

ESTTA Tracking number: **ESTTA641588**

Filing date: **11/26/2014**

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	NEUROBRANDS, LLC		
Entity	limited liability company	Citizenship	California
Address	501 Santa Monica Blvd 2nd Floor Santa Monica, CA 90401 UNITED STATES		

Correspondence information	Steve P Hassid Attorney of record Partners Law Group, Inc. 1115 1/2 Yale Street Santa Monica, CA 90403 UNITED STATES Steve@partnerslawgroup.com Phone:3109222206
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**Applicant Information**

Application No	86311151	Publication date	10/28/2014
Opposition Filing Date	11/26/2014	Opposition Period Ends	11/27/2014
Applicant	EON CAPITAL INC. 9166 WEST SALTER DR PEORIA, AZ 85382 UNITED STATES		

**Goods/Services Affected by Opposition**

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

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	3609755	Application Date	12/19/2007
Registration Date	04/21/2009	Foreign Priority Date	NONE
Word Mark	NEUROGASM		

Design Mark	<h1>NEUROGASM</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2008/05/01 First Use In Commerce: 2008/10/01 Dietary drink mix for use as a meal replacement; Dietary supplements; Dietary supplemental drinks		

U.S. Registration No.	3664829	Application Date	07/15/2008
Registration Date	08/04/2009	Foreign Priority Date	NONE

Word Mark	NEUROGASM		
Design Mark	<h1>NEUROGASM</h1>		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 1993/05/01 First Use In Commerce: 2008/10/01 Non-alcoholic fruit-flavored beverages		

U.S. Registration No.	3664947	Application Date	09/22/2008
Registration Date	08/04/2009	Foreign Priority Date	NONE
Word Mark	NEUROBLISS		

Design Mark	<h1>NEUROBLISS</h1>		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2008/05/01 First Use In Commerce: 2008/10/01 Non alcoholic fruit flavored beverages		

U.S. Registration No.	3677431	Application Date	04/28/2008
Registration Date	09/01/2009	Foreign Priority Date	NONE
Word Mark	NEUROSLEEP		
Design Mark	<h1>NEUROSLEEP</h1>		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2008/05/01 First Use In Commerce: 2008/10/01 Non-alcoholic fruit-flavored beverages		

U.S. Registration No.	3728338	Application Date	06/03/2009
Registration Date	12/22/2009	Foreign Priority Date	NONE
Word Mark	NEUROBLISS		
Design Mark	<h1>NEUROBLISS</h1>		

Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2008/05/01 First Use In Commerce: 2008/10/01 Dietary and nutritional supplements; dietary supplemental drinks

U.S. Registration No.	3728339	Application Date	06/03/2009
Registration Date	12/22/2009	Foreign Priority Date	NONE

Word Mark	NEUROSLEEP
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Design Mark	
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Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2008/05/01 First Use In Commerce: 2008/10/01 Dietary and nutritional supplements; dietary supplemental drinks

U.S. Registration No.	3728340	Application Date	06/03/2009
Registration Date	12/22/2009	Foreign Priority Date	NONE

Word Mark	NEUROSONIC
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Design Mark	
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Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2008/05/01 First Use In Commerce: 2008/10/01 Dietary and nutritional supplements; dietary supplemental drinks

U.S. Registration No.	3814258	Application Date	11/19/2009
Registration Date	07/06/2010	Foreign Priority Date	NONE

Word Mark	DRINK NEURO
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Design Mark	<b>DRINK NEURO</b>
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2009/04/30 First Use In Commerce: 2009/04/30 Dietary supplemental drinks

U.S. Registration No.	3875430	Application Date	05/20/2009
Registration Date	11/16/2010	Foreign Priority Date	NONE
Word Mark	NEURO		
Design Mark			
Description of Mark	The mark consists of the stylized word "NEURO" incorporating a head with an electrical pulse running through its center as the "O" in "NEURO".		
Goods/Services	Class 005. First use: First Use: 2008/05/01 First Use In Commerce: 2008/10/01 Dietary and nutritional drinks and dietary and nutritional powdered drink mixes; dietary supplemental drinks Class 032. First use: First Use: 2008/05/01 First Use In Commerce: 2008/10/01 Non-alcoholic fruit flavored beverage		

U.S. Registration No.	3906397	Application Date	11/19/2009
Registration Date	01/18/2011	Foreign Priority Date	NONE
Word Mark	NEURO		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2008/05/01 First Use In Commerce: 2008/05/01 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2008/05/01 First Use In Commerce: 2008/05/01 Non-alcoholic beverages, namely, mineral and aerated waters; fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks

U.S. Registration No.	3923701	Application Date	04/17/2009
Registration Date	02/22/2011	Foreign Priority Date	NONE

Word Mark	NEUROTRIM
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 005. First use: First Use: 2009/07/02 First Use In Commerce: 2009/07/02 Dietary and nutritional supplements; Dietary beverage supplements for human consumption in liquid and dry mix form for therapeutic purposes; Dietary drink mix for use as a meal replacement; Dietary supplemental drinks; Dietary supplements for human consumption Class 032. First use: First Use: 2009/07/02 First Use In Commerce: 2009/07/02 Energy drinks; Fruit-flavoured beverages; Non-alcoholic beverages, namely, carbonated beverages; Sports drinks; Sports drinks, namely, energy drinks
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U.S. Registration No.	3971387	Application Date	12/04/2009
Registration Date	05/31/2011	Foreign Priority Date	NONE

Word Mark	NEUROSUN
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Design Mark	
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Description of	NONE
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Mark	
Goods/Services	Class 005. First use: First Use: 2010/10/23 First Use In Commerce: 2010/10/23 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2010/10/23 First Use In Commerce: 2010/10/23 Non-alcoholic beverages, namely, mineral and aerated waters; fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks

U.S. Registration No.	3979927	Application Date	12/26/2008
Registration Date	06/21/2011	Foreign Priority Date	NONE

Word Mark	NEUROSONIC
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Design Mark	<h1>NEUROSONIC</h1>
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Description of Mark	NONE
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Goods/Services	Class 032. First use: First Use: 1993/05/01 First Use In Commerce: 2008/10/01 Non-alcoholic fruit flavored beverages not for sale or consumption through soft-drink fountains or at quick service restaurants
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U.S. Registration No.	3981997	Application Date	05/05/2009
Registration Date	06/21/2011	Foreign Priority Date	NONE

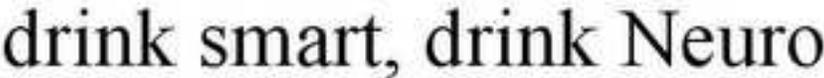
Word Mark	NEUROSPORT
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Design Mark	<h1>NEUROSPORT</h1>
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Description of Mark	NONE
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Goods/Services	Class 005. First use: First Use: 2009/06/01 First Use In Commerce: 2009/06/23 Dietary supplemental drinks Class 032. First use: First Use: 2009/06/01 First Use In Commerce: 2009/06/23 Sports drinks; Sports drinks, namely, energy drinks
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U.S. Registration No.	3986242	Application Date	04/17/2009
Registration Date	06/28/2011	Foreign Priority Date	NONE
Word Mark	NEUROAQUA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2009/09/02 First Use In Commerce: 2009/09/15 Aerated water; Bottled drinking water; Drinking water with vitamins; Drinking waters; Energy drinks; Flavored bottled water; Flavoured mineral water; Flavoured-waters; Glacial water; Mineral and aerated waters; Mineral water; Non-alcoholic beverages, namely, carbonated beverages; Sparkling water		

U.S. Registration No.	4068151	Application Date	06/11/2010
Registration Date	12/06/2011	Foreign Priority Date	NONE
Word Mark	DRINK SMART, DRINK NEURO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2010/06/04 First Use In Commerce: 2010/10/10 Dietary supplemental drinks; nutritionally fortified beverages; vitamin fortified beverages Class 032. First use: First Use: 2010/06/04 First Use In Commerce: 2010/10/10 Non-alcoholic beverages, namely, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks		

U.S. Registration No.	4084947	Application Date	11/23/2010
Registration Date	01/10/2012	Foreign Priority	NONE

		Date	
Word Mark	NEURODREAMS		
Design Mark	<h1>NeuroDreams</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2010/10/01 First Use In Commerce: 2011/10/03 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2010/10/01 First Use In Commerce: 2011/10/03 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks		

U.S. Registration No.	4084948	Application Date	11/23/2010
Registration Date	01/10/2012	Foreign Priority Date	NONE

Word Mark	NEUROPASSION		
Design Mark	<h1>NeuroPassion</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2010/10/01 First Use In Commerce: 2011/10/03 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2010/10/01 First Use In Commerce: 2011/10/03 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks		

U.S. Registration No.	4084949	Application Date	11/23/2010
Registration Date	01/10/2012	Foreign Priority Date	NONE
Word Mark	NEUROSPLASH		

Design Mark	<h1>NeuroSplash</h1>
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2010/10/11 First Use In Commerce: 2011/10/03 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2010/10/11 First Use In Commerce: 2011/10/03 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks

U.S. Registration No.	4084950	Application Date	11/23/2010
Registration Date	01/10/2012	Foreign Priority Date	NONE

Word Mark	NEUROSNAACK
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Design Mark	<h1>NeuroSnack</h1>
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Description of Mark	NONE
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Goods/Services	Class 005. First use: First Use: 2010/10/11 First Use In Commerce: 2011/10/03 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2010/10/11 First Use In Commerce: 2011/10/03 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks
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U.S. Registration No.	4094076	Application Date	05/05/2009
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Registration Date	01/31/2012	Foreign Priority Date	NONE
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Word Mark	NEUROFUN
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Design Mark	<b>NEUROFUN</b>
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2009/05/05 First Use In Commerce: 2011/09/09 Dietary and nutritional supplements; Dietary beverage supplements for human consumption in liquid and dry mix form for therapeutic purposes; Dietary drink mix for use as a meal replacement; Dietary supplemental drinks Class 032. First use: First Use: 2009/05/05 First Use In Commerce: 2011/09/09 Energy drinks; Fruit flavored drinks; Sports drinks; Sports drinks, namely, energy drinks

U.S. Registration No.	4109264	Application Date	09/28/2009
Registration Date	03/06/2012	Foreign Priority Date	NONE

Word Mark	NEUROSHAPE
Design Mark	<b>NEUROSHAPE</b>
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2009/07/31 First Use In Commerce: 2011/10/03 Dietary beverage supplements for human consumption in liquid and dry mix form for therapeutic purposes; Dietary supplemental drinks; Dietary supplements; Nutritionally fortified beverages; Vitamin fortified beverages

U.S. Registration No.	4101587	Application Date	05/22/2011
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	NEUROFRESH		

Design Mark	<h1>NeuroFresh</h1>
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2011/05/10 First Use In Commerce: 2011/05/11 Dietary and nutritional supplements

U.S. Registration No.	4113103	Application Date	05/03/2011
Registration Date	03/13/2012	Foreign Priority Date	NONE
Word Mark	NEUROSUPREME		
Design Mark	<h1>NEUROSUPREME</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2011/05/04 First Use In Commerce: 2011/06/10 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2011/05/04 First Use In Commerce: 2011/06/10 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks		

U.S. Registration No.	4154416	Application Date	04/17/2009
Registration Date	06/05/2012	Foreign Priority Date	NONE
Word Mark	NEUROBLAST		

Design Mark	<h1>NEUROBLAST</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/03/09 First Use In Commerce: 2011/10/03 Dietary and nutritional supplements; Dietary beverage supplements for human consumption Class 032. First use: First Use: 2009/03/09 First Use In Commerce: 2011/10/03 Non-alcoholic beverages, namely, carbonated beverages and energy drinks		

U.S. Registration No.	4172025	Application Date	08/11/2009
Registration Date	07/10/2012	Foreign Priority Date	NONE

Word Mark	NEUROTHIN		
Design Mark	<h1>NEUROTHIN</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/07/17 First Use In Commerce: 2011/10/03 Nutritionally fortified beverages; Vitamin fortified beverages		

U.S. Registration No.	4222174	Application Date	04/17/2009
Registration Date	10/09/2012	Foreign Priority Date	NONE

Word Mark	NEURO KIDS		
Design Mark	<h1>NEURO KIDS</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/04/17 First Use In Commerce: 2012/08/30		

	Dietary and nutritional supplements; Dietary supplemental drinks Class 032. First use: First Use: 2009/04/17 First Use In Commerce: 2012/08/30 Drinking water with vitamins; Energy drinks; Sports drinks; Sports drinks, namely, energy drinks
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U.S. Registration No.	4222175	Application Date	04/17/2009
Registration Date	10/09/2012	Foreign Priority Date	NONE
Word Mark	NEURO JUNIOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/04/17 First Use In Commerce: 2012/08/30 Dietary and nutritional supplements; Dietary supplemental drinks; Dietary supplements for human consumption Class 032. First use: First Use: 2009/04/17 First Use In Commerce: 2012/08/30 Drinking water with vitamins; Energy drinks; Flavored waters; Flavoured waters; Sports drinks		

U.S. Application No.	85183059	Application Date	11/23/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NEUROSNOOZE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 0 First Use In Commerce: 0 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 0 First Use In Commerce: 0 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks		

U.S. Registration No.	4222718	Application Date	05/03/2011
Registration Date	10/09/2012	Foreign Priority Date	NONE

Word Mark	THERE'S A NEURO FOR THAT
Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2011/03/10 First Use In Commerce: 2011/05/15 Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2011/03/10 First Use In Commerce: 2011/05/15 Non-alcoholic beverages

U.S. Registration No.	4250991	Application Date	08/11/2011
Registration Date	11/27/2012	Foreign Priority Date	NONE

Word Mark	NEURO PRIME
Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2011/08/11 First Use In Commerce: 2012/08/30 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2011/08/11 First Use In Commerce: 2012/08/30 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices and isotonic drinks

U.S. Registration No.	4615762	Application Date	08/18/2011
Registration Date	10/07/2014	Foreign Priority Date	NONE
Word Mark	NEURO LIFE		

Design Mark	<h1>NEURO LIFE</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2011/08/02 First Use In Commerce: 2011/08/02 Nutritionally fortified beverages; Vitamin fortified beverages; Non-alcoholic beverages, namely, nutritionally fortified beverages		

U.S. Registration No.	4611965	Application Date	08/18/2011
Registration Date	09/30/2014	Foreign Priority Date	NONE
Word Mark	NEURO LIVING		
Design Mark	<h1>NEURO LIVING</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2011/03/21 First Use In Commerce: 2011/08/02 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2011/03/21 First Use In Commerce: 2011/08/02 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices, and isotonic drinks		

U.S. Registration No.	4247113	Application Date	09/07/2011
Registration Date	11/20/2012	Foreign Priority Date	NONE
Word Mark	NEURO SPARK		
Design Mark	<h1>NEURO SPARK</h1>		
Description of Mark	NONE		

Goods/Services	Class 005. First use: First Use: 2011/09/07 First Use In Commerce: 2012/08/30 Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages Class 032. First use: First Use: 2011/09/07 First Use In Commerce: 2012/08/30 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices, and isotonic drinks
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U.S. Application No.	85416624	Application Date	09/07/2011
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	NEUROLIMITLESS
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Design Mark	<h1>NEUROLIMITLESS</h1>
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Description of Mark	NONE
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Goods/Services	Class 032. First use: First Use: 0 First Use In Commerce: 0 Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbaljuices, and isotonic drinks
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U.S. Registration No.	4618096	Application Date	12/17/2012
Registration Date	10/07/2014	Foreign Priority Date	NONE

Word Mark	NEURO DAILY
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Design Mark	<h1>NEURO DAILY</h1>
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Description of Mark	NONE
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Goods/Services	Class 032. First use: First Use: 2013/04/25 First Use In Commerce: 2013/05/06 Non-alcoholic beverages, namely, water beverages enhanced with vitamins or minerals
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U.S. Registration No.	4618095	Application Date	12/17/2012
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Registration Date	10/07/2014	Foreign Priority Date	NONE
Word Mark	NEURO DAILY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2013/04/25 First Use In Commerce: 2013/05/06 Nutritionally fortified beverages		

Attachments	<p>77355823#TMSN.png( bytes )  77522457#TMSN.png( bytes )  77576154#TMSN.png( bytes )  77460123#TMSN.png( bytes )  77751429#TMSN.png( bytes )  77751446#TMSN.png( bytes )  77751464#TMSN.png( bytes )  77876937#TMSN.png( bytes )  77741644#TMSN.png( bytes )  77876932#TMSN.png( bytes )  77715907#TMSN.png( bytes )  77886621#TMSN.png( bytes )  77640170#TMSN.png( bytes )  77729705#TMSN.png( bytes )  77715909#TMSN.png( bytes )  85061283#TMSN.png( bytes )  85183063#TMSN.png( bytes )  85183070#TMSN.png( bytes )  85183071#TMSN.png( bytes )  85183395#TMSN.png( bytes )  77729685#TMSN.png( bytes )  77836769#TMSN.png( bytes )  85326912#TMSN.png( bytes )  85311211#TMSN.png( bytes )  77715898#TMSN.png( bytes )  77801424#TMSN.png( bytes )  77715912#TMSN.png( bytes )  77715923#TMSN.png( bytes )  85183059#TMSN.png( bytes )  85311316#TMSN.png( bytes )  85395608#TMSN.png( bytes )  85401216#TMSN.png( bytes )  85401255#TMSN.png( bytes )  85416596#TMSN.png( bytes )  85416624#TMSN.png( bytes )  85804788#TMSN.png( bytes )  85804752#TMSN.png( bytes )</p>
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	Opposition Neurobrands v Eon Capital Inc - 86311151 (Neurogem).pdf(4715016 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	/Steve P. Hassid/
Name	Steve P Hassid
Date	11/26/2014

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

In re Application for: NEUROGEM  
Applicant Name: Eon Capital Inc.  
Serial No.: 86-311,151  
Filing Date: June 16, 2014  
Date of Publication: October 28, 2014

NEUROBRANDS, LLC, )  
a California limited liability company )  
 )  
Opposer, )  
 )  
v. )  
 )  
EON CAPITAL INC., )  
a Delaware corporation )  
 )  
Applicant. )

Opposition No. \_\_\_\_\_

Commissioner for Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF OPPOSITION**

NEUROBRANDS, LLC, a California limited liability company (“Opposer”), with a principal place of business at 501 Santa Monica Blvd, 2nd Floor, Santa Monica, CA 90401, believes that it is being and will continue to be damaged by the registration of the mark NEUROGEM, Serial No. 86-311,151 (the “Opposed Application”).

As grounds in support of its opposition, Opposer alleges the following:

1. Upon information and belief, the Applicant is Eon Capital Inc., a Delaware corporation with its principle place of business at 9166 West Salter Dr, Peoria, Arizona 85382 (“Applicant”).

2. Upon information and belief, Applicant filed the Opposed Application to register the standard character mark NEUROGEM (“Applicant’s Mark”) on June 16, 2014 for use in connection with “Dietary and nutritional supplements” in International Class 005 on the Principal Register (“Applicant’s Goods”). Upon information and belief, the Opposed Application was based on Applicant’s bona fide intention to use Applicant’s Mark for Applicant’s Goods in commerce.

3. Opposer NEUROBRANDS, LLC offers premium functional beverages that often contain supplements and are designed to promote health and overall wellness for consumers’ active lifestyle with natural ingredients. Opposer’s goods are low calorie beverages that contain proprietary blends of dietary and nutritional supplements to yield various health benefits, and contain no artificial colors or flavors.

4. Opposer is responsible for holding, monitoring, and enforcing compliance with its intellectual property. Opposer, NEUROBRANDS, LLC, and its respective predecessors in interests are collectively referred to herein as “NEUROBRANDS.”

5. Opposer is the owner of various federal, state, and common law marks that include the term “Neuro,” which include, but are not limited to the following pending applications and registrations which are valid and subsisting (collectively the “Neuro Marks”):

<b>Word Mark</b>	<b>Reg./App No.</b>	<b>Reg. Date</b>	<b>Filing Date</b>	<b>Goods &amp; Services</b>
NEUROGASM	3609755	Apr. 21, 2009	Dec. 19, 2007	Int’l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary drink mix for use as a meal replacement; Dietary supplements; Dietary supplemental drinks.
NEUROGASM	3664829	Aug. 4, 2009	Jul. 15, 2008	Int’l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic fruit-flavored beverages.
NEUROBLISS	3664947	Aug. 4,	Sept. 22,	Int’l Class 032. U.S. Class 045 046 048.

Word Mark	Reg./App No.	Reg. Date	Filing Date	Goods & Services
		2009	2008	G & S: Non alcoholic fruit flavored beverages.
NEUROSLEEP	3677431	Sept. 1, 2009	Apr. 28, 2008	Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic fruit-flavored beverages.
NEUROBLISS	3728338	Dec. 22, 2009	Jun. 3, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; dietary supplemental drinks.
NEUROSLEEP	3728339	Dec. 22, 2009	Jun. 3, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; dietary supplemental drinks.
NEUROSONIC	3728340	Dec. 22, 2009	Jun. 3, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; dietary supplemental drinks.
DRINK NEURO	3814258	Jul. 6, 2010	Nov. 19, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks.
	3875430	Nov. 16, 2010	May 20, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional drinks and dietary and nutritional powdered drink mixes; dietary supplemental drinks.  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic fruit flavored beverage.
NEURO	3906397	Jan. 18, 2011	Nov. 19, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; nutritionally fortified beverages; Vitamin fortified beverages
NEUROTRIM	3923701	Feb. 22, 2011	Apr. 17, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; Dietary beverage supplements for human consumption in liquid and dry mix form for therapeutic purposes; Dietary drink mix for use as a meal replacement; Dietary supplemental drinks; Dietary supplements for human consumption.  Int'l Class 032. U.S. Class 045 046 048. G & S: Energy drinks; Fruit-flavoured

Word Mark	Reg./App No.	Reg. Date	Filing Date	Goods & Services
				beverages; Non-alcoholic beverages, namely, carbonated beverages; Sports drinks; Sports drinks, namely, energy drinks.
NEUROSUN	3971387	May 31, 2011	Dec. 4, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, mineral and aerated waters; fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.
NEUROSONIC	3979927	Jun. 21, 2011	Dec. 26, 2008	Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic fruit flavored beverages not for sale or consumption through soft drink fountains or at quick service restaurants.
NEUROSPORT	3981997	Jun. 21, 2011	May 5, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks.  Int'l Class 032. U.S. Class 045 046 048. G & S: Sports drinks; Sports drinks, namely, energy drinks.
NEUROAQUA	3986242	Jun. 28, 2011	Apr. 17, 2009	Int'l Class 032. U.S. Class 045 046 048. G & S: Aerated water; Bottled drinking water; Drinking water with vitamins; Drinking waters; Energy drinks; Flavored bottled water; Flavoured mineral water; Flavoured waters; Glacial water; Mineral and aerated waters; Mineral water; Non-alcoholic beverages, namely, carbonated beverages; Sparkling water.
DRINK SMART, DRINK NEURO	4068151	Dec. 6, 2011	Jun. 11, 2010	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; nutritionally fortified beverages; vitamin fortified beverages.  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.
NEURODREAMS	4084947	Jan. 10, 2012	Nov. 23, 2010	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary

Word Mark	Reg./App No.	Reg. Date	Filing Date	Goods & Services
				<p>supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.</p> <p>Int'l Class 032. U.S. Class 045 046 048. G &amp; S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.</p>
NEUROPASSION	4084948	Jan. 10, 2012	Nov. 23, 2010	<p>Int'l Class 005. U.S. Class 006 018 044 046 051 052. G &amp; S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.</p> <p>Int'l Class 032. U.S. Class 045 046 048. G &amp; S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.</p>
NEUROSPLASH	4084949	Jan. 10, 2012	Nov. 23, 2010	<p>Int'l Class 005. U.S. Class 006 018 044 046 051 052. G &amp; S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.</p> <p>Int'l Class 032. U.S. Class 045 046 048. G &amp; S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.</p>
NEUROSNACK	4084950	Jan. 10, 2012	Nov. 23, 2010	<p>Int'l Class 005. U.S. Class 006 018 044 046 051 052. G &amp; S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.</p> <p>Int'l Class 032. U.S. Class 045 046 048. G &amp; S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.</p>
NEUROFUN	4094076	Jan. 31, 2012	May 5, 2009	<p>Int'l Class 005. U.S. Class 006 018 044 046 051 052. G &amp; S: Dietary and nutritional supplements; Dietary beverage supplements for human consumption in liquid and dry mix form for therapeutic purposes; Dietary drink mix for use as a</p>

Word Mark	Reg./App No.	Reg. Date	Filing Date	Goods & Services
				meal replacement; Dietary supplemental drinks.  Int'l Class 032. U.S. Class 045 046 048. G & S: Energy drinks; Fruit flavored drinks; Sports drinks; Sports drinks, namely, energy drinks.
NEUROSHAPE	4109264	Mar. 6, 2012	Sept. 28, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary beverage supplements for human consumption in liquid and dry mix form for therapeutic purposes; Dietary supplemental drinks; Dietary supplements; Nutritionally fortified beverages; Vitamin fortified beverages.
NEUROFRESH	4101587	Feb. 21, 2012	May 22, 2011	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional supplements.
NEUROSUPREME	4113103	Mar. 13, 2012	May 3, 2011	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.
NEUROBLAST	4154416	June 5, 2012	Apr. 17, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; Dietary beverage supplements for human consumption.  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, carbonated beverages and energy drinks.
NEUROTHIN	4172025	Jul. 10, 2012	Aug. 11, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Nutritionally fortified beverages; Vitamin fortified beverages.
NEUROKIDS	4222174	Oct 9, 2012	Apr. 17, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; Dietary supplemental drinks.  Int'l Class 032. U.S. Class 045 046 048. G & S: Drinking water with vitamins;

Word Mark	Reg./App No.	Reg. Date	Filing Date	Goods & Services
				Energy drinks; Sports drinks; Sports drinks, namely, energy drinks.
NEUROJUNIOR	4222175	Oct 9, 2012	Apr. 17, 2009	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary and nutritional supplements; Dietary supplemental drinks; Dietary supplements for human consumption.  Int'l Class 032. U.S. Class 045 046 048. G & S: Drinking water with vitamins; Energy drinks; Flavored waters; Flavoured waters; Sports drinks.
NEUROSNOOZE	85183059		Nov. 23, 2010	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.
THERE'S A NEURO FOR THAT	4222718	Oct 9, 2012	May 3, 2011	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks.
NEURO PRIME	4250991	Nov 27, 2012	Aug. 11, 2011	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices and isotonic drinks
NEURO LIFE	4615762	Oct. 7, 2014	Aug. 18, 2011	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Nutritionally fortified beverages; Vitamin fortified

Word Mark	Reg./App No.	Reg. Date	Filing Date	Goods & Services
				beverages; Non-alcoholic beverages, namely, nutritionally fortified beverages.
NEURO LIVING	4611965	Sep. 20, 2014	Aug. 18, 2011	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages.  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices, and isotonic drinks.
NEURO SPARK	4247113	Nov 20, 2012	Sept. 7, 2011	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices, and isotonic drinks
NEUROLIMITLESS	85416624		Sept. 7, 2011	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Dietary supplemental drinks; Nutritionally fortified beverages; Vitamin fortified beverages  Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, mineral and aerated waters, fruit drinks, energy drinks, fruit flavored drinks, herbal juices, and isotonic drinks
NEURODAILY	4618096	Oct. 7, 2014	Dec. 17, 2012	Int'l Class 032. U.S. Class 045 046 048. G & S: Non-alcoholic beverages, namely, water beverages enhanced with vitamins or minerals
NEURODAILY	4618095	Oct. 7, 2014	Dec. 17, 2012	Int'l Class 005. U.S. Class 006 018 044 046 051 052. G & S: Nutritionally fortified beverages

Opposer NEUROBRANDS expressly reserves the right to include and incorporate its other pending and registered U.S. marks in the present opposition. Printouts of the registration certificates for each of the registered Neuro Marks are attached in Exhibit A.

6. For years and since prior to the Opposed Application's filing date, NEUROBRANDS adopted and continuously used the Neuro Marks for various forms of supplements and beverages. The Neuro Marks identified in Registration No. 3,609,755; 3,728,338; 3,906,397; and 3,875,430 have been used since at least as early as 2008 for nutritional supplements, dietary supplements, and/or dietary supplemental drinks ("Opposer's Goods"). Made with natural ingredients and packaged with recycled materials, NEUROBRANDS products are formulated by experts in the field to promote health and well-being. NEUROBRANDS products contain essential vitamins, minerals, amino acids and botanicals that are backed by scientific research. By reason of these activities over an extended period of time, the Neuro Marks have become well known to the relevant public as identifying and distinguishing NEUROBRANDS' business and its goods from those of others. NEUROBRANDS, through great expense and quality control, has created, and is the owner of, substantial goodwill, consumer recognition, and reputation in the Neuro Marks for supplements, beverages and their related goods and services.

7. For years and since prior to the Opposed Application's filing date, NEUROBRANDS has invested substantial time, money, and effort in extensively and continuously marketing, advertising, and promoting the Neuro Marks and the goods and services identified by the Neuro Marks. NEUROBRANDS' drinks are sold internationally in numerous countries and have appeared on nationally broadcast morning shows and are well liked by international celebrities, athletes and the public. As a result, the Neuro Marks distinguish

NEUROBRANDS' goods and services from those of other retailers and the consuming public has come to associate the Neuro Marks with NEUROBRANDS as the source and sponsor of NEUROBRANDS' goods and services.

8. Upon information and belief, the Opposed Application includes Applicant's intention to use Applicant's Mark for, among others, nutritional supplements in the same international class (005) as Opposer. Opposer already uses the Neuro Marks in connection with similar dietary and nutritional supplements, and supplemental drinks. Opposer's Registration No. 3,609,755 for NEUROGASM recites dietary supplements, dietary supplemental drinks and dietary drink mix as the goods. Opposer's Registration No. 3,728,340 for NEUROSONIC recites dietary and nutritional supplements, and dietary supplemental drinks as the goods. Opposer's Registration No. 3,728,338 for NEUROBLISS recites dietary and nutritional supplements, and dietary supplemental drinks as the goods.

9. Due to the similarities between the parties' competing marks and goods, consumers are likely to consider Applicant's Goods sold under Applicant's Mark as emanating from or related to NEUROBRANDS and purchase such services as those of NEUROBRANDS, resulting in loss of sales to NEUROBRANDS. Moreover, concurrent use of the Neuro Marks and Applicant's Mark may result in irreparable damage to NEUROBRANDS' reputation and goodwill because consumers are likely to attribute the source of Applicant's Goods to NEUROBRANDS.

10. Opposer believes it will be damaged by registration of Applicant's Mark in the Opposed Application because such registration would give Applicant at least a prima facie exclusive right to use Applicant's confusingly similar mark in commerce in the United States, in derogation of Opposer's rights in the Neuro Marks. Because Opposer has priority of use of the

Neuro Marks, Applicant will obtain a federal registration to which it is not entitled, and which is inconsistent with Opposer's prior rights.

**First Basis for Opposition – Priority of Use and Likelihood of Confusion**

11. Opposer incorporates by reference paragraphs 1 through 10 as if fully set forth herein.

12. For years and since prior to the Opposed Application's filing date, Opposer has been and is now using the Neuro Marks in connection with Opposer's Goods.

13. Opposer's use of the Neuro Marks has been valid and continuous since the date of first use and has not been abandoned.

14. On information and belief, Applicant's Mark is substantially similar in appearance, sound, connotation and commercial impression to the Opposer's Neuro Marks. On information and belief, the common NEURO element of the parties' marks is identical.

15. On information and belief, the goods listed in the Opposed Application are identical or closely related to Opposer's Goods using Opposer's Neuro Marks.

16. In view of the similarity of Opposer's Neuro Marks and the Applicant's Mark and the related nature of the respective goods, Applicant's Mark so resembles the Neuro Marks as to be likely, when used in connection with the Applicant's Goods, to cause confusion, to cause mistake, or to deceive the consuming public.

17. By reason of the foregoing, the registration of Applicant's Mark in the Opposed Application is inconsistent and will impair Opposer's prior rights of its marks and Opposer's statutory rights of its registered marks, will cause injury to Opposer, and will damage Opposer's business, reputation and goodwill.

18. Based on the foregoing, the grant of the registration of Applicant's Mark in the Opposed Application should be denied, pursuant to Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

**Second Basis for Opposition – Dilution By Blurring**

19. Opposer incorporates by reference paragraphs 1 through 18 as if fully set forth herein.

20. Opposer enjoys substantial goodwill and consumer recognition built up by Opposer through substantial amounts of use, time and effort in advertising, promotion and sales of goods.

21. Opposer's Neuro Marks became famous before the filing date of the Opposed Application.

22. For years and since prior to the Opposed Application's filing date, Opposer has been and is now using the Neuro Marks in connection with the sale of Opposer's Goods.

23. Opposer's use of its marks has been valid and continuous since its date of first use and has not been abandoned.

24. In view of similarity of the respective marks, Applicant's Mark so resembles the commercial impression of the Opposer's Neuro Marks as to be likely to cause association, or to cause dilution by blurring.

25. By reason of the foregoing, the registration of Applicant's Mark in the Opposed Application is inconsistent and will impair Opposer's prior rights, will cause injury to Opposer by lessening the capacity of the Neuro Marks to identify and distinguish Opposer's Goods, and will damage Opposer's business, reputation and goodwill.

26. Based on the foregoing, the grant of the registration of Applicant's Mark in the Opposed Application should be denied based on a likelihood of dilution by blurring the distinctive quality of the Opposer's famous Neuro Marks, in violation of Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c).

**Third Basis for Opposition - Falsely Suggest a Connection**

27. Opposer incorporates by reference paragraphs 1 through 26 as if fully set forth herein.

28. Opposer has been and is now operating using the identity of Neurobrands, Neuro and Neuro Drinks in the area of beverages.

29. Applicant's mark is similar to Opposer's identity.

30. Opposer's use of its identity has been valid and continuous since Opposer's date of first use and the relevant class of the public has come to associate Opposer with said identity.

31. Opposer is not connected with Applicant's Goods sold under Applicant's Mark.

32. The goods listed in the Opposed Application are closely related to Opposer's Goods.

33. Opposer's identity is of sufficient fame or reputation that a connection with Opposer is presumed from the use of Applicant's Mark on Applicant's Goods.

34. In view of the similarity of Applicant's Mark with Opposer's identity, and in view of the related nature of the respective uses, the Opposed Application consists of and comprises matter which may falsely suggest a connection with Opposer, under Section 2(a) of the Lanham Act, 15 U.S.C. § 1052(a).

35. The filing fee to oppose Applicant's mark is being submitted herewith.

WHEREFORE, Opposer believes it will be damaged by registration of Applicant's Mark and respectfully requests that the opposition be sustained and that registration be refused.

Date: November 26, 2014

Respectfully submitted,

/Steve P. Hassid/

Steve P. Hassid

U.S. Patent Reg. No. 46,762

California Bar No. 219913

ATTORNEY FOR OPPOSER

NEUROBRANDS, LLC

PARTNERS LAW GROUP, INC.

1115 ½ Yale Street

Santa Monica, CA 90403

Phone: (310) 922-2206

Fax: (310) 634-1711

E-mail: [steve@partnerslawgroup.com](mailto:steve@partnerslawgroup.com)

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being electronically transmitted via ESTTA to the United States Patent and Trademark Office on November 26, 2014.

/Steve P. Hassid/

Steve P. Hassid

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing *Notice of Opposition* was mailed first class mail, postage prepaid, on November 26, 2014, to the following:

Eon Capital Inc.  
9166 West Salter Dr,  
Peoria, Arizona 85382  
United States

/Steve P. Hassid/

Steve P. Hassid

# Exhibit A

**United States of America**  
United States Patent and Trademark Office

# NEURO PRIME

**Reg. No. 4,250,991**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD, SECOND FLOOR  
SANTA MONICA, CA 90401

**Registered Nov. 27, 2012**

**Int. Cls.: 5 and 32**

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 8-11-2011; IN COMMERCE 8-30-2012.

**PRINCIPAL REGISTER**

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS,  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 8-11-2011; IN COMMERCE 8-30-2012.

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

OWNER OF U.S. REG. NOS. 3,875,430, 3,986,242, AND OTHERS.

SN 85-395,608, FILED 8-11-2011.

MAUREEN DALL, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

**NEURO SPARK**

**Reg. No. 4,247,113**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD  
SANTA MONICA, CA 90401

**Registered Nov. 20, 2012**

**Int. Cls.: 5 and 32**

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 9-7-2011; IN COMMERCE 8-30-2012.

**PRINCIPAL REGISTER**

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS,  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES, AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 9-7-2011; IN COMMERCE 8-30-2012.

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

OWNER OF U.S. REG. NOS. 3,875,430, 3,986,242, AND OTHERS.

SN 85-416,596, FILED 9-7-2011.

MAUREEN DALL, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEURO JUNIOR

**Reg. No. 4,222,175**

**Registered Oct. 9, 2012**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., 2ND FLOOR  
SANTA MONICA, CA 90403

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY SUPPLEMENTAL DRINKS;  
DIETARY SUPPLEMENTS FOR HUMAN CONSUMPTION, IN CLASS 5 (U.S. CLS. 6, 18, 44,  
46, 51 AND 52).

FIRST USE 4-17-2009; IN COMMERCE 8-30-2012.

FOR: DRINKING WATER WITH VITAMINS; ENERGY DRINKS; FLAVORED WATERS;  
FLAVOURED WATERS; SPORTS DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 4-17-2009; IN COMMERCE 8-30-2012.

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

SN 77-715,923, FILED 4-17-2009.

JUDITH HELFMAN, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

# NEURO KIDS

**Reg. No. 4,222,174**

**Registered Oct. 9, 2012**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., 2ND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY SUPPLEMENTAL DRINKS,  
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-17-2009; IN COMMERCE 8-30-2012.

FOR: DRINKING WATER WITH VITAMINS; ENERGY DRINKS; SPORTS DRINKS; SPORTS  
DRINKS, NAMELY, ENERGY DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 4-17-2009; IN COMMERCE 8-30-2012.

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

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

SN 77-715,912, FILED 4-17-2009.

JUDITH HELFMAN, EXAMINING ATTORNEY



*David S. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEURO

**Reg. No. 3,906,397**

**Registered Jan. 18, 2011**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
2ND FLOOR  
310 WILSHIRE BOULEVARD  
SANTA MONICA, CA 90401

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-1-2008; IN COMMERCE 5-1-2008.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS;  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 5-1-2008; IN COMMERCE 5-1-2008.

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

SER. NO. 77-876,932, FILED 11-19-2009.

KAELIE KUNG, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

United States of America  
United States Patent and Trademark Office

neuro 

**Reg. No. 3,875,430**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
2000 AVE OF THE STARS, 3RD FL N  
LOS ANGELES, CA 90067

**Registered Nov. 16, 2010**

**Int. Cls.: 5 and 32**

FOR: DIETARY AND NUTRITIONAL DRINKS AND DIETARY AND NUTRITIONAL  
POWDERED DRINK MIXES; DIETARY SUPPLEMENTAL DRINKS, IN CLASS 5 (U.S. CLS.  
6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 5-1-2008; IN COMMERCE 10-1-2008.

**PRINCIPAL REGISTER**

FOR: NON-ALCOHOLIC FRUIT FLAVORED BEVERAGE, IN CLASS 32 (U.S. CLS. 45, 46  
AND 48).

FIRST USE 5-1-2008; IN COMMERCE 10-1-2008.

THE MARK CONSISTS OF THE STYLIZED WORD "NEURO" INCORPORATING A HEAD  
WITH AN ELECTRICAL PULSE RUNNING THROUGH ITS CENTER AS THE "O" IN  
"NEURO".

SER. NO. 77-741,644, FILED 5-20-2009.

KIM MONINGHOFF, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROAQUA

**Reg. No. 3,986,242**

**Registered June 28, 2011**

**Int. Cl.: 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., 2ND FLOOR  
SANTA MONICA, CA 90401

FOR: AERATED WATER; BOTTLED DRINKING WATER; DRINKING WATER WITH VITAMINS; DRINKING WATERS; ENERGY DRINKS; FLAVORED BOTTLED WATER; FLAVOURED MINERAL WATER; FLAVOURED WATERS; GLACIAL WATER; MINERAL AND AERATED WATERS; MINERAL WATER; NON-ALCOHOLIC BEVERAGES, NAMELY, CARBONATED BEVERAGES; SPARKLING WATER, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 9-2-2009; IN COMMERCE 9-15-2009.

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

SN 77-715,909, FILED 4-17-2009.

JUDITH HELFMAN, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROBLAST

**Reg. No. 4,154,416**

**Registered June 5, 2012**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., 2ND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY BEVERAGE SUPPLEMENTS FOR HUMAN CONSUMPTION, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-9-2009; IN COMMERCE 10-3-2011.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, CARBONATED BEVERAGES AND ENERGY DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-9-2009; IN COMMERCE 10-3-2011.

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

SN 77-715.898, FILED 4-17-2009.

JUDITH HELFMAN, EXAMINING ATTORNEY



*David S. Kybas*

Director of the United States Patent and Trademark Office

**Int. Cl.: 32**

**Prior U.S. Cls.: 45, 46, and 48**

**Reg. No. 3,664,947**

**United States Patent and Trademark Office**

**Registered Aug. 4, 2009**

**TRADEMARK  
PRINCIPAL REGISTER**

**NEUROBLISS**

NEUROBRANDS, LLC (CALIFORNIA LIMITED  
LIABILITY COMPANY)  
2000 AVENUE OF THE STARS  
C/O MORRIS YORN BARNES AND LEVINE  
LOS ANGELES, CA 90067

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

FOR: NON ALCOHOLIC FRUIT FLAVORED  
BEVERAGES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

SN 77-576,154, FILED 9-22-2008.

FIRST USE 5-1-2008; IN COMMERCE 10-1-2008.

GINA FINK, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## NEUROBLISS

**Reg. No. 3,728,338** NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
Registered Dec. 22, 2009 3RD FL N

2000 AVE OF THE STARS  
LOS ANGELES, CA 90067

**Int. Cl.: 5**

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY SUPPLEMENTAL DRINKS,  
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK  
PRINCIPAL REGISTER**

FIRST USE 5-1-2008; IN COMMERCE 10-1-2008.

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

OWNER OF U.S. REG. NO. 3,664,947.

SER. NO. 77-751,429, FILED 6-3-2009.

KIM MONINGHOFF, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# NeuroDreams

**Reg. No. 4,084,947**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 WILSHIRE BOULEVARD, 2ND FLOOR  
SANTA MONICA, CA 90401

**Registered Jan. 10, 2012**

**Int. Cls.: 5 and 32**

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 10-1-2010; IN COMMERCE 10-3-2011.

**PRINCIPAL REGISTER**

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS,  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 10-1-2010; IN COMMERCE 10-3-2011.

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

SN 85-183,063, FILED 11-23-2010.

ALICE BENMAMAN, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# NeuroFresh

**Reg. No. 4,101,587**

**Registered Feb. 21, 2012**

**Int. Cl.: 5**

**TRADEMARK**

**PRINCIPAL REGISTER**

JOE LUCHSINGER (UNITED STATES INDIVIDUAL)  
50 S REMINGTON  
BEXLEY, OH 43209

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-10-2011; IN COMMERCE 5-11-2011.

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

SER. NO. 85-326,912, FILED 5-22-2011.

MICHAEL KEATING, EXAMINING ATTORNEY



*David J. Keating*

Director of the United States Patent and Trademark Office

**Int. Cl.: 5**

**Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52**

**United States Patent and Trademark Office**

**Reg. No. 3,609,755**

Registered Apr. 21, 2009

**TRADEMARK  
PRINCIPAL REGISTER**

**NEUROGASM**

BEVERAGE 53 (DELAWARE LIMITED LIABILITY COMPANY)  
2000 AVENUE OF THE STARS  
3RD FL  
LOS ANGELES, CA 90067

FOR: DIETARY DRINK MIX FOR USE AS A MEAL REPLACEMENT; DIETARY SUPPLEMENTS; DIETARY SUPPLEMENTAL DRINKS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-1-2008; IN COMMERCE 10-1-2008.

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

SN 77-355,823, FILED 12-19-2007.

KATHRYN COWARD, EXAMINING ATTORNEY

**Int. Cl.: 32**

**Prior U.S. Cls.: 45, 46, and 48**

**Reg. No. 3,664,829**

**United States Patent and Trademark Office**

**Registered Aug. 4, 2009**

**TRADEMARK  
PRINCIPAL REGISTER**

**NEUROGASM**

NEUROBRANDS, LLC (CALIFORNIA LIMITED  
LIABILITY COMPANY)  
3RD FLOOR N 2000 AVENUE OF THE STARS  
LOS ANGELES, CA 90067

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

FOR: NON-ALCOHOLIC FRUIT-FLAVORED  
BEVERAGES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

SN 77-522,457, FILED 7-15-2008.

FIRST USE 5-1-1993; IN COMMERCE 10-1-2008.

RONALD MCMORROW, EXAMINING ATTORNEY

United States of America  
United States Patent and Trademark Office

# NeuroPassion

**Reg. No. 4,084,948**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD, SECOND FLOOR  
SANTA MONICA, CA 90401

**Registered Jan. 10, 2012**

**Int. Cls.: 5 and 32**

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES , IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 10-1-2010; IN COMMERCE 10-3-2011.

**PRINCIPAL REGISTER**

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS,  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 10-1-2010; IN COMMERCE 10-3-2011.

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

OWNER OF U.S. REG. NOS. 3,728,340, 3,814,258, AND 3,875,430.

SN 85-183,070, FILED 11-23-2010.

ALICE BENMAMAN, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROSHAPE

**Reg. No. 4,109,264**

**Registered Mar. 6, 2012**

**Int. Cl.: 5**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD 2ND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY BEVERAGE SUPPLEMENTS FOR HUMAN CONSUMPTION IN LIQUID AND DRY MIX FORM FOR THERAPEUTIC PURPOSES; DIETARY SUPPLEMENTAL DRINKS; DIETARY SUPPLEMENTS; NUTRITIONALLY FORTIFIED BEVERAGES; VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-31-2009; IN COMMERCE 10-3-2011.

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

OWNER OF U.S. REG. NOS. 3,609,755, 3,677,431, AND OTHERS.

SN 77-836,769, FILED 9-28-2009.

ANDREA K. NADELMAN, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

**Int. Cl.: 32**

**Prior U.S. Cls.: 45, 46, and 48**

**Reg. No. 3,677,431**

**United States Patent and Trademark Office**

**Registered Sep. 1, 2009**

**TRADEMARK  
PRINCIPAL REGISTER**

**NEUROSLEEP**

NEUROBRANDS, LLC (CALIFORNIA LIMITED  
LIABILITY COMPANY)  
C/O MORRIS YORN  
2000 AVENUE OF THE STARS  
LOS ANGELES, CA 90067

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

FOR: NON-ALCOHOLIC FRUIT-FLAVORED  
BEVERAGES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

SN 77-460,123, FILED 4-28-2008.

FIRST USE 5-1-2008; IN COMMERCE 10-1-2008.

WENDY GOODMAN, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## NEUROSLEEP

**Reg. No. 3,728,339** NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
Registered Dec. 22, 2009 3RD FL N

2000 AVE OF THE STARS  
LOS ANGELES, CA 90067

**Int. Cl.: 5**

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY SUPPLEMENTAL DRINKS,  
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK  
PRINCIPAL REGISTER**

FIRST USE 5-1-2008; IN COMMERCE 10-1-2008.

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

SER. NO. 77-751,446, FILED 6-3-2009.

KIM MONINGHOFF, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# NeuroSnack

**Reg. No. 4,084,950**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BOULEVARD, 2ND FLOOR  
SANTA MONICA, CA 90401

**Registered Jan. 10, 2012**

**Int. Cls.: 5 and 32**

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES , IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 10-11-2010; IN COMMERCE 10-3-2011.

**PRINCIPAL REGISTER**

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS,  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 10-11-2010; IN COMMERCE 10-3-2011.

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

SN 85-183,395, FILED 11-23-2010.

ALICE BENMAMAN, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROSONIC

**Reg. No. 3,728,340** NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
Registered Dec. 22, 2009 3RD FL N

2000 AVE OF THE STARS  
LOS ANGELES, CA 90067

**Int. Cl.: 5**

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY SUPPLEMENTAL DRINKS,  
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

TRADEMARK  
PRINCIPAL REGISTER

FIRST USE 5-1-2008; IN COMMERCE 10-1-2008.

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

SER. NO. 77-751,464, FILED 6-3-2009.

KIM MONINGHOFF, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROSONIC

**Reg. No. 3,979,927**

**Registered June 21, 2011**

**Int. Cl.: 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
2000 AVENUE OF THE STARS  
3RD FL NORTH  
LOS ANGELES, CA 90067

FOR: NON-ALCOHOLIC FRUIT FLAVORED BEVERAGES NOT FOR SALE OR CONSUMPTION THROUGH SOFT DRINK FOUNTAINS OR AT QUICK SERVICE RESTAURANTS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 5-1-1993; IN COMMERCE 10-1-2008.

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

SER. NO. 77-640,170, FILED 12-26-2008.

ASMAT KHAN, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# NeuroSplash

**Reg. No. 4,084,949**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BOULEVARD, 2ND FLOOR  
SANTA MONICA, CA 90401

**Registered Jan. 10, 2012**

**Int. Cls.: 5 and 32**

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES , IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 10-11-2010; IN COMMERCE 10-3-2011.

**PRINCIPAL REGISTER**

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS,  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 10-11-2010; IN COMMERCE 10-3-2011.

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

OWNER OF U.S. REG. NOS. 3,728,340, 3,875,430, AND OTHERS.

SN 85-183,071, FILED 11-23-2010.

ALICE BENMAMAN, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROSPORT

**Reg. No. 3,981,997**

**Registered June 21, 2011**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., 2ND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY SUPPLEMENTAL DRINKS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 6-1-2009; IN COMMERCE 6-23-2009.

FOR: SPORTS DRINKS; SPORTS DRINKS, NAMELY, ENERGY DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 6-1-2009; IN COMMERCE 6-23-2009.

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

SN 77-729,705, FILED 5-5-2009.

JUDITH HELFMAN, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROSUN

**Reg. No. 3,971,387**

**Registered May 31, 2011**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD. SECOND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 10-23-2010; IN COMMERCE 10-23-2010.

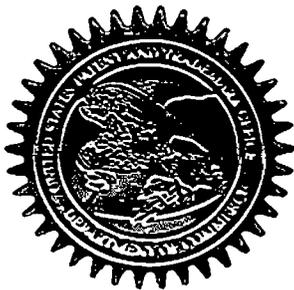
FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS;  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 10-23-2010; IN COMMERCE 10-23-2010.

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

SN 77-886,621, FILED 12-4-2009.

KALIE KUNG, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROTRIM

**Reg. No. 3,923,701**

**Registered Feb. 22, 2011**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
310 WILSHIRE BOULEVARD  
2ND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY BEVERAGE SUPPLEMENTS FOR HUMAN CONSUMPTION IN LIQUID AND DRY MIX FORM FOR THERAPEUTIC PURPOSES; DIETARY DRINK MIX FOR USE AS A MEAL REPLACEMENT; DIETARY SUPPLEMENTAL DRINKS; DIETARY SUPPLEMENTS FOR HUMAN CONSUMPTION, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-2-2009; IN COMMERCE 7-2-2009.

FOR: ENERGY DRINKS; FRUIT-FLAVOURED BEVERAGES; NON-ALCOHOLIC BEVERAGES, NAMELY, CARBONATED BEVERAGES; SPORTS DRINKS; SPORTS DRINKS, NAMELY, ENERGY DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 7-2-2009; IN COMMERCE 7-2-2009.

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

SN 77-715,907, FILED 4-17-2009.

JUDITH HELFMAN, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

# NEUROTHIN

**Reg. No. 4,172,025**

**Registered July 10, 2012**

**Int. Cl.: 5**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD. SECOND FLOOR  
SANTA MONICA, CA 90401

FOR: NUTRITIONALLY FORTIFIED BEVERAGES; VITAMIN FORTIFIED BEVERAGES.  
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-17-2009; IN COMMERCE 10-3-2011.

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

OWNER OF U.S. REG. NOS. 3,609,755, 3,677,431, AND OTHERS.

SN 77-801,424. FILED 8-11-2009.

ANDREA K. NADELMAN, EXAMINING ATTORNEY



*David J. Kyjars*

Director of the United States Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# NEUROTHIN

**Reg. No. 4,298,249**

NEUROBRANDS, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., SECOND FLOOR  
SANTA MONICA, CA 90401

**Registered Mar. 5, 2013**

**Int. Cl.: 32**

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, WATER BEVERAGES ENHANCED WITH VITAMINS OR MINERALS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

**TRADEMARK**

FIRST USE 7-17-2009; IN COMMERCE 10-3-2011.

**PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NO. 4,172,025.

SER. NO. 85-684,211, FILED 7-23-2012.

CAROLINE WOOD, EXAMINING ATTORNEY



*Sean Street Lee*

Acting Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## DRINK NEURO

**Reg. No. 3,814,258**

**Registered July 6, 2010**

**Int. Cl.: 5**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
2ND FLOOR  
310 WILSHIRE BOULEVARD  
SANTA MONICA, CA 90401

FOR: DIETARY SUPPLEMENTAL DRINKS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-30-2009; IN COMMERCE 4-30-2009.

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

SER. NO. 77-876,937, FILED 11-19-2009.

KAELIE KUNG, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## drink smart, drink Neuro

**Reg. No. 4,068,151**

**Registered Dec. 6, 2011**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
510 SANTA MONICA BLVD.  
2ND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 6-4-2010; IN COMMERCE 10-10-2010.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, FRUIT DRINKS, ENERGY DRINKS,  
FRUIT FLAVORED DRINKS, HERBAL JUICES AND ISOTONIC DRINKS, IN CLASS 32 (U.S.  
CLS. 45, 46 AND 48).

FIRST USE 6-4-2010; IN COMMERCE 10-10-2010.

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

OWNER OF U.S. REG. NOS. 3,814,258, 3,923,701, AND OTHERS.

SN 85-061,283, FILED 6-11-2010.

MARGARET POWER, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# NEUROFUN

**Reg. No. 4,094,076**

**Registered Jan. 31, 2012**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., 2ND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY BEVERAGE SUPPLEMENTS FOR HUMAN CONSUMPTION IN LIQUID AND DRY MIX FORM FOR THERAPEUTIC PURPOSES; DIETARY DRINK MIX FOR USE AS A MEAL REPLACEMENT; DIETARY SUPPLEMENTAL DRINKS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-5-2009; IN COMMERCE 9-9-2011.

FOR: ENERGY DRINKS; FRUIT FLAVORED DRINKS; SPORTS DRINKS; SPORTS DRINKS, NAMELY, ENERGY DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 5-5-2009; IN COMMERCE 9-9-2011.

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

SN 77-729,685, FILED 5-5-2009.

JUDITH HELFMAN, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## NEUROSUPREME

**Reg. No. 4,113,103**

**Registered Mar. 13, 2012**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD, SECOND FLOOR  
SANTA MONICA, CA 90401

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES , IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-4-2011; IN COMMERCE 6-10-2011.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS,  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 5-4-2011; IN COMMERCE 6-10-2011.

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

SN 85-311,211, FILED 5-3-2011.

MATTHEW KLINE, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

there's a neuro for that

**Reg. No. 4,222,718**

**Registered Oct. 9, 2012**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD, SECOND FLOOR  
SANTA MONICA, CA 90401

FOR: NUTRITIONALLY FORTIFIED BEVERAGES; VITAMIN FORTIFIED BEVERAGES,  
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-10-2011; IN COMMERCE 5-15-2011.

FOR: NON-ALCOHOLIC BEVERAGES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-10-2011; IN COMMERCE 5-15-2011.

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

SN 85-311,316, FILED 5-3-2011.

MATTHEW KLINE, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# NEURO LIFE

**Reg. No. 4,615,762**

**Registered Oct. 7, 2014**

**Int. Cl.: 5**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD  
SANTA MONICA, CA 90401

FOR: NUTRITIONALLY FORTIFIED BEVERAGES; VITAMIN FORTIFIED BEVERAGES;  
NON-ALCOHOLIC BEVERAGES, NAMELY, NUTRITIONALLY FORTIFIED BEVERAGES  
, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-2-2011; IN COMMERCE 8-2-2011.

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

OWNER OF U.S. REG. NOS. 3,875,430, 3,986,242 AND OTHERS.

SER. NO. 85-401,216, FILED 8-18-2011.

MAUREEN DALL, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

**NEURO LIVING**

**Reg. No. 4,611,965**

**Registered Sep. 30, 2014**

**Int. Cls.: 5 and 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

NEUROBRANDS, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD  
SANTA MONICA, CA 90401

FOR: DIETARY SUPPLEMENTAL DRINKS; NUTRITIONALLY FORTIFIED BEVERAGES;  
VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-21-2011; IN COMMERCE 8-2-2011.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL AND AERATED WATERS,  
FRUIT DRINKS, ENERGY DRINKS, FRUIT FLAVORED DRINKS, HERBAL JUICES, AND  
ISOTONIC DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-21-2011; IN COMMERCE 8-2-2011.

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

OWNER OF U.S. REG. NOS. 3,875,430, 3,986,242 AND OTHERS.

SER. NO. 85-401,255, FILED 8-18-2011.

MAUREEN DALL, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

**NEURO DAILY**

**Reg. No. 4,618,095**

NEUROBRANDS, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., SECOND FLOOR  
SANTA MONICA, CA 90401

**Registered Oct. 7, 2014**

**Int. Cl.: 5**

FOR: NUTRITIONALLY FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 4-25-2013; IN COMMERCE 5-6-2013.

**PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NOS. 3,609,755, 3,728,340, AND OTHERS.

SN 85-804,752, FILED 12-17-2012.

ZACHARY CROMER, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# NEURO DAILY

**Reg. No. 4,618,096**

NEUROBRANDS, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
501 SANTA MONICA BLVD., SECOND FLOOR  
SANTA MONICA, CA 90401

**Registered Oct. 7, 2014**

**Int. Cl.: 32**

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, WATER BEVERAGES ENHANCED WITH VITAMINS OR MINERALS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

**TRADEMARK**

FIRST USE 4-25-2013; IN COMMERCE 5-6-2013.

**PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NOS. 3,609,755, 3,728,340, AND OTHERS.

SN 85-804,788, FILED 12-17-2012.

ZACHARY CROMER, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office