GOYA			

**Serial #:** 73711658      Application File      Assignment      **Registration** 1515637  
#:

**Application Status:** Renewed

**Mark:** GOYO

**Prosecution History**

#	Date	History Text	Due Date
12	07/31/2008	TERMINATED	
<u>11</u>	07/31/2008	<u>BD'S DECISION: DISMISSED W/ PREJUDICE</u>	
<u>10</u>	07/14/2008	<u>STIPULATION TO WITHDRAW OPPOSITION WITH PREJUDICE</u>	
<u>9</u>	03/26/2008	<u>SUSPENDED PENDING DISP OF CIVIL ACTION</u>	
<u>8</u>	02/04/2008	<u>D'S MOT TO SUSP PEND DISP CIV ACTION</u>	
<u>7</u>	01/17/2008	<u>P'S MOTION TO STRIKE</u>	
<u>6</u>	01/07/2008	<u>ANSWER</u>	
<u>5</u>	01/07/2008	<u>D'S MOTION FOR DEFAULT JUDGMENT</u>	
<u>4</u>	12/20/2007	<u>NOTICE OF DEFAULT</u>	
<u>3</u>	10/12/2007	PENDING, INSTITUTED	
<u>2</u>	10/12/2007	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	11/21/2007
<u>1</u>	10/12/2007	<u>FILED AND FEE</u>	

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TLCRAVEN

Mailed: July 31, 2008

Opposition No. 91180036

Goya Foods, Inc.

v.

GoYin, LLC

In view of the stipulation filed July 14, 2008, the opposition is dismissed with prejudice.

*By the Trademark Trial  
and Appeal Board*



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# GOYIN

**Word Mark** GOYIN  
**Translations** "The foreign wording in the mark translates into English as an abundance of nutrition and wealth."  
**Goods and Services** (ABANDONED) IC 005. US 006 018 044 046 051 052. G & S: Solid or liquid mineral, nutritional, or dietary supplements; elixirs made from natural substances for medicinal purposes primarily consisting of plant ingredients, extracts of plants, vitamins and/or minerals  
**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 77050075  
**Filing Date** November 22, 2006  
**Current Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** October 2, 2007  
**Owner** (APPLICANT) GoYin, LLC LIMITED LIABILITY COMPANY UTAH 772 E. Utah Valley Drive, Suite 388 American Fork UTAH 84003  
**Attorney of Record** Gary P. Oakeson  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD

**Abandonment April 13, 2009**  
**Date**

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goyin

**Word Mark** GOYIN

**Translations** "The foreign wording in the mark translates into English as an abundance of nutrition and wealth."

**Goods and Services** (ABANDONED) IC 005. US 006 018 044 046 051 052. G & S: Solid or liquid mineral, nutritional, or dietary supplements; elixirs made from natural substances for medicinal purposes primarily consisting of plant ingredients, extracts of plants, vitamins and/or minerals

**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** 77050086

**Filing Date** November 22, 2006

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** October 2, 2007

**Owner** (APPLICANT) GoYin, LLC LIMITED LIABILITY COMPANY UTAH 772 E. Utah Valley Drive, Suite 388 American Fork UTAH 84003

**Attorney of Record** Gary P. Oakeson

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of Outlined circular shape with goyin beneath.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead**

**Indicator**      DEAD

**Abandonment**  
**Date**      April 13, 2009

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**Opposition****Number:** 91174786**Filing Date:** 12/22/2006**Status:** Terminated**Status Date:** 06/18/2008**General Contact Number:** 571-272-8500**Interlocutory Attorney:** GEORGE POLOGEORGIS**Paralegal Name:** VERONICA P WHITE**Defendant****Name:** WEST COAST CORPORATION INTERNATIONAL HOLDINGS (PTY) LTD DINGS (PTY) LTD**Correspondence:** BREWSTER TAYLOR  
STITES & HARBISON PLLC  
1199 N FAIRFAX ST STE 900  
ALEXANDRIA, VA 22314-1445  
UNITED STATES  
btaylor@stites.com, tara.aaron@stites.com**Serial #:** 78670351Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOIYA SOUTH AFRICA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** John M. Rannells  
Baker and Rannells PA  
575 ROUTE 28, SUITE 102  
Raritan, NJ 08869  
UNITED STATES  
jmr@br-tmlaw.com  
Phone: 908-722-5640**Prosecution History**

#	Date	History Text	Due Date
20	06/18/2008	TERMINATED	
<u>19</u>	06/18/2008	<u>BD'S DECISION: DISMISSED W/O PREJUDICE</u>	
<u>18</u>	06/16/2008	<u>WITHDRAWAL OF OPPOSITION</u>	
17	11/05/2007	D'S REPLY IN SUPPORT OF MOTION	
<u>16</u>	10/19/2007	<u>P'S OPPOSITION/RESPONSE TO MOTION</u>	
<u>15</u>	09/28/2007	<u>SUSPENDED PENDING DISP OF OUTSTNDNG MOT</u>	
<u>14</u>	09/26/2007	<u>D'S MOTION TO COMPEL DISCOVERY</u>	
<u>13</u>	08/02/2007	<u>EXTENSION OF TIME GRANTED</u>	
<u>12</u>	08/02/2007	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
<u>11</u>	06/27/2007	<u>EXTENSION OF TIME GRANTED</u>	
<u>10</u>	06/27/2007	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	

- 9 05/11/2007 STIPULATION NOTED AND APPROVED
- 8 05/10/2007 STIPULATED PROTECTIVE ORDER
- 7 04/19/2007 CHANGE OF CORRESPONDENCE ADDRESS
- 6 03/15/2007 #4 GRANTED; #5 NOTED; TRIAL DATES REMAIN
- 5 01/31/2007 ANSWER
- 4 01/03/2007 P'S MOTION TO AMEND PLEADING/AMENDED PLEADING
- 3 12/22/2006 PENDING, INSTITUTED
- 2 12/22/2006 NOTICE AND TRIAL DATES SENT; ANSWER DUE: 01/31/2007
- 1 12/22/2006 FILED AND FEE

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Pologeorgis

Mailed: June 18, 2008

Opposition No. 91174786

Goya Foods, Inc.

v.

West Coast Corporation  
International Holdings (PTY)  
Ltd

On June 16, 2008, the parties filed applicant's abandonment of its application Serial No. 78670351 without prejudice, with opposer's written consent, and opposer's withdrawal of opposition without prejudice.

In view thereof, application Serial No. 78670351 stands abandoned without prejudice, and the opposition is dismissed without prejudice. See Trademark Rules 2.106(c) and 2.135.<sup>1</sup>

*By the Trademark Trial  
and Appeal Board*

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<sup>1</sup>In light of the instant order, applicant's motion to compel discovery filed on September 27, 2007 is deemed moot and will be given no further consideration.



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**Word Mark** GÔIYA SOUTH AFRICA  
**Goods and Services** (ABANDONED) IC 033. US 047 049. G & S: WINES. FIRST USE: 20000630. FIRST USE IN COMMERCE: 20010630  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures  
 04.07.02 - Objects forming a person; Person formed by objects  
 26.01.06 - Circles, semi; Semi-circles  
 26.01.20 - Circles within a circle  
 26.01.21 - Circles that are totally or partially shaded.  
 26.01.26 - Coils; Spirals; Swirls  
 26.11.09 - Rectangles made of geometric figures, objects, humans, plants or animals  
 26.11.13 - Rectangles (exactly two rectangles); Two rectangles  
 26.11.21 - Rectangles that are completely or partially shaded  
 26.11.25 - Rectangles with one or more curved sides  
 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved  
**Serial Number** 78670351  
**Filing Date** July 14, 2005  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** November 28, 2006  
**Owner** (APPLICANT) WEST COAST CORPORATION INTERNATIONAL HOLDINGS (PTY) LTD PRIVATE LIMITED COMPANY SOUTH AFRICA Circle Road Vredendal 8160 SOUTH AFRICA  
**Attorney of Record** Brewster Taylor

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

**Description of Mark** The mark consists of the word GOIYA and the words SOUTH AFRICA appearing in a rectangular figure with a spiral figure appearing above the word GOIYA and of a further rectangular figure appearing below the first rectangular figure and containing a highly stylized representation of a human.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** June 18, 2008

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**Opposition****Number:** 91174066**Filing Date:** 11/20/2006**Status:** Terminated**Status Date:** 05/02/2007**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ROBERT COGGINS**Paralegal Name:** JOI WILSON**Defendant****Name:** Conservas Hoya, S.A.**Correspondence:** MARK I. PEROFFKIRKPATRICK & LOCKHART NICHOLSON GRAHAM  
599 LEXINGTON AVE  
NEW YORK, NY 10022-6030  
UNITED STATES  
nytrademarks@kln.com**Serial #:** 78812129Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** HOYA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** John M RannellsBaker and Rannells PA  
575 ROUTE 28, SUITE 102  
Raritan, NJ 08869  
UNITED STATES  
jmr@br-tmlaw.com  
Phone: 908-722-5640**Prosecution History**

#	Date	History Text	Due Date
9	05/02/2007	TERMINATED	
8	05/02/2007	<u>BOARD'S DECISION: SUSTAINED</u>	
7	04/13/2007	<u>CHANGE OF CORRESPONDENCE ADDRESS</u>	
6	03/16/2007	<u>NOTICE OF DEFAULT</u>	
5	01/04/2007	<u>EXTENSION OF TIME GRANTED</u>	
4	12/27/2006	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
3	11/20/2006	PENDING, INSTITUTED	
2	11/20/2006	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	12/30/2006
1	11/20/2006	<u>FILED AND FEE</u>	

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P.O. Box 1451  
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Mailed: May 2, 2007

Opposition No. 91174066

Goya Foods, Inc.

v.

Conservas Hoya, S.A.

On March 16, 2007, the Board sent a notice of default to applicant because no answer had been filed.

The record shows no response thereto.

Accordingly, judgment by default is hereby entered against applicant, the opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55, and Trademark Rule 2.106(a).

*By the Trademark Trial  
and Appeal Board*



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**Word Mark** HOYA  
**Goods and Services** (ABANDONED) IC 029. US 046. G & S: Canned fish  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 03.19.24 - Stylized fish, whales, seals, sea lions  
 03.19.25 - Catfish; Other fish (this section includes basic fish); Piranhas; Salmon; Tuna  
 26.01.02 - Circles, plain single line; Plain single line circles  
**Serial Number** 78812129  
**Filing Date** February 10, 2006  
**Current Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** October 3, 2006  
**Owner** (APPLICANT) Conservas Hoya, S.A. CORPORATION SPAIN Pol. Ind. Las Marismas; Cabildo s/n SANTOÑA (CANATBRIA) SPAIN 39740  
**Attorney of Record** Mark I. Peroff  
**Description of Mark** The mark consists of the word HOYA superimposed over a stylized fish surrounded by a circle.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** May 2, 2007

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v1.9

## Opposition

**Number:** 91173174**Filing Date:** 09/29/2006**Status:** Terminated**Status Date:** 11/07/2006**General Contact Number:** 571-272-8500**Interlocutory Attorney:** LINDA M SKORO**Paralegal Name:** NICOLE M THIER**Defendant****Name:** Moody, Denis**Correspondence:** CHARLES D. GUNTER, JR.  
WHITAKER, CHALK, SWINDLE & SAWYER, L.L.P  
301 COMMERCE ST STE 3500  
FORT WORTH, TX 76102-4135  
UNITED STATES  
tgwynne@whitakerchalk.com**Serial #:** 78797858Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** ERGOYA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** John M. Rannells  
Baker and Rannells PA  
575 ROUTE 28, SUITE 102  
Raritan, NJ 08869  
UNITED STATES  
jmr@br-tmlaw.com, k.hnasko@br-tmlaw.com, d.comunale@br-tmlaw.com  
Phone: 908-722-5640**Prosecution History**

#	Date	History Text	Due Date
<u>7</u>	04/13/2007	<u>CHANGE OF CORRESPONDENCE ADDRESS</u>	
<u>6</u>	11/07/2006	TERMINATED	
<u>5</u>	11/07/2006	<u>BOARD'S DECISION: SUSTAINED</u>	
<u>4</u>	11/02/2006	<u>WITHDRAWAL OF APPLICATION</u>	
<u>3</u>	09/29/2006	PENDING, INSTITUTED	
<u>2</u>	09/29/2006	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	11/08/2006
<u>1</u>	09/29/2006	<u>FILED AND FEE</u>	

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dmd

Mailed: November 7, 2006

Opposition No. 91173174

Goya Foods, Inc.

v.

Moody, Denis

On November 2, 2006, applicant filed an abandonment of its application Serial No. 78797858.<sup>1</sup>

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

*By the Trademark Trial  
and Appeal Board*

---

<sup>1</sup> Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said abandonment is forwarded herewith to counsel for opposer.

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# ERGOYA

**Word Mark** ERGOYA

**Goods and Services** (ABANDONED) IC 025. US 022 039. G & S: Clothing, namely, t-shirts, ball caps, shirts, sweatshirts, sweatpants, pants, tank tops, jerseys, shorts, pajamas, sport shirts, rugby shirts, sweaters, hats, warm-up suits, warm-up pants, warm-up tops, jackets and parkas

**Standard Characters Claimed**

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

**Serial Number** 78797858

**Filing Date** January 24, 2006

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** September 12, 2006

**Owner** (APPLICANT) Moody, Denis INDIVIDUAL UNITED STATES 857 Childress Road Saint Jo TEXAS 76265

**Attorney of Record** Charles D. Gunter, Jr.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** November 7, 2006

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**United States Patent and Trademark Office**[Home](#) [Site Index](#) [Search](#) [Guides](#) [Contacts](#) [eBusiness](#) [eBiz alerts](#) [News](#) [Help](#)**TTABVue. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91167752**Filing Date:** 11/22/2005**Status:** Terminated**Status Date:** 01/30/2007**General Contact Number:** 571-272-8500**Interlocutory Attorney:** DAVID M MERMELSTEIN**Paralegal Name:** AMY L MATELSKI**Defendant****Name:** Korea Yakult Co., Ltd.**Correspondence:** Wendy A Greenseich  
The Farrell Law Firm  
333 EARLE OVINGTON BLVD STE 701  
UNIONDALE, NY 11553-3638  
UNITED STATES  
wgreenseich@dilworthbarrese.com**Serial #:** 78545281[Application File](#)[Assignment](#)**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** KOYA**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** Stephen L. Baker  
Baker and Rannells PA  
575 ROUTE 28, SUITE 102  
Raritan, NJ 08869  
UNITED STATES  
B.GAYNOR@BR-TMLAW.COM  
Phone: 908-722-5640**Serial #:** 74316337[Application File](#)[Assignment](#)**Registration #:** 1860499**Application Status:** Renewed**Mark:** JOYAS DE GOYA**Granted To Date:** 12/10/2005**Prosecution History**

#	Date	History Text	Due Date
<u>16</u>	04/17/2007	<u>CHANGE OF CORRESPONDENCE ADDRESS</u>	
15	01/30/2007	TERMINATED	
<u>14</u>	01/30/2007	<u>BD'S DECISION: DISMISSED W/O PREJUDICE</u>	
<u>13</u>	01/30/2007	<u>WITHDRAWAL OF APPLICATION</u>	
<u>12</u>	10/16/2006	<u>SUSPENDED</u>	
<u>11</u>	10/16/2006	<u>STIP TO SUSPEND PEND SETTLEMENT NEGOTNS</u>	

<u>10</u>	06/08/2006	<u>EXTENSION OF TIME GRANTED</u>	
<u>9</u>	06/08/2006	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
<u>8</u>	03/14/2006	<u>Motion to Strike Denied</u>	
<u>7</u>	03/10/2006	<u>P'S MOTION TO STRIKE</u>	
<u>6</u>	03/08/2006	<u>ANSWER</u>	
<u>5</u>	01/03/2006	<u>EXTENSION OF TIME GRANTED</u>	
<u>4</u>	01/03/2006	<u>STIPULATION FOR AN EXTENSION OF TIME</u>	
<u>3</u>	11/28/2005	PENDING, INSTITUTED	
<u>2</u>	11/28/2005	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	01/07/2006
<u>1</u>	11/22/2005	<u>FILED AND FEE</u>	

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kk

Mailed: January 30, 2007

Opposition No. 91167752

Goya Foods, Inc.

v.

Korea Yakult Co., Ltd.

On January 30, 2007, applicant filed an abandonment of its application Serial No. 78545281, with prejudice, and with opposer's written consent.

In view thereof, application Serial No. 78545281 stands abandoned with prejudice, and the opposition is dismissed without prejudice. See Trademark Rule 2.135.

*By the Trademark Trial  
and Appeal Board*



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**Word Mark** KOYA  
**Goods and Services** (ABANDONED) IC 032. US 045 046 048. G & S: vegetable juices for drinks; non-alcoholic fruit nectars; non-alcoholic cocktail beverages; aloe juices; aloe nectars; mango juices; mango nectars; citrus fruit juices; citrus fruit nectars; clear soda pops; isotonic beverages; soda water; spring water; mineral water  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 26.13.13 - Quadrilateral (two quadrilaterals); Two quadrilaterals touching or intersecting  
 26.13.16 - Quadrilaterals touching or intersecting  
 26.13.21 - Quadrilaterals that are completely or partially shaded  
**Serial Number** 78545281  
**Filing Date** January 11, 2005  
**Current Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** October 11, 2005  
**Owner** (APPLICANT) Korea Yakult Co., Ltd. CORPORATION REPUBLIC OF KOREA 28-10, Chamwon-Dong, Socho-Ku Seoul REPUBLIC OF KOREA  
**Attorney of Record** Wendy A. Greenseich  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD

### Abandonment

Date January 30, 2007

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## Opposition

**Number:** 91165325**Filing Date:** 05/25/2005**Status:** Terminated**Status Date:** 09/06/2005**General Contact Number:** 571-272-8500**Interlocutory Attorney:** JYLL S TAYLOR**Paralegal Name:** KARL S KOCHERSPERGER**Defendant****Name:** Mirage Australasia Pty. Ltd.**Correspondence:** Mirage Australasia Pty. Ltd.  
Suite 16, 1714 Pittwater Road  
Bayview; NSW 2104  
AUX - AUSTRAL, IA  
UNITED STATES**Serial #:** 78271259Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYA 551**Plaintiff****Name:** GOYA FOODS, INC**Correspondence:** Stephen L. Baker  
Baker & Rannells, PA  
626 North Thompson Street  
Raritan, NJ 08869  
UNITED STATES**Serial #:** 78199916Application FileAssignment**Registration #:** 2874334**Application Status:** Renewed**Mark:** GOYA**Granted To Date:** 06/18/2005**Prosecution History**

#	Date	History Text	Due Date
6	09/06/2005	TERMINATED	
5	09/06/2005	<u>BOARD'S DECISION: SUSTAINED</u>	
4	07/11/2005	<u>P'S MOTION FOR DEFAULT JUDGEMENT</u>	
3	05/25/2005	PENDING, INSTITUTED	
2	05/25/2005	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	07/04/2005
1	05/25/2005	<u>FILED AND FEE</u>	

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P.O. Box 1451  
Alexandria, VA 22313-1451

CV

Mailed: September 6, 2005

Opposition No. 91165325

GOYA FOODS, INC

v.

MIRAGE AUSTRALASIA PTY. LTD.

Answer was due on July 4, 2005. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed July 11, 2005, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby

---

<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

***By the Trademark Trial  
and Appeal Board***

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plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

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**Typed Drawing**

**Word Mark** GOYA 551

**Goods and Services** (ABANDONED) IC 009. US 021 023 026 036 038. G & S: Helmets, namely, helmets for skateboarding, snowboarding and roller and in-line skating

(ABANDONED) IC 028. US 022 023 038 050. G & S: Gymnastic and sporting articles, namely, skateboards; miniature and toy skateboards; parts and accessories for skateboards, miniature skateboards and toy skateboards, namely skateboard decks, wheels, bearings, skateboard grip tape, skateboard riser pads, skateboard trucks, skateboard truck grommets, skateboard turn rubbers, skateboard tools, axle end caps and protective nuts, nuts and bolts for skateboards, ramps, grind rails and bearing spacers; elbow pads, wrist guards and knee pads for skateboarding, snowboarding and roller and in-line skating; snowboards and parts and accessories for snow boards, namely, boards and bindings; roller skates and in-line skates; parts and accessories for roller skates and in-line skates, namely, wheels, bearings, bearing spacers, roller skate and in-line skate tools, and nuts and bolts for roller skate and in-line skate

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 78271259

**Filing Date** July 7, 2003

**Current Basis** 1B;44E

**Original Filing Basis** 1B;44D

**Published for Opposition** April 19, 2005

**Owner** (APPLICANT) Mirage Australasia Pty. Ltd. CORPORATION AUSTRALIA Suite 16, 1714 Pittwater Road Bayview AUSTRALIA 2104

**Priority Date** January 15, 2003

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** September 6, 2005

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**Cancellation****Number:** 92043807**Filing Date:** 10/27/2004**Status:** Terminated**Status Date:** 05/20/2005**General Contact Number:** 571-272-8500**Interlocutory Attorney:** CINDY B GREENBAUM**Paralegal Name:** ELLEN YOWELL**Defendant****Name:** Belcastro, Jamie**Correspondence:** Belcastro, Jamie  
6732 Huntsman Blvd.  
Springfield, VA 22152  
UNITED STATES**Serial #:** 78093982 [Application File](#) [Assignment](#)**Registration #:** 2712285**Application Status:** Cancelled - Section 18**Mark:** GOYA**Plaintiff****Name:** GOYA FOODS, INC.**Correspondence:** STEPHEN L. BAKER  
BAKER & RANNELLS PA  
626 NORTH THOMPSON STREET  
RARIRAN, NJ 08869  
UNITED STATES**Serial #:** 72429883 [Application File](#) [Assignment](#)**Registration #:** 962193**Application Status:** Renewed**Mark:** GOYA**Prosecution History**

#	Date	History Text	Due Date
9	05/20/2005	TERMINATED	
8	05/20/2005	<u>COMM'RS ORDER CANCELLING REGISTRATION</u>	
7	04/18/2005	<u>BOARD'S DECISION: GRANTED</u>	
6	02/23/2005	<u>VOLUNTARY SURRENDER OF REGISTRATION</u>	
5	02/15/2005	<u>INSTITUTION ORDER REMAILED; ANSWER DUE 40 DAYS; TRIAL DATES SET</u>	
4	11/10/2004	<u>D'S RETURN MAIL</u>	
3	10/28/2004	PENDING, INSTITUTED	
2	10/28/2004	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	12/07/2004

1 10/27/2004 FILED AND FEE

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P.O. Box 1451  
Alexandria, VA 22313-1451

Baxley/Coggins

Mailed: April 18, 2005

Cancellation No. 92043807

GOYA FOODS, INC.

v.

JAMIE BELCASTRO

**By the Trademark Trial and Appeal Board:**

On February 23, 2005, respondent filed a voluntary surrender under Trademark Act Section 7(e), 15 U.S.C. Section 1057(e), of his involved Registration No. 2712285.<sup>1</sup>

Trademark Rule 2.134(a) provides that, if the respondent in a cancellation proceeding applies to cancel his involved registration under Section 7(e) without the written consent of every adverse party to the proceeding, judgment shall be entered against respondent.

In view thereof, and because petitioner's written consent to the voluntary surrender is not of record, judgment is hereby entered against respondent, and the petition to cancel is granted. Registration No. 2712285 will be cancelled in due course.

---

<sup>1</sup> Respondent's voluntary surrender does not include proof of service upon petitioner as is required by Trademark Rule 2.119(a). However, to expedite this matter, a copy of respondent's voluntary surrender is enclosed with petitioner's copy of this order.

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**Record 1 out of 1**[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*( Use the "Back" button of the Internet Browser to return to TESS)***Typed Drawing****Word Mark** GOYA**Goods and Services** (CANCELLED) IC 005. US 006 018 044 046 051 052. G & S: NON-PRESCRIPTION MEDICINE, NAMELY CAFFEINE PREPARATIONS FOR STIMULATIVE USE AND WEIGHT LOSS, AND NUTRITIONAL SUPPLEMENTS. FIRST USE: 20011100. FIRST USE IN COMMERCE: 20011100**Mark Drawing Code** (1) TYPED DRAWING**Serial Number** 78093982**Filing Date** November 18, 2001**Current Basis** 1A**Original Filing Basis** 1B**Date Amended to Current Register** October 31, 2002**Registration Number** 2712285**Registration Date** April 29, 2003**Owner** (REGISTRANT) Belcastro, Jamie INDIVIDUAL CANADA 6732 Huntsman Blvd. Springfield VIRGINIA 22152**Attorney of Record** Christopher J. Day**Prior Registrations** 0396599;0622395;0625975;0635283;0682579;0733156;0764033;0838522;0838530;0865211;0942879;0962193;0966178;0996789;1018321;1122501;1283430;1309470;1326896;1349891;1354559;1395064;1407455;1429479;1525945;1571906;1621463;1657677;1689199;1695011;1739172;1759835;1774726;1857320;1859228;1860499;1917838;2155280;2155281;2169948;2183842;2225195;2225196;2423267;2502127; AND OTHERS**Type of Mark** TRADEMARK**Register** SUPPLEMENTAL

**Live/Dead  
Indicator**      DEAD

**Cancellation  
Date**      May 20, 2005

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**Opposition****Number:** 91161222**Filing Date:** 07/09/2004**Status:** Terminated**Status Date:** 12/17/2004**General Contact Number:** 571-272-8500**Interlocutory Attorney:** FRANCES S WOLFSON**Paralegal Name:** KARL S KOCHERSPERGER**Defendant****Name:** Wilson, Thomas M.**Correspondence:** FRANK H. ANDORKA  
BAKER & HOSTETLER LLP  
3200 NATIONAL CITY CENTER 1900 EAST 9TH STREET  
CLEVELAND, OH 44114  
UNITED STATES**Serial #:** 76550655Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GO-YO!**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** Stephen L. Baker  
Baker & Rannells PA  
626 North Thompson Street  
Raritan, NJ 08869  
UNITED STATES  
b.gaynor@br-tmlaw.com**Serial #:** 72429883Application FileAssignment**Registration #:** 962193**Application Status:** Renewed**Mark:** GOYA**Granted To Date:** 08/07/2004**Prosecution History**

#	Date	History Text	Due Date
6	12/17/2004	TERMINATED	
5	12/17/2004	<u>BOARD'S DECISION: SUSTAINED</u>	
4	09/14/2004	<u>PL'S REQ FOR ENTRY OF DEFAULT</u>	
3	07/09/2004	PENDING, INSTITUTED	
2	07/09/2004	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	08/18/2004
1	07/09/2004	<u>FILED AND FEE</u>	

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

CV

Mailed: December 17, 2004

Opposition No. 91161222

Goya Foods, Inc.

v.

Wilson, Thomas M.

Answer was due on August 18, 2004. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed September 14, 2004, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby

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<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

*By the Trademark Trial  
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**GO-YO!**

<b>Word Mark</b>	GO-YO!
<b>Goods and Services</b>	(ABANDONED) IC 025. US 022 039. G & S: ARTICLES OF CLOTHING, FOR MEN, WOMEN AND CHILDREN, NAMELY, PAJAMAS, NIGHTSHIRTS, ROBES, JOGGING SUITS, SWEATSUITS, T-SHIRTS, SWEATSHIRTS, JERSEYS, TANK TOPS, COLLAR SHIRTS, BLOUSES, SHORTS, PANTS, JUMPERS, OVERALLS, ROMPERS, LEOTARDS, DRESSES, SKIRTS, SHORT SETS COMPRISED OF SHORTS AND TOPS, SWEATERS, JACKETS, COATS, RAINCOATS, SCARVES, BANDANNAS, UNDERWEAR, VESTS, CLOTH BIBS FOR INFANTS AND CHILDREN, TIES, BELTS AND SUSPENDERS, SOCKS, TIGHTS, LEGGINGS, HOSIERY, GLOVES, MITTENS, APRONS, SWIMSUITS, KNITTED HEADWEAR, HATS, CAPS AND VISORS; FOOTWEAR AND MASQUERADE COSTUMES
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	76550655
<b>Filing Date</b>	October 10, 2003
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	June 8, 2004
<b>Owner</b>	(APPLICANT) Wilson, Thomas M. INDIVIDUAL UNITED STATES 154 Lakeview Court Loveland OHIO 45140
<b>Attorney of Record</b>	Frank H. Andorka
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD

**Abandonment**  
**Date** December 17, 2004

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**United States Patent and Trademark Office**[Home](#) [Site Index](#) [Search](#) [Guides](#) [Contacts](#) [eBusiness](#) [eBiz alerts](#) [News](#) [Help](#)**TTABVUE. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91159230**Filing Date:** 01/15/2004**Status:** Terminated**Status Date:** 01/30/2004**General Contact Number:** 571-272-8500**Interlocutory Attorney:** LINDA M SKORO**Paralegal Name:** VICTORIA VISTAUXX VON**Defendant****Name:** Goya Foods, Inc.**Correspondence:** Stephen L. Baker  
Baker & Rannells  
626 North Thompson Street  
Raritan, NJ 08869  
UNITED STATES**Serial #:** 78199907 [Application File](#) [Assignment](#)**Registration #:** 2866597**Application Status:** Renewed**Mark:** GOYA**Plaintiff****Name:** Goyard St-Honore**Correspondence:** DONALD L. DENNISON  
Dennison, Schultz, Dougherty and Macdonald  
1727 King Street, Suite 105  
Alexandria, VA 22314  
UNITED STATES**Serial #:** 74105171 [Application File](#) [Assignment](#)**Registration #:** 1821224**Application Status:** Renewed**Mark:** GOYARD**Prosecution History**

#	Date	History Text	Due Date
8	05/25/2004	TERMINATED	
7	05/25/2004	<u>BD'S DECISION: DISMISSED W/ PREJUDICE</u>	
6	05/10/2004	<u>WITHDRAWAL OF OPPOSITION</u>	
5	03/11/2004	<u>Def 's Amended answer and separate defenses</u>	
4	03/08/2004	<u>ANSWER</u>	
3	01/30/2004	PENDING, INSTITUTED	
2	01/30/2004	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	03/10/2004
1	01/15/2004	<u>FILED AND FEE</u>	

UNITED STATES DEPARTMENT OF COMMERCE  
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Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: May 25, 2004

Opposition No. 91159230

Goyard St-Honore

v.

Goya Foods, Inc.

**ANGELA CAMPBELL, PARALEGAL SPECIALIST:**

On May 10, 2004, opposer filed a withdrawal of the opposition with prejudice. In view thereof, the opposition is dismissed with prejudice.

*By the Trademark Trial  
and Appeal Board*



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**Record 1 out of 1**

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**Typed Drawing**

**Word Mark** GOYA  
**Goods and Services** IC 018. US 001 002 003 022 041. G & S: Tote bags, backpacks, textile shopping bags. FIRST USE: 20010300. FIRST USE IN COMMERCE: 20010300  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 78199907  
**Filing Date** January 3, 2003  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** December 23, 2003  
**Registration Number** 2866597  
**Registration Date** July 27, 2004  
**Owner** (REGISTRANT) Goya Foods, Inc. CORPORATION DELAWARE 100 Seaview Drive Secaucus NEW JERSEY 07096  
**Attorney of Record** Stephen L. Baker  
**Prior Registrations** 1283430;1917838;2183842;2653723;AND OTHERS  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140731.  
**Renewal** 1ST RENEWAL 20140731  
**Live/Dead Indicator** LIVE

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## Opposition

**Number:** 91156258**Filing Date:** 04/14/2003**Status:** Terminated**Status Date:** 08/06/2003**General Contact Number:** 571-272-8500**Interlocutory Attorney:** ANDREW P BAXLEY**Paralegal Name:** MONIQUE HILL-TYSON**Defendant****Name:** WAKEFERN FOOD CORP.**Correspondence:** Henry W. Leeds  
C/O DRINKER BIDDLE & REATH LLP  
1500 K Street, N.W., Suite 1100  
Washington, DC 20005-1209  
UNITED STATES**Serial #:** 76434000[Application File](#)[Assignment](#)**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYO**Plaintiff****Name:** Goya Foods, Inc**Correspondence:** Stephen Baker  
BAKER AND RANNELLS PA  
626 North Thompson Street  
Raritan, NJ 08869  
UNITED STATES**Serial #:** 72429883[Application File](#)[Assignment](#)**Registration #:** 962193**Application Status:** Renewed**Mark:** GOYA**Granted To Date:** 04/12/2003**Prosecution History**

#	Date	History Text	Due Date
7	08/06/2003	TERMINATED	
<u>6</u>	08/06/2003	<u>BD'S DECISION: DISMISSED W/O PREJUDICE</u>	
<u>5</u>	06/30/2003	<u>D'S WITHDRAWAL OF NOT TO OPP W/O PREJ</u>	
<u>4</u>	06/11/2003	<u>WITHDRAWAL OF APPLICATION</u>	
3	05/09/2003	PENDING, INSTITUTED	
<u>2</u>	05/09/2003	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	06/18/2003
<u>1</u>	04/14/2003	<u>FILED AND FEE</u>	

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

King

Mailed: August 6, 2003

Opposition No. 91156258

Goya Foods, Inc

v.

WAKEFERN FOOD CORP.

On June 11, 2003, applicant filed an abandonment of its application Serial No. 76/434,000, with prejudice, and on June 30, 2003 opposer filed a withdrawal of opposition without prejudice.

In view thereof, application Serial No. 76/434,000 stands abandoned, and the opposition is dismissed without prejudice. See Trademark Rules 2.106(c) and 2.135.

*By the Trademark Trial  
and Appeal Board*

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**Record 1 out of 1**[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*( Use the "Back" button of the Internet Browser to return to TESS)***GoYo**

<b>Word Mark</b>	GOYO
<b>Goods and Services</b>	(ABANDONED) IC 029. US 046. G & S: YOGURT
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	76434000
<b>Filing Date</b>	July 23, 2002
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	February 11, 2003
<b>Owner</b>	(APPLICANT) WAKEFERN FOOD CORP. CORPORATION NEW JERSEY 600 York Street Elizabeth NEW JERSEY 07207
<b>Attorney of Record</b>	HENRY W. LEEDS
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	August 6, 2003

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System****v1.9****Opposition****Number:** 91155903**Filing Date:** 03/24/2003**Status:** Terminated**Status Date:** 08/16/2003**General Contact Number:** 571-272-8500**Paralegal Name:** ELLEN YOWELL**Defendant****Name:** RAISIN SOCIAL LIMITED**Correspondence:** Dennis A. GrossThe Hill Firm  
666 Dundee Rd, Ste 1201  
Northbrook, IL 60062  
UNITED STATES**Serial #:** 75899469Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOIYA KGEISJE**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** JOHN M. RANNELLSBAKER & RANNELLS PA  
626 NORTH THOMPSON STREET  
RARITAN, NJ 08869  
UNITED STATES**Granted To Date:** 03/24/2003**Prosecution History**

#	Date	History Text	Due Date
9	08/16/2003	TERMINATED	
8	05/20/2003	<u>D'S MOT FOR EXTEN. OF TIME W/ CONSENT</u>	
7	06/26/2003	TERMINATED	
6	06/26/2003	<u>BOARD'S DECISION: SUSTAINED</u>	
5	06/09/2003	<u>PETITION FOR EXPRESS ABANDONMENT</u>	
4	06/10/2003	<u>NOTICE OF DEFAULT</u>	
3	04/10/2003	PENDING, INSTITUTED	
2	04/10/2003	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	05/20/2003
1	03/24/2003	<u>FILED AND FEE</u>	

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Patent and Trademark Office  
Trademark Trial and Appeal Board  
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Arlington, Virginia 22202-3513

Mailed: June 26, 2003

Opposition No. 91155903

Goya Foods, Inc.

v.

RAISIN SOCIAL LIMITED

**Nancy L. Omelko, Interlocutory Attorney:**

On June 9, 2003, applicant filed an abandonment of its application Serial No. 75/899,469 .

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

*By the Trademark Trial  
and Appeal Board*



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<b>Word Mark</b>	GOIYA KGEISJE
<b>Translations</b>	The English translation of "GOIYA KGEISJE" is "first wine".
<b>Goods and Services</b>	(ABANDONED) IC 033. US 047 049. G & S: alcoholic beverages, namely wine, liquors and distilled spirits
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	75899469
<b>Filing Date</b>	January 19, 2000
<b>Current Basis</b>	44E
<b>Original Filing Basis</b>	1B;44D
<b>Published for Opposition</b>	December 24, 2002
<b>Owner</b>	(APPLICANT) RAISIN SOCIAL LIMITED CORPORATION UNITED KINGDOM Tripod House 105-107 Lansdowne Road Croydon CRO 2BN UNITED KINGDOM
<b>Attorney of Record</b>	EDWARD A LEHMAN
<b>Priority Date</b>	October 5, 1999
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "KGEISJE" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	August 16, 2003

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**TTABVUE. Trademark Trial and Appeal Board Inquiry System**

v1.9

**Opposition****Number:** 91155856**Filing Date:** 03/17/2003**Status:** Terminated**Status Date:** 09/15/2003**General Contact Number:** 571-272-8500**Interlocutory Attorney:** FRANCES S WOLFSON**Paralegal Name:** MONIQUE HILL-TYSON**Defendant****Name:** RAISIN SOCIAL LIMITED CORPORATION**Correspondence:** Dennis A. Gross  
The Hill Firm  
Suite 1201 666 Dundee Rd  
Northbrook, IL 60062  
UNITED STATES**Serial #:** 75899467Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOIYA KGEISJE**Plaintiff****Name:** Goya Foods, Inc.**Correspondence:** JOHN M. RANNELLS  
BAKER & RANNELLS PA  
626 NORTH THOMPSON STREET  
RARITAN, NJ 08869  
UNITED STATES**Granted To Date:** 03/19/2003**Prosecution History**

#	Date	History Text	Due Date
8	09/15/2003	TERMINATED	
7	09/15/2003	<u>BOARD'S DECISION: SUSTAINED</u>	
6	08/05/2003	<u>NOTICE OF DEFAULT</u>	
5	06/19/2003	<u>EXT GRANTED; ANSWER DUE 6/17/03</u>	
4	05/19/2003	<u>D'S MOT FOR EXTEN. OF TIME W/ CONSENT</u>	
3	04/08/2003	PENDING, INSTITUTED	
2	04/08/2003	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	05/18/2003
1	03/17/2003	<u>FILED AND FEE</u>	

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Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

dmd/dab

Mailed: September 15, 2003

Opposition No. 91155856

Goya Foods, Inc.

v.

RAISIN SOCIAL LIMITED  
CORPORATION

On August 5, 2003, the Board sent a notice of default to applicant because no answer had been filed.

The record shows no response thereto.

Accordingly, judgment by default is hereby entered against applicant, the opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55, and Trademark Rule 2.106(a).

*By the Trademark Trial  
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**GOIYA KGEISJE**

**Word Mark** GOIYA KGEISJE

**Translations** The English translation of "GOIYA KGEISJI" is "FIRST WINE".

**Goods and Services** (ABANDONED) IC 033. US 047 049. G & S: ALCOHOLIC BEVERAGES, NAMELY WINE, LIQUORS, ALCOHOLIC FRUIT EXTRACTS, AND DISTILLED SPIRITS

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 75899467

**Filing Date** January 19, 2000

**Current Basis** 44E

**Original Filing Basis** 1B;44E

**Published for Opposition** November 19, 2002

**Owner** (APPLICANT) RAISIN SOCIAL LIMITED CORPORATION UNITED KINGDOM Tripod House 105-107 Lansdowne Road Croydon CRO 2BN UNITED KINGDOM

**Attorney of Record** Dennis A. Gross

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

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** September 15, 2003

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- 5 08/25/2003 D'S MOT FOR EXTEN. OF TIME W/ CONSENT
- 4 07/15/2003 NOTICE AND TRIAL DATES SENT; ANSWER DUE:
- 3 04/11/2003 PENDING, INSTITUTED
- 2 04/11/2003 BD'S REQUEST FOR FEE
- 1 01/10/2003 FILED

08/24/2003

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

Tdc

Mailed: January 28, 2010

Opposition No. 91155919

Goya Foods, Inc

v.

Industrias Titan, S.A.

On January 26, 2010, the parties filed applicant's abandonment of its application Serial No. 78060112 without prejudice, with opposer's written consent, and opposer's withdrawal of opposition without prejudice.

In view thereof, application Serial No. 78060112 stands abandoned without prejudice, and the opposition is dismissed without prejudice. See Trademark Rules 2.106(c) and 2.135.

*By the Trademark Trial  
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(ABANDONED) IC 016. US 002 005 022 023 029 037 038 050. G &amp; S: (Based on Intent to Use) Paint brushes; paint boxes for school use; oil painting set for use by teachers

**Mark Drawing Code** (1) TYPED DRAWING**Serial Number** 78060112**Filing Date** April 24, 2001**Current Basis** 1B;44E**Original Filing Basis** 1B;44E**Published for Opposition** July 16, 2002**Owner** (APPLICANT) Industrias Titan, S.A. CORPORATION SPAIN Poligono Industrial Pratense, Calle 114 nº 21-23 Barcelona SPAIN 08006**Attorney of Record** Jess M. Collen**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** DEAD**Abandonment Date** January 28, 2010[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSER DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#)



UNITED STATES DEPARTMENT OF COMMERCE  
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2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: April 29, 2003

Opposition No. 91153635

GOYA FOODS, INC.

v.

AKC COMMODITIES, INC.

Answer was due on January 8, 2003. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed February 3, 2003, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby entered against applicant, the notice of opposition is

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<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

sustained, and registration to applicant is refused. See  
Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

*By the Trademark Trial  
and Appeal Board*

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<b>Word Mark</b>	NOYA
<b>Goods and Services</b>	(ABANDONED) IC 030. US 046. G & S: Rice
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	76357134
<b>Filing Date</b>	January 10, 2002
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	June 25, 2002
<b>Owner</b>	(APPLICANT) AKC COMMODITIES, INC. CORPORATION NEW YORK 63 RAMAPO VALLEY RD SUITE 213 MAHWAH NEW JERSEY 07403
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	April 29, 2003

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37 MAIN STREET  
SPARTA, NJ 07871  
UNITED STATES**Serial #:** 75540310 [Application File](#) [Assignment](#)**Registration #:** 2313558**Application Status:** Cancelled - Section 18**Mark:** GAYO MOUNTAIN COFFEE**Plaintiff****Name:** GOYA FOODS, INC.**Correspondence:** JOHN M. RANNELLS  
BAKER & RANNELLS  
626 NORTH THOMPSON STREET  
RARITAN, NJ 08869  
UNITED STATES**Serial #:** 75312800 [Application File](#) [Assignment](#)**Registration #:** 2183842**Application Status:** Renewed**Mark:** GOYA**Prosecution History**

#	Date	History Text	Due Date
81	01/24/2007	TERMINATED	
80	12/12/2006	TERMINATED	
79	12/12/2006	TERMINATED	
<u>78</u>	<u>12/12/2006</u>	<u>COMMISSIONER'S ORDER CANCELLING THE REGISTRATION</u>	
<u>77</u>	<u>09/12/2006</u>	<u>BOARD'S DECISION: GRANTED</u>	
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- 8 07/03/2001 PROC. RESUMED; TRIAL DATES RESET
- 7 04/24/2001 PARAGRAPH 32 STRICKEN, PL'S MOT TO STRIKE PARAGRAH 34 GRD,  
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- 6 02/02/2001 DEF'S RESPONSE TO PL'S MOTION TO STRIKE
- 5 01/12/2001 PL'S MOT TO STRIKE
- 4 12/19/2000 ANSWER
- 3 11/09/2000 PENDING, INSTITUTED
- 2 11/09/2000 NOTICE AND TRIAL DATES SENT; ANSWER DUE: 12/19/2000
- 1 10/30/2000 FILED AND FEE

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OF THE TTAB

Mailed: 9/12/06

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

Goya Foods, Inc.  
v.  
Holland Coffee, Inc.

Cancellation No. 92030908

John M. Rannells of Baker and Rannells for Goya Foods, Inc.  
George H. Willekes for Holland Coffee, Inc.

Before Quinn, Rogers and Zervas, Administrative Trademark  
Judges.

Opinion by Quinn, Administrative Trademark Judge:

Goya Foods, Inc. petitioned to cancel, on October 30, 2000, a registration owned by Holland Coffee, Inc. for the mark GAYO MOUNTAIN COFFEE ("COFFEE" disclaimed) covering "coffee beans."<sup>1</sup> The registration issued pursuant to a claim of acquired distinctiveness.

As grounds for cancellation, petitioner alleged that respondent's mark, as used in connection with respondent's goods, so resembles petitioner's previously used and registered GOYA marks for a wide variety of food and

<sup>1</sup> Registration No. 2313558, issued February 1, 2000; Section 8 affidavit accepted.

beverage products, including coffee, that confusion is likely to occur in the marketplace. Petitioner also alleged the following grounds: that respondent's mark dilutes the distinctive quality of petitioner's marks; that respondent's mark is generic; and that respondent's mark is primarily geographically descriptive, and that the mark has not acquired distinctiveness.

Respondent, in its answer, denied the salient allegations of the petition for cancellation.<sup>2</sup>

The record consists of the pleadings; the file of the registration sought to be cancelled; trial testimony, with related exhibits, taken by petitioner; and status and title copies of certain of petitioner's registrations, and excerpts from printed publications, all introduced by way of petitioner's notices of reliance. Respondent did not take testimony or offer any other evidence.<sup>3</sup> Only petitioner filed a brief. An oral hearing was not requested.

Petitioner was founded in 1939. According to the testimony of Conrad Colon, petitioner's vice president of sales and marketing, petitioner has become the number-one

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<sup>2</sup> Respondent also set forth allegations captioned as "affirmative defenses" in its answer. Inasmuch as respondent did not pursue these defenses at trial, we consider them waived.

<sup>3</sup> Evidence submitted in connection with a motion for summary judgment is of record only for purposes of that motion. Thus, in this case, the evidence submitted by the parties in connection with the earlier motion for summary judgment does not form part of the evidentiary record to be considered at final hearing. *Hard Rock Café Licensing Corp. v. Elsea*, 48 USPQ2d 1400, 1404 (TTAB 1998). See TBMP § 528.05(a) (2d ed. rev. 2004).

rated Hispanic company in the United States. Mr. Colon testified that the company's stature earned it a place in an exhibit at the Smithsonian Institute's National Museum of American History. Petitioner sells a wide variety of food and beverage products, including coffee, throughout the United States. Petitioner's coffee, as well as its other food and beverage products, is sold through every type of retail food outlet, ranging from mom-and-pop stores to major supermarket chains. Petitioner's sales figures for the last four years average over \$500 million annually, with annual sales of coffee averaging about \$3.7 million. Petitioner's products, including coffee, are promoted under the GOYA marks through print media, television and radio advertisements, and through appearances at trade shows. Over the years, petitioner also has utilized coupons, in-store demonstrations, its Internet website, billboards, and ads on the sides of trucks, as well as the distribution of promotional products such as cookbooks, clothing and toys. In addition, petitioner, in conjunction with its GOYA marks, has sponsored various community and charitable events. Petitioner's most recent annual advertising expenditures exceeded \$11 million and, in a recent five-year period, the annual expenditures averaged \$7.5 million. In 2002, the only year given for such expenditures in connection with coffee, petitioner spent \$160,000.

There is no information about respondent or its business activities. Respondent's claim of acquired distinctiveness of its mark for coffee under Section 2(f) was based solely on a declaration of seven years of substantially exclusive and continuous use of the mark, including a statement that respondent had sold 5,000 tons of product under the mark.

Given the evidence of petitioner's extensive use of its GOYA marks on a wide variety of food and beverage products, petitioner has established its standing to bring the claims raised in the petition for cancellation.

Priority

Inasmuch as both petitioner and respondent own registrations, petitioner does not necessarily have priority simply because it owns a registration. National Rural Electric Cooperative Ass'n. v. Suzlon Wind Energy Corp., 78 USPQ2d 1881, 1883 (TTAB 2006); and Brewski Beer Co. v. Brewski Brothers, Inc., 47 USPQ2d 1281, 1284 (TTAB 1998). In the present case, because respondent has not submitted any evidence of an earlier priority date, the earliest date upon which it can rely is the filing date of its application (August 21, 1998).<sup>4</sup> Intersat Corp. v. International

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<sup>4</sup> Given that respondent has claimed acquired distinctiveness, even this date may be problematic for purposes of respondent's priority date. See: Hoover Co. v. Royal Appliance Manufacturing Co., 238 F.3d 1357, 57 USPQ2d 1720, 1721-22 (Fed. Cir. 2001); Towers v. Advent Software Inc., 17 USPQ2d 1471 (TTAB 1989),

Telecommunications Satellite Organization, 226 USPQ 154, 156 n. 5 (TTAB 1985). Not only are the issuance dates of most of petitioner's registrations earlier than this filing date, but Mr. Colon's testimony establishes petitioner's use of the mark GOYA for various food and beverage products, including coffee, long prior to August 21, 1998.

Accordingly, petitioner has established priority of use.

#### Likelihood of Confusion

Our determination under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d), is based on an analysis of all of the facts in evidence that are relevant to the factors bearing on the likelihood of confusion issue. In re E. I. du Pont de Nemours & Co., 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). Petitioner must establish that there is a likelihood of confusion by a preponderance of the evidence. In any likelihood of confusion analysis, two key considerations are the similarities or dissimilarities between the marks and the similarities or dissimilarities between the goods. *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 USPQ 24 (CCPA 1976). These, and other du Pont factors deemed pertinent in the proceeding now before us, are discussed below.

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aff'd, 913 F.2d 942, 16 USPQ2d 1039 (Fed. Cir. 1990); and *Perma Ceram Enterprises Inc. v. Preco Industries Ltd.*, 23 USPQ2d 1134, 1138 (TTAB 1992).

With respect to the goods, we focus on the fact that petitioner sells coffee under its mark. As often stated, Board proceedings are concerned with registrability and not use of a mark and, thus, the common identification of goods in the involved registrations frames the issue. *Cunningham v. Laser Golf Corp.*, 222 F.3d 943, 55 USPQ2d 1842 (Fed. Cir. 2000); and *Canadian Imperial Bank of Commerce v. Wells Fargo Bank, N.A.*, 811 F.2d 1490, 1 USPQ2d 1813 (Fed. Cir. 1987). Among petitioner's many registrations, two are for the mark GOYA covering "coffee."<sup>5</sup> As identified, "coffee" is legally identical to respondent's "coffee beans" for purposes of our likelihood of confusion determination. This factor weighs heavily in petitioner's favor.

In the absence of any limitations in the parties' identifications of goods, we must presume that the goods move through all reasonable trade channels for such goods to all usual classes of consumers for such goods. *Schieffelin & Co. v. Molson Companies Ltd.*, 9 USPQ2d 2069, 2073 (TTAB 1989); *Morton-Norwich Products, Inc. v. N. Siperstein, Inc.*, 222 USPQ 735, 736 (TTAB 1984); and *In re Elbaum*, 211 USPQ 639, 640 (TTAB 1981) ["[W]here the goods in a cited registration are broadly described and there are no limitations in the identifications of goods as to their

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<sup>5</sup> Registration No. 764033, issued January 28, 1964; renewed; and Registration No. 1689199, issued May 26, 1992; renewed.

nature, type, channels of trade or classes of purchasers, it is presumed that the scope of the registration encompasses all goods of the nature and type described, that the identified goods move in all channels of trade that would be normal for such goods, and that the goods would be purchased by all potential customers."]. Accordingly, we presume that the parties' coffee and coffee beans are sold in the same trade channels to the same classes of purchasers. The purchasers would include ordinary ones who would exercise nothing more than ordinary care when buying coffee. These factors weigh in petitioner's favor.

Further, coffee is a relatively inexpensive item that is subject to impulse purchase and frequent replacement. This factor contributes to the likelihood of confusion among consumers in the marketplace.

We next turn to determine whether petitioner's mark GOYA and respondent's mark GAYO MOUNTAIN COFFEE, when compared in their entireties in terms of appearance, sound, connotation, and commercial impression, are similar or dissimilar. *Palm Bay Import, Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 73 USPQ2d 1689 (Fed. Cir. 2005). The test is not whether the marks can be distinguished when subjected to a side-by-side comparison, but rather whether the marks are sufficiently similar in terms of their overall commercial impression that

confusion as to the source of the goods offered under the respective marks is likely to result. *San Fernando Electric Mfg. Co. v. JFD Electronics Components Corp.*, 565 F.2d 683, 196 USPQ 1, 3 (CCPA 1977); and *Spoons Restaurants Inc. v. Morrison Inc.*, 23 USPQ2d 1735, 1741 (TTAB 1991), *aff'd unpublished*, No. 92-1086 (Fed. Cir. June 5, 1992).

Additionally, where, as in the present case, the marks are applied to legally identical goods, the degree of similarity between the marks which is necessary to support a finding of likely confusion declines. *Century 21 Real Estate Corp. v. Century Life of America*, 970 F.2d 874, 23 USPQ2d 1698 (Fed. Cir. 1992), *cert. denied*, 506 U.S. 1034 (1994).

Respondent's mark GAYO MOUNTAIN COFFEE begins with a word similar to petitioner's mark GOYA in terms of sound and appearance. The words are similarly constructed with two syllables; the only difference between GAYO and GOYA is the transposition of the vowels "A" and "O."

Because "COFFEE" is a generic term for respondent's goods, and therefore has no source-identifying significance, and further because "MOUNTAIN" describes or suggests the origin of the coffee (that coffee beans are grown in mountainous regions), GAYO is the dominant element of respondent's mark. While we acknowledge that, in determining the issue of likelihood of confusion, the marks

must be considered in their entirety, it is well established that there is nothing improper in stating that, for rational reasons, more or less weight has been given to a particular feature of a mark. See *In re National Data Corp.*, 753 F.2d 1056, 224 USPQ 749, 751 (Fed. Cir. 1985). When we consider the marks in their entirety, but give appropriate weight to the dominant element GAYO in respondent's mark, we find that respondent's mark is similar to petitioner's mark. In finding that the marks are similar, we have kept in mind the fallibility of human memory. The focus is on the recollection of the average purchaser, who normally retains a general rather than a specific impression of trademarks. *Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106 (TTAB 1975).

In sum, the marks are similar in sound, appearance and overall commercial impression. These similarities outweigh any differences there might be in terms of meaning (if, in fact, respondent's mark has any geographic meaning--see discussion infra).

Mr. Colon testified about the notoriety of petitioner's mark. Petitioner has been selling food and beverage products under its mark for over 65 years; it currently sells more than 1100 products. As noted earlier, petitioner's annual sales are significant, and it has extensively promoted its mark and goods sold thereunder.

Further, the record is devoid of any third-party uses or registrations of GOYA or similar marks. In sum, the record establishes that petitioner's mark is, in petitioner's words, "strong and distinctive." (Brief, p. 22).

We conclude that consumers familiar with petitioner's coffee sold under the mark GOYA would be likely to believe, upon encountering respondent's coffee beans sold under the mark GAYO MOUNTAIN COFFEE, that the goods originate with or are associated with or sponsored by the same entity.

#### Dilution

Having determined that petitioner is entitled to prevail in this cancellation proceeding based upon its Section 2(d) claim of likelihood of confusion, we need not reach the merits of petitioner's dilution claim. See *American Paging Inc. v. American Mobilphone Inc.*, 13 USPQ2d 2036, 2039-40 (TTAB 1989), *aff'd without opinion*, 17 USPQ2d 1726 (Fed. Cir. 1990).

#### Geographical Descriptiveness/Insufficient 2(f)

Petitioner contends that the registered mark GAYO MOUNTAIN COFFEE is primarily geographically descriptive, and that the mark lacks acquired distinctiveness. Respondent's claim of acquired distinctiveness of the mark GAYO MOUNTAIN COFFEE was supported by the declaration of George Willekes, respondent's president. Mr. Willekes states that respondent's mark has been in substantially exclusive and

continuous use for a period of over seven years since at least as early as March 14, 1992, and that during those seven years, respondent sold over 5,000 tons of goods under the mark.

The only evidence introduced by petitioner in support of this claim is listed in its third notice of reliance. The evidence comprises excerpts from printed publications.<sup>6</sup>

We initially note that printed publications made of record by notice of reliance under Trademark Rule 2.122(e) are admissible and probative only for what they show on their face, not for the truth of the matters contained therein, unless a competent witness has testified to the truth of such matters. See, e.g., *Logicon, Inc. v. Logisticon, Inc.*, 205 USPQ 767, 768 n. 6 (TTAB 1980). See also TBMP § 704.08 (2d ed. rev. 2004). Accordingly, there is a hearsay problem with petitioner's evidence, namely, that petitioner has relied upon the printed publications to prove the truth of the matter asserted, that is, that GAYO MOUNTAIN is a geographic location where coffee beans are

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<sup>6</sup> Petitioner, in its brief, refers to certain other evidence that the examining attorney introduced in the underlying application in support of the geographical descriptiveness refusal to register the mark. Petitioner failed, however, to directly introduce this evidence in the cancellation proceeding. Although the file of the registration sought to be cancelled automatically is part of the record before us, the documents to which petitioner refers were not properly introduced by petitioner as evidence in the cancellation proceeding. See *British Seagull Ltd. V. Brunswick Corp.*, 28 USPQ2d 1197, 1200 (TTAB 1993), *aff'd*, 35 F.3d 1527, 32 USPQ2d 1120 (Fed. Cir. 1994), *cert. denied*, 514 U.S. 1050 (1995). See also TBMP § 704.04 (2d ed. rev. 2004).

grown, and that consumers would make a goods/place association between respondent's mark and coffee beans.<sup>7</sup>

Moreover, and in any event, we find that the petitioner's evidence is not of such quality or quantity to show that respondent did not make a sufficient showing of acquired distinctiveness under Section 2(f). It initially should be noted that where a respondent owns a registration based on acquired distinctiveness, the statute accepts a lack of distinctiveness as an established fact. *Yamaha International Corp. v. Hoshino Gakki Co.*, 840 F.2d 1571, 6 USPQ2d 1001, 1005 (Fed. Cir. 1988). Thus, petitioner was not required to advance evidence of geographical descriptiveness, but rather could concentrate its case on the question of acquired distinctiveness. Further, as explained in Yamaha, when matter proposed for registration under Section 2(f) is approved by the USPTO for publication, there is a presumption that the examining attorney found a prima facie case of acquired distinctiveness. Id., 6 USPQ2d at 1004. In an inter partes proceeding, the plaintiff has the initial burden to establish prima facie that the applicant did not satisfy the acquired distinctiveness requirement of Section 2(f). Id., 6 USPQ2d at 1005. As

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<sup>7</sup> Petitioner relies upon the same evidence to support its claim of genericness. Suffice it to say, the evidence falls far short of the "clear evidence" that is required to establish genericness. See *In re Merrill Lynch, Pierce, Fenner & Smith Inc.*, 828 F.2d 1567, 4 USPQ2d 1141 (Fed. Cir. 1987).

further explained in Yamaha, "[I]f the [plaintiff] does present its prima facie case challenging the sufficiency of [defendant's] proof of acquired distinctiveness, the [defendant] may then find it necessary to present additional evidence and argument to rebut or overcome the [plaintiff's] showing." Id. See Duramax Marine, LLC v. R.W. Fernstrum & Co., \_\_\_USPQ2d\_\_\_ (Opp. No. 91119899, TTAB Aug. 4, 2006).

In the present case, we find that petitioner failed to make its prima facie case; thus, respondent was under no burden to rebut petitioner's showing.

#### Conclusion

The petition for cancellation is granted on the ground of priority and likelihood of confusion. The petition is denied on the ground of geographical descriptiveness and insufficient claim of acquired distinctiveness. The petition is denied on the ground of genericness.

Registration No. 2313558 will be cancelled in due course.



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# GAYO MOUNTAIN COFFEE

<b>Word Mark</b>	GAYO MOUNTAIN COFFEE
<b>Goods and Services</b>	(CANCELLED) IC 030. US 046. G & S: coffee beans. FIRST USE: 19891000. FIRST USE IN COMMERCE: 19920314
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	75540310
<b>Filing Date</b>	August 21, 1998
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	November 9, 1999
<b>Registration Number</b>	2313558
<b>Registration Date</b>	February 1, 2000
<b>Owner</b>	(REGISTRANT) Holland Coffee, Inc. CORPORATION DELAWARE 37 Main Street Sparta NEW JERSEY 07871
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COFFEE" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL-2(F)
<b>Affidavit Text</b>	SECT 8 (6-YR).
<b>Live/Dead Indicator</b>	DEAD
<b>Cancellation Date</b>	December 12, 2006

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v1.9

**Opposition****Number:** 91119578**Filing Date:** 07/21/2000**Status:** Terminated**Status Date:** 05/15/2001**General Contact Number:** 571-272-8500**Interlocutory Attorney:** CHERYL A BUTLER**Paralegal Name:** NICOLE M THIER**Defendant****Name:** RUMPUS CORPORATION**Correspondence:** ARTHUR MANGRIOTIS  
RUMPUS.COM  
19 WEST 24TH STREET  
NEW YORK, NY 10010  
UNITED STATES**Serial #:** 75617949Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYO**Plaintiff****Name:** GOYA FOODS, INC.**Correspondence:** JOHN M. RANNELLS  
BAKER & RANNELLS  
359 EAST MAIN STREET  
SOMERVILLE, NJ 08876  
UNITED STATES**Serial #:** 73738136Application FileAssignment**Registration #:** 1525945**Application Status:** Renewed**Mark:** GOYA**Prosecution History**

#	Date	History Text
7	05/15/2001	TERMINATED
6	05/15/2001	BOARD'S DECISION: SUSTAINED
5	04/02/2001	PLN MOT FOR DISMISSAL; ABANDONMENT OF 75/617,949
4	09/05/2000	ANSWER
3	07/25/2000	PENDING, INSTITUTED
2	07/25/2000	NOTICE SENT; ANSWER DUE 09-03-00
1	07/21/2000	FILED AND FEE



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**Typed Drawing**

**Word Mark** GOYO  
**Goods and Services** (ABANDONED) IC 028. US 022 023 038 050. G & S: mechanical toy that combines a yoyo with a friction car. FIRST USE: 19980731. FIRST USE IN COMMERCE: 19980731  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 75617949  
**Filing Date** January 13, 1999  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** March 7, 2000  
**Owner** (APPLICANT) Rumpus Corporation CORPORATION NEW YORK 19 West 24th Street Fourth Floor New York NEW YORK 10010  
**Attorney of Record** STEPHEN D KAHN  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** May 15, 2001

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TTABVUE. Trademark Trial and Appeal Board Inquiry System

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**Opposition**

**Number:** 91111173

**Filing Date:** 07/13/1998

**Status:** Terminated

**Status Date:** 06/21/2000

**General Contact Number:** 571-272-8500

**Interlocutory Attorney:** GEORGE POLOGEORGIS

**Paralegal Name:** NICOLE M THIER

**Defendant**

**Name:** TEQUILA CUERVO LA ROJENA, S.A. DE C.V.

**Correspondence:** LAWRENCE E. ABELMAN  
ABELMAN FRAYNE & SCHWAB  
150 EAST 42ND STREET  
NEW YORK, NY 10017  
UNITED STATES

**Serial #:** 75281518

Application File

Assignment

**Application Status:** Abandoned - No Statement Of Use Filed

**Mark:** JOYA DE MEXICO

**Plaintiff**

**Name:** GOYA FOODS, INC.

**Correspondence:** STEPHEN L. BAKER  
BAKER & RANNELLS  
359 EAST MAIN STREET  
SOMERVILLE, NJ 08876  
UNITED STATES

**Serial #:** 74316336

Application File

Assignment

**Registration #:** 1859228

**Application Status:** Renewed

**Mark:** JOYAS DE GOYA

**Prosecution History**

#	Date	History Text	Due Date
12	10/19/2000	DEF'S MOT TO DISMISS	
11	06/21/2000	TERMINATED	
10	06/21/2000	BD'S DECISION: DISMISSED W/ PREJUDICE	
9	06/12/2000	WITHDRAWAL OF OPPOSITION	
8	03/29/2000	TRIAL DATES RESET	
7	09/02/1999	DEF'S CONSENT TO PL'S MOTION TO SUSPEND	
6	08/26/1999	PL'S MOTION FOR SUSPENSION	
5	11/06/1998	TRIAL DATES SET	





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**Typed Drawing**

**Word Mark** JOYA DE MEXICO  
**Translations** The English translation of "JOYA DE MEXICO" is "jewel of Mexico".  
**Goods and Services** (ABANDONED) IC 033. US 047 049. G & S: alcoholic beverages, namely, tequila  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 75281518  
**Filing Date** April 25, 1997  
**Current Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** March 10, 1998  
**Owner** (APPLICANT) Tequila Cuervo La Rojena, S.A. De C.V. CORPORATION MEXICO Circunvalacion Sur #44 A Fraccionamiento Las Fuentes Zapopan Jalisco, Codigo 45070 MEXICO  
**Attorney of Record** LAWRENCE E ABELMAN  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DE MEXICO" APART FROM THE MARK AS SHOWN  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** May 18, 2002

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181 WEST MADISON STREET SUITE 3800  
CHICAGO, IL 60602  
UNITED STATES**Serial #:** 74701465Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GOYA**Plaintiff****Name:** GOYA FOODS, INC.**Correspondence:** STEPHEN L. BAKER  
BAKER & FRIEDMAN  
359 EAST MAIN STREET  
SOMERVILLE, NJ 08876  
UNITED STATES**Serial #:** 74084484 Application File Assignment**Registration #:** 1695011**Application Status:** Renewed**Mark:** GOYA**Prosecution History**

#	Date	History Text	Due Date
11	11/12/1998	TERMINATED	
10	11/12/1998	BOARD'S DECISION: SUSTAINED	
9	06/22/1998	EXPRESS ABAND	
8	06/10/1998	SUSP PENDING CA	
7	05/28/1998	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	
6	04/13/1998	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	
5	03/23/1998	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	
4	02/23/1998	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	
3	01/09/1998	PENDING, INSTITUTED	

2 01/09/1998 NOTICE SENT; ANSWER DUE (DUE DATE)  
1 12/29/1997 FILED AND FEE

02/18/1998

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**Word Mark** GOYA

**Goods and Services** (ABANDONED) IC 034. US 002 008 009 017. G & S: tobacco, namely, cigars, cigarettes, cigarillos, smokers' articles, namely, cigar cutters, cigar lighters and cigarette lighters not of precious metal, cigar cases and cigarette cases not of precious metal, humidors and matches

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 74701465

**Filing Date** July 14, 1995

**Current Basis** 44E

**Original Filing Basis** 44E

**Published for Opposition** September 2, 1997

**Owner** (APPLICANT) CITA TABACOS DE CANARIAS, S.A. CORPORATION SPAIN Juan Ravina Mendez s/n Barrio Chamberi Fabrica CITA 38009 SANTA CRUZ DE TENERIFE SPAIN

**Attorney of Record** John S. Pacocha

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** November 12, 1998

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## Cancellation

**Number:** 92026600**Filing Date:** 08/04/1997**Status:** Terminated**Status Date:** 11/23/1999**General Contact Number:** 571-272-8500**Interlocutory Attorney:** CHARLES GRENDL**Paralegal Name:** ELLEN YOWELL

### Defendant

**Name:** C. F. MARTIN & CO., INC.**Correspondence:** STANLEY B. KITA  
HOWSON AND HOWSON  
ONE SPRING HOUSE CORPORATE CENTER  
SPRING HOUSE, PA 19477  
UNITED STATES**Serial #:** 72059893    [Application File](#)    [Assignment](#)**Registration #:** 682579**Application Status:** Cancelled - Section 8**Mark:** GOYA

### Plaintiff

**Name:** GOYA FOODS, INC.**Correspondence:** BAKER & FRIEDMAN  
P.O. BOX 672  
359 MAIN STREET SOMERVILLE, NJ 08876  
ATTN: STEPHEN L. BAKER ,, ESQ.

### Prosecution History

#	Date	History Text	Due Date
13	11/23/1999	TERMINATED	
12	11/23/1999	BOARD'S DECISION: DISMISSED AS MOOT	
11	09/20/1999	PL'S REQ TO DISMISS PROCEEDINGS	
10	09/08/1999	TRIAL DATES RESET	
9	12/21/1998	PL'S SUSPENSION OF PROCEEDINGS	
8	11/06/1998	PROCEEDINGS RESUMED; TRIAL DATES RESET	
7	04/28/1998	#6 GRANTED	
6	02/17/1998	PL'S MOT FOR SUSPENSION	
5	11/20/1997	TRIAL DATES SET	
4	10/31/1997	ANSWER	
3	09/30/1997	PENDING, INSTITUTED	
2	09/30/1997	NOTICE SENT; ANSWER DUE (DUE DATE)	11/09/1997

**Prosecution History**

#	Date	History Text	Due Date
1	08/04/1997	FILED AND FEE	

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## Cancellation

**Number:** 92026765**Filing Date:** 08/04/1997**Status:** Terminated**Status Date:** 05/11/2007**General Contact Number:** 571-272-8500**Interlocutory Attorney:** MICHAEL B ADLIN**Paralegal Name:** JOI WILSON

### Defendant

**Name:** GOYA LIMITED**Correspondence:** FRANK PINCELLI  
488 WHITE SPRUCE BLVD.  
ROCHESTER, NY 14623  
UNITED STATES**Serial #:** 72254385 [Application File](#) [Assignment](#)**Registration #:** 838522**Application Status:** Cancelled - Section 18**Mark:** GOYA**Serial #:** 72254386 [Application File](#) [Assignment](#)**Registration #:** 838530**Application Status:** Cancelled - Section 18**Mark:** GOYA

### Plaintiff

**Name:** GOYA FOODS, INC.**Correspondence:** JOHN M. RANNELLS  
BAKER AND RANNELLS PA  
THE HENDERSON BLDG, 515 ROUTE 28, SUITE 102  
RARITAN, NJ 08869  
UNITED STATES  
jmr@br-tmlaw.com  
Phone: 908-722-5640

### Prosecution History

#	Date	History Text	Due Date
16	05/11/2007	TERMINATED	
<u>15</u>	05/11/2007	<u>COMMISSIONER'S ORDER CANCELLING THE REGISTRATION</u>	
<u>14</u>	12/26/2006	<u>PL'S COMMUNICATION</u>	
13	05/05/2000	TERMINATED	
12	05/05/2000	COMM'RS ORDER CANCELLING REGISTRATION	
11	04/07/2000	BOARD'S DECISION: GRANTED	
10	08/03/1999	SERVICE BY PUBLICATION	

**Prosecution History**

#	Date	History Text	Due Date
9	06/21/1999	PROC.'S SUSP. PENDING PUBLICATION	
8	08/13/1998	DEF'S #4 RETURN UNDELIVERABLE	
7	08/10/1998	DEF ALLOWED 30 DAYS TO SHOW CAUSE	
6	07/08/1998	DEF'S #5 RETURNED UNDELIVERABLE	
5	05/21/1998	NOTICE OF DEFAULT	
4	02/03/1998	DEF ALLOWED 40 DAYS TO FILE ANSWER	
3	10/10/1997	PENDING, INSTITUTED	
2	10/10/1997	NOTICE SENT; ANSWER DUE (DUE DATE)	11/19/1997
1	08/04/1997	FILED AND FEE	

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<b>Word Mark</b>	GOYA
<b>Goods and Services</b>	(CANCELLED) IC 003. US 051. G & S: PERFUMES, COLOGNES, TALCS, BATH SALTS, HAND LOTIONS, PERFUMED SPRAY HAIR SETS, AND HAIR COLOURS
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	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
<b>Serial Number</b>	72254385
<b>Filing Date</b>	September 13, 1966
<b>Current Basis</b>	44E
<b>Original Filing Basis</b>	44E
<b>Registration Number</b>	0838522
<b>Registration Date</b>	November 7, 1967
<b>Owner</b>	(REGISTRANT) GOYA LIMITED CORPORATION GREAT BRITAIN 161 NEW BOND STREET LONDON W.1 ENGLAND
<b>Prior Registrations</b>	0396599
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Affidavit Text</b>	SECT 15.
<b>Renewal</b>	1ST RENEWAL 19881107



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## Opposition

**Number:** 91097428**Filing Date:** 04/21/1995**Status:** Terminated**Status Date:** 03/11/1996**General Contact Number:** 571-272-8500**Paralegal Name:** VICTORIA VISTAUX VON

### Defendant

**Name:** CAROL WAKSAL AND MARY KATE FLEMING-KRULL**Correspondence:** IRVING N. FEIT  
IMCLONE SYSTEMS INCORPORATED  
180 VARICK STREET  
NEW YORK, NY 10014  
UNITED STATES**Serial #:** 74514348[Application File](#)[Assignment](#)**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** JOYA

### Plaintiff

**Name:** GOYA FOODS, INC.**Correspondence:** STEPHEN L. BAKER  
BAKER & FRIEDMAN  
SUITE 1500 220 FIFTH AVENUE  
NEW YORK, NY 10001  
UNITED STATES**Serial #:** 74316340[Application File](#)[Assignment](#)**Registration #:** 1857320**Application Status:** Renewed**Mark:** JOYAS DE GOYA

### Prosecution History

#	Date	History Text
6	03/11/1996	TERMINATED
5	03/05/1996	BOARD'S DECISION: SUSTAINED
4	12/06/1995	PL'S MOTION FOR DEFAULT JDGMNT.
3	12/05/1995	NOTICE OF DEFAULT
2	06/21/1995	PENDING, INSTITUTED
1	04/21/1995	FILED AND FEE

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## Typed Drawing

<b>Word Mark</b>	JOYA
<b>Goods and Services</b>	(ABANDONED) IC 028. US 022. G & S: children's dolls
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	74514348
<b>Filing Date</b>	April 19, 1994
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	January 10, 1995
<b>Owner</b>	(APPLICANT) Fleming-Krull, Mary Kate INDIVIDUAL UNITED STATES 46 Lloyd Road Montclair NEW JERSEY 07042
	(APPLICANT) Waksal, Carol INDIVIDUAL UNITED STATES 85 Stonebridge Road Montclair NEW JERSEY 07042
<b>Attorney of Record</b>	Irving N. Feit
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	March 5, 1996

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## Opposition

**Number:** 91095328**Filing Date:** 09/06/1994**Status:** Terminated**Status Date:** 12/06/1995**General Contact Number:** 571-272-8500**Interlocutory Attorney:** GERARD F ROGERS**Paralegal Name:** VICTORIA VISTAUX VON**Defendant Serial/Reg. No. also in terminated case** 91095740  
(s):

### Defendant

**Name:** KUNYOUNG FOODS CO., LTD.**Correspondence:** ARTHUR M. LIEBERMAN  
LIEBERMAN & NOWAK  
292 MADISON AVENUE  
NEW YORK, NY 10017  
UNITED STATES**Serial #:** 74435504Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GAYA

### Plaintiff

**Name:** GOYA FOODS, INC.**Correspondence:** STEPHEN L. BAKER  
BAKER & FRIEDMAN  
220 FIFTH AVENUE SUITE 1500  
NEW YORK, NY 10001  
UNITED STATES**Serial #:** 73485909Application FileAssignment**Registration #:** 1354559**Application Status:** Renewed**Mark:** GOYA

### Prosecution History

#	Date	History Text	Due Date
10	12/06/1995	TERMINATED	
9	12/06/1995	BOARD'S DECISION: SUSTAINED	
8	08/14/1995	ABANDONMENT OF SN 74/435,504	
7	10/23/1995	DEF HAS 30 DAYS TO SHOW CAUSE	
6	06/19/1995	PLS MOT TO EXTEND TIME	

**Prosecution History**

#	Date	History Text	Due Date
5	03/21/1995	TRIAL DATES SET	
4	11/21/1994	ANSWER	
3	10/07/1994	PENDING, INSTITUTED	
2	10/07/1994	NOTICE SENT; ANSWER DUE (DUE DATE)	11/16/1994
1	09/06/1994	FILED AND FEE	

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<b>Word Mark</b>	GAYA
<b>Goods and Services</b>	(ABANDONED) IC 032. US 045 046. G & S: non-alcoholic beverages; namely, fruit juices, vegetable juices, ginger ale, aerated water, mineral water, seltzer water, soda water, waters, spring water
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	74435504
<b>Filing Date</b>	September 13, 1993
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	August 2, 1994
<b>Owner</b>	(APPLICANT) Kunyoung Foods Co., Ltd. CORPORATION REPUBLIC OF KOREA 157-5 Samsung-Dong, Kangnam-Ku Seoul REPUBLIC OF KOREA
<b>Attorney of Record</b>	Arthur M. Lieberman
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	December 6, 1995

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**Renewal** 1ST RENEWAL 19790728  
**Live/Dead Indicator** DEAD  
**Cancellation Date** November 21, 2011

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## Opposition

**Number:** 91095114**Filing Date:** 08/01/1994**Status:** Terminated**Status Date:** 05/31/1995**General Contact Number:** 571-272-8500**Paralegal Name:** LALITA GREENE

### Defendant

**Name:** T.J. LUCE COMPANY, INC.**Correspondence:** ARTHUR F. ZOBALWOFFORD, FAILS, ZOBAL & MANTOOTH  
110 WEST SEVENTH, SUITE 500  
FORT WORTH, TX 76102  
UNITED STATES**Serial #:** 74371242[Application File](#)[Assignment](#)**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** GAYA MEXICAN VANILLA

### Plaintiff

**Name:** GOYA FOODS, INC.**Correspondence:** STEPHEN L. BAKERBAKER & FRIEDMAN  
SUITE 1500 220 FIFTH AVENUE  
NEW YORK, NY 10001  
UNITED STATES**Serial #:** 73738136[Application File](#)[Assignment](#)**Registration #:** 1525945**Application Status:** Renewed**Mark:** GOYA

### Prosecution History

#	Date	History Text	Due Date
7	05/31/1995	TERMINATED	
6	05/24/1995	BOARD'S DECISION: SUSTAINED	
5	01/17/1995	DEF'S EXPRESS ABANDONMENT OF SN 74/371, 242	
4	01/23/1995	PLS MOT FOR JUDGEMENT	
3	11/03/1994	PENDING, INSTITUTED	
2	11/03/1994	NOTICE SENT; ANSWER DUE (DUE DATE)	01/06/1995
1	08/01/1994	FILED AND FEE	

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## Typed Drawing

<b>Word Mark</b>	GAYA MEXICAN VANILLA
<b>Translations</b>	The English translation of "GAYA" in the mark is "gay, bright or showy".
<b>Goods and Services</b>	(ABANDONED) IC 030. US 046. G & S: Mexican vanilla. FIRST USE: 19910325. FIRST USE IN COMMERCE: 19911021
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	74371242
<b>Filing Date</b>	March 24, 1993
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	May 31, 1994
<b>Owner</b>	(APPLICANT) T.J. Luce Company, Inc. CORPORATION TEXAS 4424 McLean Road Fort Worth TEXAS 76117
<b>Attorney of Record</b>	Arthur F. Zobal
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MEXICAN VANILLA" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	DEAD
<b>Abandonment Date</b>	May 24, 1995

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**Opposition**

**Number:** 91089373

**Filing Date:** 10/19/1992

**Status:** Terminated

**Status Date:** 07/11/1994

**General Contact Number:** 571-272-8500

**Interlocutory Attorney:** GERARD F ROGERS

**Paralegal Name:** NICOLE M THIER

**Defendant**

**Name:** ZOYA INC.

**Correspondence:** ZOYA INC.

ATTN: BARBARA BEADNELL, PRESIDENT  
39375 PALMER  
WESTLAND, MI 48185  
UNITED STATES

**Serial #:** 74215950 Application File Assignment

**Registration #:** 1859633

**Application Status:** Cancelled - Section 8

**Mark:** ZOYA

**Plaintiff**

**Name:** GOYA FOODS, INC.

**Correspondence:** JOHN M. RANNELLS

BAKER & FRIEDMAN  
220 FIFTH AVENUE SUITE 1500  
NEW YORK, NY 10001  
UNITED STATES

**Serial #:** 71696268 Application File Assignment

**Registration #:** 635283

**Application Status:** Expired

**Mark:** GOYA

**Prosecution History**

#	Date	History Text	Due Date
9	07/11/1994	TERMINATED	
8	11/09/1993	BD'S DECISION: DISMISSED W/O PREJUDICE	
7	07/15/1993	PL'S MOT TO VACATE	
6	08/11/1993	DELETE ENTRY	
5	07/23/1993	BOARD'S DECISION: SUSTAINED	
4	04/20/1993	NOTICE OF DEFAULT	
3	12/14/1992	PENDING, INSTITUTED	
2	12/14/1992	NOTICE SENT; ANSWER DUE (DUE DATE)	01/25/1993

**Prosecution History**

#	Date	History Text	Due Date
1	10/19/1992	FILED AND FEE	

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Word Mark	ZOYA
Goods and Services	(CANCELLED) IC 014. US 028. G & S: jewelry. FIRST USE: 19880201. FIRST USE IN COMMERCE: 19880201
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	74215950
Filing Date	October 28, 1991
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	June 16, 1992
Registration Number	1859633
Registration Date	October 25, 1994
Owner	(REGISTRANT) ZOYA INC. CORPORATION MICHIGAN 39375 Palmer Westland MICHIGAN 48185
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Cancellation Date	November 4, 2001

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**Opposition**

**Number:** 91087451

**Filing Date:** 04/16/1992

**Status:** Terminated

**Status Date:** 01/06/1997

**General Contact Number:** 571-272-8500

**Paralegal Name:** AMY L MATELSKI

**Defendant**

**Name:** FYFFES GROUP LIMITED

**Correspondence:** DONALD C. KNAPP, JR.  
 LADAS & PARRY  
 224 SOUTH MICHIGAN AVENUE  
 CHICAGO, IL 60604  
 UNITED STATES

**Serial #:** 74188070

Application File

Assignment

**Application Status:** Abandoned - After Inter-Partes Decision

**Mark:** HOYA

**Plaintiff**

**Name:** GOYA FOODS, INC.

**Correspondence:** STEPHEN L. BAKER  
 BAKER & FRIEDMAN  
 220 FIFTH AVENUE SUITE 1500  
 NEW YORK, NY 10001  
 UNITED STATES

**Serial #:** 73485909

Application File

Assignment

**Registration #:** 1354559

**Application Status:** Renewed

**Mark:** GOYA

**Prosecution History**

#	Date	History Text	Due Date
29	01/06/1997	TERMINATED	
28	01/06/1997	BOARD'S DECISION: SUSTAINED	
27	12/09/1996	DEF'S ABAND SN 74188079	
26	06/10/1996	SUSPENDED	
25	02/23/1996	PL'S MOT EXT TIME 6 MONTHS	
24	11/29/1995	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	
23	10/25/1995	PL'S MOT EXT TEST PRDS	
22	08/30/1995	PL'S MOT EXT TEST PRD	
21	07/31/1995	P'S MOTION FOR AN EXTENSION OF TIME	

**Prosecution History**

#	Date	History Text	Due Date
20	06/28/1995	PROCS RESUMED; TRIAL DATES RESET	
19	08/30/1994	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	
18	09/23/1994	PROCS SUSPENDED 6 MONTHS	
17	08/01/1994	DF MOT SUSPEND PROCEEDINGS	
16	06/29/1994	DEF'S MOTION TO SUSPEND	
15	05/02/1994	DEF'S MOTION TO SUSPEND	
14	04/26/1994	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	
13	01/26/1994	DEF'S MOT TO SUSPEND PROCEEDINGS	
12	11/03/1993	P'S MOTION FOR AN EXTENSION OF TIME	
11	08/05/1993	TRIAL DATES SET	
10	07/08/1993	ANSWER	
9	04/23/1993	D'S MOT TO SUSP PEND SETLMT NEGOT W CNST	
8	01/29/1993	SUSPENDED	
7	12/22/1992	DEF'S MOT TO SUSPEND W/CONSENT	
6	09/14/1992	D'S MOT TO SUSP PEND SETLMT NEGOT W CNST	
5	07/24/1992	D'S MOT TO SUSP PEND SETLMT NEGOT W CNST	
4	06/26/1992	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	
3	05/18/1992	PENDING, INSTITUTED	
2	05/18/1992	NOTICE SENT; ANSWER DUE (DUE DATE)	06/29/1992
1	04/16/1992	FILED AND FEE	

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Word Mark	HOYA
Goods and Services	(ABANDONED) IC 031. US 046. G & S: fresh fruit and fresh vegetables
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74188070
Filing Date	July 24, 1991
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	March 3, 1992
Owner	(APPLICANT) Fyffes Group Limited CORPORATION UNITED KINGDOM 12 York Gate, Regents Park London, NW1 4QF ENGLAND
Attorney of Record	Donald C. Knapp, Jr.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	January 6, 1997

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## Cancellation

**Number:** 92019423**Filing Date:** 11/13/1990**Status:** Terminated**Status Date:** 10/07/1991**General Contact Number:** 571-272-8500**Interlocutory Attorney:** MARC BERGSMAN**Paralegal Name:** KARL S KOCHERSPERGER

### Defendant

**Name:** PRODUCTOS E INGREDIENTES INTERNACIONALES S.A.**Correspondence:** WILLAJEANNE F. MCLEANDARBY & DARBY, P.C.  
805 THIRD AVENUE  
NEW YORK, NY 10022  
UNITED STATES**Serial #:** 73749466 [Application File](#) [Assignment](#)**Registration #:** 1606618**Application Status:** Cancelled - Section 18**Mark:** JOYA

### Plaintiff

**Name:** GOYA FOODS, INC.**Correspondence:** ATT: CONRAD COLON, VICE PRESIDENT100 SEAVIEW DRIVE  
SECAUCUS, NJ 07094  
UNITED STATES**Serial #:** 71667185 [Application File](#) [Assignment](#)**Registration #:** 625975**Application Status:** Expired**Mark:** GOYA

### Prosecution History

#	Date	History Text	Due Date
8	10/07/1991	TERMINATED	
7	07/30/1991	BOARD'S DECISION: GRANTED	
6	06/05/1991	NOTICE OF DEFAULT	
5	04/17/1991	#4 SENT TO DEF RETURNED BY P/S	
4	03/18/1991	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	
3	02/04/1991	PENDING, INSTITUTED	
2	02/04/1991	NOTICE SENT; ANSWER DUE (DUE DATE)	03/18/1991
1	11/13/1990	FILED AND FEE	

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**Typed Drawing**

**Word Mark** JOYA  
**Translations** THE ENGLISH TRANSLATION OF THE WORD "JOYA" IN THE MARK IS "JEWEL".  
**Goods and Services** (CANCELLED) IC 032. US 045. G & S: FRUIT FLAVORED CONCENTRATE FOR MAKING NON-ALCOHOLIC BEVERAGES CONTAINING WATER  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 73749466  
**Filing Date** August 30, 1988  
**Current Basis** 44E  
**Original Filing Basis** 44E  
**Published for Opposition** June 6, 1989  
**Registration Number** 1606618  
**Registration Date** July 17, 1990  
**Owner** (REGISTRANT) PRODUCTOS E INGREDIENTES INTERNACIONALES, S.A. (PROINSA) CORPORATION DOMINICAN REP THIRD FLOOR NO. 10, 51TH STREET, ENSANCHE LA FE SANTO DOMINGO DOMINICAN REP  
**Attorney of Record** ETHAN HORWITZ  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Cancellation Date** September 16, 1991

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## Cancellation

**Number:** 92019197**Filing Date:** 08/27/1990**Status:** Terminated**Status Date:** 06/29/1991**General Contact Number:** 571-272-8500**Paralegal Name:** MILLICENT CANADY

### Defendant

**Name:** GIOVANNI PUNZO S.A.S.**Correspondence:** ROBERT J. BENNETT  
TOWNSEND AND TOWNSEND  
STEUART STREET TOWER ONE MARKET PLAZA  
SAN FRANCISCO, CA 94105  
UNITED STATES**Serial #:** 73634843    [Application File](#)    [Assignment](#)    **Registration #:** 1492440**Application Status:** Cancelled - Section 8**Mark:** GIOVA

### Plaintiff

**Name:** GOYA FOODS, INC.**Correspondence:** STEPHEN L. BAKER  
BAKER AND FRIEDMAN  
P.O. BOX 672 359 EAST MAIN STREET  
SOMERVILLE, NJ 08876  
UNITED STATES**Serial #:** 71696268    [Application File](#)    [Assignment](#)    **Registration #:** 635283**Application Status:** Expired**Mark:** GOYA

### Prosecution History

#	Date	History Text	Due Date
11	06/29/1991	TERMINATED	
10	06/06/1991	BOARD'S DECISION: DISMISSED W/ PREJUDICE	
9	05/06/1991	WITHDRAWAL OF PETITION FOR CANCELLATION	
8	05/23/1991	TRIAL DATES RESET	
7	04/22/1991	PL'S RESPONSE TO MOT FOR PROTECTIVE ORDER	
6	04/08/1991	DEFENDANTS MOTION FOR PROTECTIVE ORDER AND DECLARATION	
5	11/30/1990	TRIAL DATES SET	
4	11/16/1990	ANSWER	
3	10/10/1990	PENDING, INSTITUTED	

**Prosecution History**

#	Date	History Text	Due Date
2	10/10/1990	NOTICE SENT; ANSWER DUE (DUE DATE)	11/20/1990
1	08/27/1990	FILED AND FEE	

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# Typed Drawing

Word Mark	GIOVA
Goods and Services	(CANCELLED) IC 029. US 046. G & S: OLIVE OIL
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73634843
Filing Date	December 11, 1986
Current Basis	44E
Original Filing Basis	44E
Published for Opposition	March 22, 1988
Registration Number	1492440
Registration Date	June 14, 1988
Owner	(REGISTRANT) GIOVANNI PUNZO S.A.S. CORPORATION ITALY VIA GARIBALDI, 207/209 POLLENA TROCCHIA (NA.) ITALY  (LAST LISTED OWNER) GIOVA FOOD INTERNATIONAL, INC. CORPORATION ASSIGNEE OF FLORIDA 11410 N. KENDALL DRIVE, SUITE 104 MIAMI FLORIDA 33176
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	ROBERT J. BENNETT
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	DEAD
Cancellation Date	June 27, 2014



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## Cancellation

**Number:** 92017367**Filing Date:** 08/15/1988**Status:** Terminated**Status Date:** 11/25/1994**General Contact Number:** 571-272-8500**Paralegal Name:** JOI WILSON

### Defendant

**Name:** GOYA FOODS, INC.**Serial #:** 73564190 [Application File](#) [Assignment](#)**Registration #:** 1407455**Application Status:** Expired**Mark:** GOYA**Serial #:** 73405064 [Application File](#) [Assignment](#)**Registration #:** 1283430**Application Status:** Renewed**Mark:** GOYA**Serial #:** 73463385 [Application File](#) [Assignment](#)**Registration #:** 1309470**Application Status:** Cancelled - Section 8**Mark:** GOYA

### Plaintiff

**Name:** CHANTAL DE GUERRE DEBOUT**Correspondence:** MICHAEL J. STRIKER  
360 LEXINGTON AVENUE  
NEW YORK, NY 10017  
UNITED STATES**Serial #:** 73549765 [Application File](#) [Assignment](#)**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** CHANTAL GOYA

### Prosecution History

#	Date	History Text	Due Date
29	11/25/1994	TERMINATED	
28	06/07/1994	BD'S DECISION: DISMISSED WITH PREJUDICE	
27	06/07/1994	DELETE ENTRY	
26	03/18/1994	OPPOSER/REGISTRANTS MOT FOR S.J. RE C/A	
25	03/04/1994	PARTIES RESPONSE DUE 15 DAYS RE-C/A	
24	06/22/1992	PARTIES RESPONSE RE-C/A DUE 15 DAYS	

**Prosecution History**

#	Date	History Text	Due Date
23	05/22/1991	DEFS RESPONSE TO STATUS OF C/A	
22	05/20/1991	PL`S LETTER IN RESPONSE TO RE-STATUS OF C/A	
21	04/17/1990	SUSPENDED PENDING DISP OF CIVIL ACTION	
20	02/26/1990	DEF'S MOT TO SUSPEND PENDING C/A	
19	02/21/1990	TRIAL DATES RESET	
18	02/12/1990	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	
17	02/05/1990	PL SUPPLEMENTAL MEMO IN OPP TO SUSPEND	
16	01/23/1990	PL MEMO IN OPP TO MOT TO SUSPEND	
15	01/19/1990	D'S MOT TO SUSP PEND DISP CIV ACTION	
14	12/14/1989	PROCS RESUMED; TRIAL DATES RESET; DEF'S REPLY RE DISCOVERY DUE 1-13-90	
13	11/29/1989	D'S MOTION FOR AN EXTENSION OF TIME	
12	10/19/1989	DEF'S REQ/ TO FURTHER SUSPEND PROCS. DUE TO COUNSEL	
11	09/05/1989	SUSPENDED	
10	07/20/1989	DEF'S MOTION TO SUSPEND RE ILLNESS	
9	06/12/1989	TRIAL DATES RESET	
8	05/30/1989	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	
7	05/25/1989	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	
6	05/11/1989	P'S MOTION FOR AN EXTENSION OF TIME	
5	02/16/1989	TRIAL DATES SET	
4	02/08/1989	ANSWER	
3	12/27/1988	PENDING, INSTITUTED	
2	12/27/1988	NOTICE SENT; ANSWER DUE (DUE DATE)	02/06/1989
1	08/15/1988	FILED & FEE	

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### Typed Drawing

Word Mark	GOYA
Goods and Services	IC 025. US 039. G & S: Hats, Jackets and Shirts. FIRST USE: 19600601. FIRST USE IN COMMERCE: 19700601
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73405064
Filing Date	December 6, 1982
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	April 3, 1984
Registration Number	<b>1283430</b>
Registration Date	June 26, 1984
Owner	(REGISTRANT) Goya Foods, Inc. CORPORATION DELAWARE 100 Seaview Dr. Secaucus NEW JERSEY 07094  (LAST LISTED OWNER) GOYA FOODS, INC. LIMITED LIABILITY COMPANY BY MERGER WITH NETHERLANDS 100 SEAVIEW DRIVE SECAUCUS NEW JERSEY 070961592
Attorney of Record	Stephen L. Baker
Type of Mark	TRADEMARK
Register	PRINCIPAL-2(F)
Affidavit Text	SECT 8 (6-YR). SECTION 8(10-YR) 20140630.
Renewal	2ND RENEWAL 20140630
Live/Dead Indicator	LIVE



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# Typed Drawing

**Word Mark** GOYA  
**Goods and Services** (CANCELLED) IC 042. US 100. G & S: Restaurant Services. FIRST USE: 19790401. FIRST USE IN COMMERCE: 19790401  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 73463385  
**Filing Date** January 30, 1984  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** October 2, 1984  
**Registration Number** 1309470  
**Registration Date** December 11, 1984  
**Owner** (REGISTRANT) Goya Foods CORPORATION DELAWARE 100 Seaview Dr. Secaucus NEW JERSEY 07094  
**Attorney of Record** Stephen L. Baker  
**Prior Registrations** 0733156;0962193;AND OTHERS  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL-2(F)  
**Live/Dead Indicator** DEAD  
**Cancellation Date** March 19, 1991

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**Opposition****Number:** 91076456**Filing Date:** 07/24/1987**Status:** Terminated**Status Date:** 01/14/1995**General Contact Number:** 571-272-8500**Paralegal Name:** MONIQUE HILL-TYSON**Defendant****Name:** CHANTAL DE GUERRE DEBOUT**Correspondence:** MICHAEL J. STRIKER  
360 LEXINGTON AVENUE  
NEW YORK, NY 10017  
UNITED STATES**Serial #:** 73549765Application FileAssignment**Application Status:** Abandoned - After Inter-Partes Decision**Mark:** CHANTAL GOYA**Plaintiff****Name:** GOYA FOODS, INC.**Correspondence:** STEPHEN L. BAKER  
BAKER & FRIEDMAN  
SUITE 1500 220 FIFTH AVENUE  
NEW YORK, NY 10001  
UNITED STATES**Serial #:** 71667185Application FileAssignment**Registration #:** 625975**Application Status:** Expired**Mark:** GOYA**Prosecution History**

#	Date	History Text	Due Date
42	01/14/1995	TERMINATED	
41	07/11/1994	OPP SUSTAINED IS IN EFFECT AS OF 7-11-94	
40	06/09/1994	BOARD'S DECISION: SUSTAINED	
39	03/18/1994	PL'S MOTION FOR SUMMARY JUDGMENT	
38	12/10/1993	PROCS REMAIN SUSP PENDING CIVIL ACTION	
37	11/17/1993	P'S MOTION FOR SUMMARY JUDGMENT	
36	10/28/1993	PARTIES RESPONSE RE-C/A DUE 15 DAYS	
35	10/09/1992	PROCEEDINGS REMAIN SUSPENDED	
34	08/24/1992	PL'S RESPONSE TO #33	





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**Word Mark** CHANTAL GOYA

**Goods and Services** (ABANDONED) IC 025. US 039. G & S: BATHING SUITS, STOCKINGS, BLOUSES, BOOTS, SHOES, BABY BOOTS, SWEATERS, HATS, SOCKS, SLIPPERS, SHIRTS, T-SHIRTS, PANTY HOSE, SKI CLOTHING, BLOUSES, SUITS, SHORTS, RAINCOATS, GLOVES, VESTS, TRENCH COATS, SKIRTS, LAYETTES, UNDERSHIRTS, COATS, OVERCOATS, PANTS, ROBES, PULLOVERS, PAJAMAS, NIGHTGOWNS, DRESSES, UNDERWEAR, APRONS, CAR COATS, BLAZERS, SWEAT SHIRTS, SWEAT SUITS, BODY SUITS, CARDIGANS AND DRESSING GOWNS

(ABANDONED) IC 026. US 040. G & S: HAIR CLIPS, EARRINGS (NOT PRECIOUS METAL), HAIR PINS, HAIR BANDS

(ABANDONED) IC 028. US 022. G & S: TOYS AND GAMES, NAMELY, EQUIPMENT SOLD AS A UNIT FOR PLAYING BOARD, CARD AND CONSTRUCTION GAMES, PUPPETS, DOLLS, DOLL HOUSES, DOLL CLOTHES AND STUFFED ANIMALS

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

**Design Search Code** 03.09.01 - Bunnies; Hares; Rabbits  
03.09.24 - Stylized small mammals, rodents, kangaroos, wallabies

**Serial Number** 73549765

**Filing Date** July 24, 1985

**Current Basis** 44E

**Original Filing Basis** 44D

**Published for Opposition** May 26, 1987

**Owner** (APPLICANT) DE GUERRE DEBOUT, CHANTAL INDIVIDUAL FRANCE 16, RUE DU CHERCHE MIDI PARIS FRANCE

**Attorney of Record**      MICHAEL J. STRIKER  
**Priority Date**        January 25, 1985  
**Type of Mark**        TRADEMARK  
**Register**             PRINCIPAL  
**Other Data**           THE NAME "CHANTAL GOYA" REFERS TO A LIVING INDIVIDUAL WHOSE CONSENT IS OF RECORD.  
  
**Live/Dead Indicator**    DEAD  
**Abandonment Date**     June 9, 1994

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...if it is GOYA it has to be GOOD

Word Mark	...IF IT IS GOYA IT HAS TO BE GOOD
Goods and Services	IC 029. US 046. G & S: CANNED VEGETABLES. FIRST USE: 19681100. FIRST USE IN COMMERCE: 19681100
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	72322981
Filing Date	March 27, 1969
Current Basis	1A
Original Filing Basis	1A
Registration Number	0942879
Registration Date	September 12, 1972
Owner	(REGISTRANT) GOYA FOODS INC. CORPORATION NEW YORK 25 12TH ST. BROOKLYN NEW YORK 11215  (LAST LISTED OWNER) GOYA FOODS INC. CORPORATION BY MERGER WITH DELAWARE 100 SEAVIEW DRIVE SECAUCUS NEW JERSEY 07094
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	STEPHEN L. BAKER
Prior Registrations	0391069;0622395;0733156
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECTION 8(10-YR) 20121009.

Renewal            2ND RENEWAL 20121009  
Live/Dead  
Indicator         LIVE

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