

ESTTA Tracking number: **ESTTA596498**

Filing date: **04/03/2014**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Smart & Final Stores LLC		
Entity	limited liability company	Citizenship	California
Address	600 Citadel Drive COMMERCE, CA 90040 UNITED STATES		

Attorney information	David A. Plumley CHRISTIE, PARKER & HALE, LLP P.O. Box 29001 Glendale, CA 91209-9001 UNITED STATES pto@cph.com, david.plumley@cph.com Phone:626-795-9900
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Applicant Information

Application No	85865894	Publication date	03/04/2014
Opposition Filing Date	04/03/2014	Opposition Period Ends	04/03/2014
Applicant	KCU, Inc. 2803 Marquis Circle West Arlington, TX 76016 TX		

Goods/Services Affected by Opposition

Class 042. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Providing a website featuring non-downloadable computer software and applications for reading, purchasing, storing and sharing story game cards and digital educational content in the nature of digital images, digital audio files, digital video and digital articles and digital games

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1811195	Application Date	03/24/1993
Registration Date	12/14/1993	Foreign Priority Date	NONE
Word Mark	SMART UNIVERSITY		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 041. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 educational services; namely, conducting business employee training and educational programs in supervision, management, leadership and professional development in the foodservice industry

U.S. Registration No.	1811196	Application Date	03/24/1993
Registration Date	12/14/1993	Foreign Priority Date	NONE
Word Mark	SMART U		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 educational services; namely, conducting business employee training and educational programs in supervision, management, leadership and professional development in the foodservice industry		

Attachments	smartoppontc.PDF(595122 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/David A. Plumley/
Name	David A. Plumley
Date	04/03/2014

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

In the matter of trademark application **Serial No. 85/865,894**
For the trademark SMARTE-UNIVERSITY
Published in the Trademark *Official Gazette* on March 4, 2014

SMART & FINAL STORES LLC	Opposer,	Opposition No.
v.		
KCU, Inc.	Applicant.	NOTICE OF OPPOSITION

Opposer, SMART & FINAL STORES LLC, a limited liability company whose address is 600 Citadel Drive, Commerce, California 90040, believes that it will be damaged by registration of the trademark shown in application Serial No. **85/865,894** in International Class 42 and hereby opposes its registration.

As grounds for opposition, Opposer alleges that:

1. Applicant KCU, Inc. seeks to register SMARTE-UNIVERSITY as a trademark for use with "Providing a website featuring non-downloadable computer software and applications for reading, purchasing, storing and sharing story game cards and digital educational content in the nature of digital images, digital audio files, digital video and digital articles and digital games" in International Class 42, claiming an intent to use the trademark in commerce as evidenced by the filing of an application for registration of the trademark on March 4, 2013 and the publication of the trademark in the March 4, 2014 issue of the *Official Gazette*.

2. Opposer is the owner of prior U.S. Registration No. 1,811,195 for the trademark SMART UNIVERSITY for use with "educational services; namely, conducting business employee training and educational programs in supervision, management, leadership and professional development in the foodservice industry," the application having been filed on March 24, 1993 with the registration issuing on December 14, 1993.

3. Opposer is the owner of prior U.S. Registration No. 1,811,196 for the trademark SMART U for use with "educational services; namely, conducting business employee training and educational programs in supervision, management, leadership and professional development in the foodservice industry," the application having been filed on March 24, 1993 with the registration issuing on December 14, 1993.

4. Attached as Exhibit A are printouts from the Patent and Trademark Office's online databases showing that Opposer's registrations for SMART UNIVERSITY and SMART U are in good standing and owned by Opposer.

5. On information and belief, Applicant's business activities include providing education services, and when considered in view of Applicant's intent to provide web services that include "digital educational content" as set forth in Applicant's application, Applicant's services are closely related to and overlap with the services identified in Opposer's prior registrations for SMART UNIVERSITY and SMART U.

6. The trademark which Applicant seeks to register so resembles the trademarks of Opposer's prior registrations for SMART UNIVERSITY and SMART U as to be likely to cause confusion, or to cause mistake, or to deceive when used in connection with the services identified in Applicant's application, and therefore, registration of Applicant's trademark by Applicant will cause injury to Opposer.

Docket No. 110.2*12/S655

PRAYER FOR RELIEF

WHEREFORE, Opposer prays that the trademark of Applicant's application Serial No. 85/865,894 be refused registration.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Dated: April 3, 2014

By /David A. Plumley/
David A. Plumley
Attorneys for Opposer
P.O. Box 29001
Glendale, California 91209-9001
626/795-9900

Docket No. 110.2*12/S655

CERTIFICATE OF SERVICE

I certify that on April 3, 2014, the foregoing **NOTICE OF OPPOSITION** is being served by mailing a copy thereof by first-class mail addressed to:

Brian K. Yost
DECKER JONES ET AL.
801 Cherry St., Suite 2000, Unit #46
Fort Worth, TX 76102-6882

By /Jennifer Guerra/
Jennifer Guerra
CHRISTIE, PARKER & HALE, LLP
P.O. Box 29001
Glendale, California 91209-9001
626/795-9900

DAP/jhg

JHG PAS1290743.1-* -04/3/14 12:17 PM

EXHIBIT A

Attorney Primary Email plo@cph.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: DAVID A. PLUMLEY
CHRISTIE, PARKER & HALE, LLP
PO BOX 29001
GLENDALE, CALIFORNIA 91209-9001
UNITED STATES

Phone: 626-795-9900

Fax: 626-577-8800

Correspondent e-mail: plo@cph.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 15, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 29, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 29, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	64591
Jul. 29, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Jul. 26, 2013	TEAS SECTION 8 & 9 RECEIVED	
Dec. 12, 2012	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 21, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 12, 2007	CASE FILE IN TICRS	
Jul. 04, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 13, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 13, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 12, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 12, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 12, 2003	TEAS SECTION 8 & 9 RECEIVED	
Apr. 05, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 18, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 14, 1993	REGISTERED-PRINCIPAL REGISTER	
Sep. 21, 1993	PUBLISHED FOR OPPOSITION	
Aug. 20, 1993	NOTICE OF PUBLICATION	
Jul. 06, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 25, 1993	EXAMINER'S AMENDMENT MAILED	
Jun. 23, 1993	ASSIGNED TO EXAMINER	69923
Jun. 22, 1993	ASSIGNED TO EXAMINER	60728

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 14, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jul. 29, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 15

Registrant: SMART & FINAL STORES CORPORATION

Assignment 1 of 15

Conveyance: SECURITY AGREEMENT
Reel/Frame: 1816/0659 Pages: 38
Date Recorded: Nov. 17, 1998
Supporting Documents: assignment-tm-1816-0659.pdf

Assignor

Name: SMART & FINAL STORES CORPORATION Execution Date: Nov. 13, 1998
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee

Name: CREDIT LYONNAIS LOS ANGELES BRANCH
Legal Entity Type: BANKING CORPORATION State or Country Where Organized: CALIFORNIA

Address: SUITE 2200
515 SOUTH FLORWER STREET
LOS ANGELES, CALIFORNIA 90071

Correspondent

Correspondent Name: LATHAM & WATKINS
Correspondent Address: A. BRIDGET SORENSON
633 WEST 5TH STREET
SUITE 4000
LOS ANGELES, CALIFORNIA 90071-2007

Domestic Representative - Not Found

Assignment 2 of 15

Conveyance: RELEASE OF LIEN IN TRADEMARKS
Reel/Frame: 2383/0769 Pages: 14
Date Recorded: Dec. 17, 2001
Supporting Documents: assignment-tm-2383-0769.pdf

Assignor

Name: CREDIT LYONNAIS LOS ANGELES BRANCH Execution Date: Nov. 30, 2001
Legal Entity Type: BANKING CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: SMART & FINAL INC.
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: SMART & FINAL STORES CORPORATION
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: AMERICAN FOODSERVICE DISTRIBUTORS
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: SMART & FINAL OREGON, INC.
Legal Entity Type: CORPORATION State or Country Where Organized: OREGON

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: AMERIFOODS TRADING COMPANY
Legal Entity Type: CORPORATION State or Country Where Organized: FLORIDA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: CASINO FROZEN FOODS, INC.
Legal Entity Type: CORPORATION State or Country Where Organized: FLORIDA

Organized:

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: HENRY LEE COMPANY

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 3301 NW 125TH STREET
MIAMI, FLORIDA 33167

Name: PORT STOCKTON FOOD DISTRIBUTORS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: SKADDEN, ARPS, SLATE MEAGHER & FLOM LLP

Correspondent Address: ELAINE D. ZIFF
FOUR TIMES SQUARE
NEW YORK, NY 10036-6522

Domestic Representative - Not Found

Assignment 3 of 15

Conveyance: SECURITY INTEREST

Reel/Frame: 2390/0576

Pages: 31

Date Recorded: Jan. 04, 2002

Supporting Documents: assignment-lm-2390-0576.pdf

Assignor

Name: SMART & FINAL INC.

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: AMERICAN FOODSERVICE DISTRIBUTORS

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: SMART & FINAL STORES CORPORATION

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: SMART & FINAL OREGON, INC.

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: PORT STOCKTON FOOD DISTRIBUTORS, INC.

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: HENRY LEE COMPANY

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: CASINO FROZEN FOODS, INC.

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: AMERIFOODS TRADING COMPANY

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: FOODSERVICE SPECIALISTS.COM

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: OKUN PRODUCE INTERNATIONAL, INC.

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Name: H.L. HOLDING CORPORATION

Execution Date: Nov. 30, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: BNP PARIBAS
Legal Entity Type: FRENCH BANK

State or Country Where Organized: No Place Where Organized Found

Address: 725 FIGUEROA STREET, SUITE 2090
LOS ANGELES, CALIFORNIA 90017

Correspondent

Correspondent Name: SKADDEN, ARPS, SLATE, MEAGHER ET AL
Correspondent Address: ELAINE D. ZIFF
FOUR TIMES SQUARE
NEW YORK, NY 10036-6522

Domestic Representative - Not Found

Assignment 4 of 15

Conveyance: RECORDING TO CORRECT THE RECEIVING PARTY'S NAME IN A RELEASE OF A SECURITY AGREEMENT PREVIOUSLY
RECORDED AT REEL 2383, FRAME 0769

Reel/Frame: 2685/0001

Pages: 12

Date Recorded: Feb. 24, 2003

Supporting Documents: [assignment-tm-2685-0001.pdf](#)

Assignor

Name: CREDIT LYONNAIS LOS ANGELES BRANCH
Legal Entity Type: BANKING CORPORATION - EXISTS UNDER
LAWS OF CALIFORNIA

Execution Date: Nov. 30, 2001
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: SMART & FINAL STORES CORPORATION
Legal Entity Type: CORPORATION - EXISTS UNDER LAWS OF
CALIFORNIA

State or Country Where Organized: No Place Where Organized Found

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: CHRISTIE, PARKER & HALE, LLP
Correspondent Address: DAVID A. PLUMLEY
P.O. BOX 7068
PASADENA, CA 91109-7068

Domestic Representative - Not Found

Assignment 5 of 15

Conveyance: CONVERSION

Reel/Frame: 3661/0048

Pages: 4

Date Recorded: Nov. 15, 2007

Supporting Documents: [assignment-tm-3661-0048.pdf](#)

Assignor

Name: SMART & FINAL STORES CORPORATION
Legal Entity Type: CORPORATION

Execution Date: May 29, 2007
State or Country Where Organized: CALIFORNIA

Assignee

Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: CHRISTIE, PARKER & HALE, LLP
Correspondent Address: P.O. BOX 7068
PASADENA, CA 91109-7068

Domestic Representative - Not Found

Assignment 6 of 15

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: 3554/0180

Pages: 11

Date Recorded: Jun. 04, 2007

Supporting Documents: [assignment-tm-3554-0180.pdf](#)

Assignor

Name: BNP PARIBAS

Execution Date: May 31, 2007

Legal Entity Type: FRENCH BANK

State or Country Where Organized: FRANCE

Assignee

Name: SMART & FINAL STORES CORPORATION

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: CATHERINE R. HOWELL, PARALEGAL

Correspondent Address: 1111 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 7 of 15

Conveyance: SECURITY INTEREST

Reel/Frame: 3563/0237

Pages: 14

Date Recorded: Jun. 18, 2007

Supporting Documents: assignment-tm-3563-0237.pdf

Assignor

Name: S&F STORES MERGER SUB LLC TO BE
MERGED WITH AND INTO SMART & FINAL
STORES LLC

Execution Date: May 31, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: BANK OF AMERICA, N.A., AS COLLATERAL AGENT

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: CALIFORNIA

Address: 100 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: CHRISTOPHER E. KONDRACKI

Correspondent Address: 2001 JEFFERSON DAVIS, HWY., SUITE 1007
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 8 of 15

Conveyance: SECURITY AGREEMENT

Reel/Frame: 3570/0451

Pages: 14

Date Recorded: Jun. 28, 2007

Supporting Documents: assignment-tm-3570-0451.pdf

Assignor

Name: SMART & FINAL STORES LLC

Execution Date: May 31, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: CREDIT SUISSE, AS FIRST LIEN COLLATERAL AGENT

Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Address: 11 MADISON AVENUE
NEW YORK, NEW YORK 10010

Correspondent

Correspondent Name: IP RESEARCH PLUS, INC.

Correspondent Address: 21 TADCASTER CIRCLE
ATTN: PENELOPE J.A. AGODOA
WALDORF, MD 20602

Domestic Representative - Not Found

Assignment 9 of 15

Conveyance: SECURITY AGREEMENT

Reel/Frame: 3571/0123

Pages: 14

Date Recorded: Jun. 29, 2007

Supporting Documents: assignment-tm-3571-0123.pdf

Assignor
Name: SMART & FINAL STORES LLC Execution Date: May 31, 2007
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee
Name: CREDIT SUISSE, AS SECOND LIEN COLLATERAL AGENT
Legal Entity Type: BANK State or Country Where Organized: No Place Where Organized Found
Address: 11 MADISON AVENUE
NEW YORK, NEW YORK 10010

Correspondent
Correspondent Name: IP RESEARCH PLUS, INC.
Correspondent Address: 21 TADCASTER CIRCLE
ATTN: PENELOPE J.A. AGODOA
WALDORF, MD 20602

Domestic Representative - Not Found
Assignment 10 of 15

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: 4901/0239 Pages: 12
Date Recorded: Nov. 16, 2012
Supporting Documents: assignment-tm-4901-0239.pdf

Assignor
Name: BANK OF AMERICA, N.A. Execution Date: Nov. 15, 2012
Legal Entity Type: NATIONAL ASSOCIATION State or Country Where Organized: No Place Where Organized Found

Assignee
Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: CALIFORNIA
Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: CASH & CARRY STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: OREGON
Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent
Correspondent Name: JENIFER DEWOLF PAINE
Correspondent Address: PROSKAUER ROSE LLP
ELEVEN TIMES SQUARE
NEW YORK, NY 10036-8299

Domestic Representative - Not Found
Assignment 11 of 15

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: 4902/0584 Pages: 10
Date Recorded: Nov. 16, 2012
Supporting Documents: assignment-tm-4902-0584.pdf

Assignor
Name: CREDIT SUISSE AG Execution Date: Nov. 15, 2012
Legal Entity Type: BANK State or Country Where Organized: SWITZERLAND

Assignee
Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: CALIFORNIA
Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent
Correspondent Name: JENIFER DEWOLF PAINE
Correspondent Address: PROSKAUER ROSE LLP
ELEVEN TIMES SQUARE

NEW YORK, NY 10036-8299

Domestic Representative - Not Found

Assignment 12 of 15

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: 4902/0660
Date Recorded: Nov. 16, 2012
Supporting Documents: assignment-tm-4902-0660.pdf

Pages: 10

Name: CREDIT SUISSE AG
Legal Entity Type: BANK

Assignor

Execution Date: Nov. 15, 2012
State or Country Where Organized: SWITZERLAND

Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

Assignee

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: JENIFER DEWOLF PAINE
Correspondent Address: PROSKAUER ROSE LLP
ELEVEN TIMES SQUARE
NEW YORK, NY 10036-8299

Domestic Representative - Not Found

Assignment 13 of 15

Conveyance: FIRST LIEN TERM LOAN TRADEMARK SECURITY AGREEMENT
Reel/Frame: 4914/0047
Date Recorded: Dec. 07, 2012
Supporting Documents: assignment-tm-4914-0047.pdf

Pages: 26

Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

Assignor

Execution Date: Nov. 15, 2012
State or Country Where Organized: CALIFORNIA

Name: CASH & CARRY STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

Assignee

Execution Date: Nov. 15, 2012
State or Country Where Organized: OREGON

Name: MORGAN STANLEY SENIOR FUNDING, INC.
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1585 BROADWAY
NEW YORK, NEW YORK 10036

Correspondent

Correspondent Name: ZHENG BAO
Correspondent Address: 3000 EL CAMINO REAL, 6TH FLOOR
SHEARMAN & STERLING LLP
PALO ALTO, CA 94306

Domestic Representative - Not Found

Assignment 14 of 15

Conveyance: SECOND LIEN TERM LOAN TRADEMARK SECURITY AGREEMENT
Reel/Frame: 4914/0073
Date Recorded: Dec. 07, 2012
Supporting Documents: assignment-tm-4914-0073.pdf

Pages: 26

Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

Assignor

Execution Date: Nov. 15, 2012
State or Country Where Organized: CALIFORNIA

Name: CASH & CARRY STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

Assignee

Execution Date: Nov. 15, 2012
State or Country Where Organized: OREGON

Name: MORGAN STANLEY SENIOR FUNDING, INC.
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1585 BROADWAY
NEW YORK, NEW YORK 10036

Correspondent

Correspondent Name: ZHENG BAO
Correspondent Address: 3000 EL CAMINO REAL, 6TH FLOOR
SHEARMAN & STERLING LLP
PALO ALTO, CA 94306

Domestic Representative - Not Found

Assignment 15 of 15

Conveyance: SECOND LIEN TERM LOAN TRADEMARK SECURITY AGREEMENT RELEASE

Reel/Frame: 5179/0763

Pages: 25

Date Recorded: Dec. 20, 2013

Supporting Documents: assignment-lm-5179-0763.pdf

Assignor

Name: MORGAN STANLEY SENIOR FUNDING, INC.
Legal Entity Type: CORPORATION

Execution Date: Dec. 19, 2013
State or Country Where Organized: DELAWARE

Assignee

Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: CASH & CARRY STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: OREGON

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: BENJAMIN PETERSEN
Correspondent Address: 3000 EL CAMINO REAL, 6TH FLOOR
SHEARMAN & STERLING LLP
PALO ALTO, CA 94306

Domestic Representative - Not Found

Attorney Primary Email PTO@CPH.COM
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: DAVID A. PLUMLEY
CHRISTIE, PARKER & HALE, LLP
P O BOX 29001
GLENDALE, CALIFORNIA 91209-9001
UNITED STATES

Phone: 626-795-9900

Fax: 626-577-8800

Correspondent e-mail: PTO@CPH.COM

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

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Dec. 12, 2003	TEAS SECTION 8 & 9 RECEIVED	
Apr. 05, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 18, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 14, 1993	REGISTERED-PRINCIPAL REGISTER	
Sep. 21, 1993	PUBLISHED FOR OPPOSITION	
Aug. 20, 1993	NOTICE OF PUBLICATION	
Jul. 06, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 25, 1993	EXAMINER'S AMENDMENT MAILED	
Jun. 21, 1993	ASSIGNED TO EXAMINER	69923

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 14, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jul. 29, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 15

Registrant: SMART & FINAL STORES CORPORATION

Assignment 1 of 15

Conveyance: SECURITY AGREEMENT
Reel/Frame: 1816/0659 Pages: 38
Date Recorded: Nov. 17, 1998
Supporting Documents: assignment-tm-1816-0659.pdf

Assignor

Name: SMART & FINAL STORES CORPORATION Execution Date: Nov. 13, 1998
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee

Name: CREDIT LYONNAIS LOS ANGELES BRANCH
Legal Entity Type: BANKING CORPORATION State or Country Where Organized: CALIFORNIA

Address: SUITE 2200
515 SOUTH FLORWER STREET
LOS ANGELES, CALIFORNIA 90071

Correspondent

Correspondent Name: LATHAM & WATKINS
Correspondent Address: A. BRIDGET SORENSON
633 WEST 5TH STREET
SUITE 4000
LOS ANGELES, CALIFORNIA 90071-2007

Domestic Representative - Not Found

Assignment 2 of 15

Conveyance: RELEASE OF LIEN IN TRADEMARKS
Reel/Frame: 2383/0769 Pages: 14
Date Recorded: Dec. 17, 2001
Supporting Documents: assignment-tm-2383-0769.pdf

Assignor

Name: CREDIT LYONNAIS LOS ANGELES BRANCH Execution Date: Nov. 30, 2001
Legal Entity Type: BANKING CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: SMART & FINAL INC.
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: SMART & FINAL STORES CORPORATION
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: AMERICAN FOODSERVICE DISTRIBUTORS
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: SMART & FINAL OREGON, INC.
Legal Entity Type: CORPORATION State or Country Where Organized: OREGON

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: AMERIFOODS TRADING COMPANY
Legal Entity Type: CORPORATION State or Country Where Organized: FLORIDA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: CASINO FROZEN FOODS, INC.
Legal Entity Type: CORPORATION State or Country Where Organized: FLORIDA

Address: 600 CITADEL DRIVE

COMMERCE, CALIFORNIA 90040

Name: HENRY LEE COMPANY

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 3301 NW 125TH STREET
MIAMI, FLORIDA 33167

Name: PORT STOCKTON FOOD DISTRIBUTORS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: SKADDEN, ARPS, SLATE MEAGHER & FLOM LLP

Correspondent Address: ELAINE D. ZIFF
FOUR TIMES SQUARE
NEW YORK, NY 10036-6522

Domestic Representative - Not Found

Assignment 3 of 15

Conveyance: SECURITY INTEREST

Reel/Frame: 2390/0576

Pages: 31

Date Recorded: Jan. 04, 2002

Supporting Documents: assignment-tm-2390-0576.pdf

Assignor

Name: SMART & FINAL INC.

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: AMERICAN FOODSERVICE DISTRIBUTORS

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: SMART & FINAL STORES CORPORATION

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: SMART & FINAL OREGON, INC.

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: PORT STOCKTON FOOD DISTRIBUTORS, INC.

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: HENRY LEE COMPANY

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: CASINO FROZEN FOODS, INC.

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: AMERIFOODS TRADING COMPANY

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: FOODSERVICE SPECIALISTS.COM

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: OKUN PRODUCE INTERNATIONAL, INC.

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Name: H.L. HOLDING CORPORATION

Legal Entity Type: CORPORATION

Execution Date: Nov. 30, 2001

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: BNP PARIBAS

Legal Entity Type: FRENCH BANK

State or Country Where Organized: No Place Where Organized Found

Address: 725 FIGUEROA STREET, SUITE 2090
LOS ANGELES, CALIFORNIA 90017

Correspondent

Correspondent Name: SKADDEN, ARPS, SLATE, MEAGHER ET AL

Correspondent Address: ELAINE D. ZIFF
FOUR TIMES SQUARE
NEW YORK, NY 10036-6522

Domestic Representative - Not Found

Assignment 4 of 15

Conveyance: RECORDING TO CORRECT THE RECEIVING PARTY'S NAME IN A RELEASE OF A SECURITY AGREEMENT PREVIOUSLY
RECORDED AT REEL 2383, FRAME 0769

Reel/Frame: 2685/0001

Pages: 12

Date Recorded: Feb. 24, 2003

Supporting Documents: [assignment-tm-2685-0001.pdf](#)

Assignor

Name: CREDIT LYONNAIS LOS ANGELES BRANCH

Execution Date: Nov. 30, 2001

Legal Entity Type: BANKING CORPORATION - EXISTS UNDER
LAWS OF CALIFORNIA

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: SMART & FINAL STORES CORPORATION

Legal Entity Type: CORPORATION - EXISTS UNDER LAWS OF
CALIFORNIA

State or Country Where Organized: No Place Where Organized Found

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: CHRISTIE, PARKER & HALE, LLP

Correspondent Address: DAVID A. PLUMLEY
P.O. BOX 7068
PASADENA, CA 91109-7068

Domestic Representative - Not Found

Assignment 5 of 15

Conveyance: CONVERSION

Reel/Frame: 3661/0048

Pages: 4

Date Recorded: Nov. 15, 2007

Supporting Documents: [assignment-tm-3661-0048.pdf](#)

Assignor

Name: SMART & FINAL STORES CORPORATION

Execution Date: May 29, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: SMART & FINAL STORES LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: CHRISTIE, PARKER & HALE, LLP

Correspondent Address: P.O. BOX 7068
PASADENA, CA 91109-7068

Domestic Representative - Not Found

Assignment 6 of 15

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: 3554/0180

Pages: 11

Date Recorded: Jun. 04, 2007

Supporting Documents: [assignment-tm-3554-0180.pdf](#)

Assignor

Name: BNP PARIBAS

Execution Date: May 31, 2007

Legal Entity Type: FRENCH BANK

State or Country Where Organized: FRANCE

Assignee

Name: SMART & FINAL STORES CORPORATION
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: CATHERINE R. HOWELL, PARALEGAL
Correspondent Address: 1111 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 7 of 15

Conveyance: SECURITY INTEREST
Reel/Frame: 3563/0237 **Pages:** 14
Date Recorded: Jun. 18, 2007
Supporting Documents: assignment-tm-3563-0237.pdf

Assignor

Name: S&F STORES MERGER SUB LLC TO BE MERGED WITH AND INTO SMART & FINAL STORES LLC **Execution Date:** May 31, 2007
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Assignee

Name: BANK OF AMERICA, N.A., AS COLLATERAL AGENT
Legal Entity Type: NATIONAL ASSOCIATION **State or Country Where Organized:** CALIFORNIA
Address: 100 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: CHRISTOPHER E. KONDRACKI
Correspondent Address: 2001 JEFFERSON DAVIS, HWY., SUITE 1007
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 8 of 15

Conveyance: SECURITY AGREEMENT
Reel/Frame: 3570/0451 **Pages:** 14
Date Recorded: Jun. 28, 2007
Supporting Documents: assignment-tm-3570-0451.pdf

Assignor

Name: SMART & FINAL STORES LLC **Execution Date:** May 31, 2007
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Assignee

Name: CREDIT SUISSE, AS FIRST LIEN COLLATERAL AGENT
Legal Entity Type: BANK **State or Country Where Organized:** No Place Where Organized Found
Address: 11 MADISON AVENUE
NEW YORK, NEW YORK 10010

Correspondent

Correspondent Name: IP RESEARCH PLUS, INC.
Correspondent Address: 21 TADCASTER CIRCLE
ATTN: PENELOPE J.A. AGODOA
WALDORF, MD 20602

Domestic Representative - Not Found

Assignment 9 of 15

Conveyance: SECURITY AGREEMENT
Reel/Frame: 3571/0123 **Pages:** 14
Date Recorded: Jun. 29, 2007
Supporting Documents: assignment-tm-3571-0123.pdf

Assignor

Name: SMART & FINAL STORES LLC
Legal Entity Type: CORPORATION

Execution Date: May 31, 2007

State or Country Where Organized: CALIFORNIA

Assignee

Name: CREDIT SUISSE, AS SECOND LIEN COLLATERAL AGENT
Legal Entity Type: BANK

State or Country Where Organized: No Place Where Organized Found

Address: 11 MADISON AVENUE
NEW YORK, NEW YORK 10010

Correspondent

Correspondent Name: IP RESEARCH PLUS, INC.
Correspondent Address: 21 TADCASTER CIRCLE
ATTN: PENELOPE J.A. AGODDA
WALDORF, MD 20602

Domestic Representative - Not Found

Assignment 10 of 15

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: 4901/0239
Date Recorded: Nov. 16, 2012
Supporting Documents: assignment-tm-4901-0239.pdf

Pages: 12

Assignor

Name: BANK OF AMERICA, N.A.
Legal Entity Type: NATIONAL ASSOCIATION

Execution Date: Nov. 15, 2012
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: CASH & CARRY STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: OREGON

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: JENIFER DEWOLF PAINE
Correspondent Address: PROSKAUER ROSE LLP
ELEVEN TIMES SQUARE
NEW YORK, NY 10036-8299

Domestic Representative - Not Found

Assignment 11 of 15

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: 4902/0584
Date Recorded: Nov. 16, 2012
Supporting Documents: assignment-tm-4902-0584.pdf

Pages: 10

Assignor

Name: CREDIT SUISSE AG
Legal Entity Type: BANK

Execution Date: Nov. 15, 2012
State or Country Where Organized: SWITZERLAND

Assignee

Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: JENIFER DEWOLF PAINE
Correspondent Address: PROSKAUER ROSE LLP
ELEVEN TIMES SQUARE
NEW YORK, NY 10036-8299

Domestic Representative - Not Found

Assignment 12 of 15

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: 4902/0660 Pages: 10
Date Recorded: Nov. 16, 2012
Supporting Documents: assignment-tm-4902-0660.pdf

Assignor
Name: CREDIT SUISSE AG Execution Date: Nov. 15, 2012
Legal Entity Type: BANK State or Country Where Organized: SWITZERLAND

Assignee
Name: SMART & FINAL STORES LLC
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: CALIFORNIA
Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent
Correspondent Name: JENIFER DEWOLF PAINE
Correspondent Address: PROSKAUER ROSE LLP
ELEVEN TIMES SQUARE
NEW YORK, NY 10036-8299

Domestic Representative - Not Found

Assignment 13 of 15

Conveyance: FIRST LIEN TERM LOAN TRADEMARK SECURITY AGREEMENT
Reel/Frame: 4914/0047 Pages: 26
Date Recorded: Dec. 07, 2012
Supporting Documents: assignment-tm-4914-0047.pdf

Assignor
Name: SMART & FINAL STORES LLC Execution Date: Nov. 15, 2012
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: CALIFORNIA

Assignee
Name: CASH & CARRY STORES LLC Execution Date: Nov. 15, 2012
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: OREGON

Assignor
Name: MORGAN STANLEY SENIOR FUNDING, INC.
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 1585 BROADWAY
NEW YORK, NEW YORK 10036

Correspondent
Correspondent Name: ZHENG BAO
Correspondent Address: 3000 EL CAMINO REAL, 6TH FLOOR
SHEARMAN & STERLING LLP
PALO ALTO, CA 94306

Domestic Representative - Not Found

Assignment 14 of 15

Conveyance: SECOND LIEN TERM LOAN TRADEMARK SECURITY AGREEMENT
Reel/Frame: 4914/0073 Pages: 26
Date Recorded: Dec. 07, 2012
Supporting Documents: assignment-tm-4914-0073.pdf

Assignor
Name: SMART & FINAL STORES LLC Execution Date: Nov. 15, 2012
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: CALIFORNIA

Assignee
Name: CASH & CARRY STORES LLC Execution Date: Nov. 15, 2012
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: OREGON

Assignor
Name: MORGAN STANLEY SENIOR FUNDING, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1585 BROADWAY
NEW YORK, NEW YORK 10036

Correspondent

Correspondent Name: ZHENG BAO

Correspondent Address: 3000 EL CAMINO REAL, 6TH FLOOR
SHEARMAN & STERLING LLP
PALO ALTO, CA 94306

Domestic Representative - Not Found

Assignment 15 of 15

Conveyance: SECOND LIEN TERM LOAN TRADEMARK SECURITY AGREEMENT RELEASE

Reel/Frame: 5179/0763

Pages: 25

Date Recorded: Dec. 20, 2013

Supporting Documents: assignment-lm-5179-0763.pdf

Assignor

Name: MORGAN STANLEY SENIOR FUNDING, INC.

Execution Date: Dec. 19, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: SMART & FINAL STORES LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Name: CASH & CARRY STORES LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: OREGON

Address: 600 CITADEL DRIVE
COMMERCE, CALIFORNIA 90040

Correspondent

Correspondent Name: BENJAMIN PETERSEN

Correspondent Address: 3000 EL CAMINO REAL, 6TH FLOOR
SHEARMAN & STERLING LLP
PALO ALTO, CA 94306

Domestic Representative - Not Found