

ESTTA Tracking number: **ESTTA682160**

Filing date: **07/07/2015**

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	Teavana Corporation		
Entity	Corporation	Citizenship	Georgia
Address	3630 Peachtree Road, NE Suite 1480 Atlanta, GA 30326 UNITED STATES		

Attorney information	Julia Anne Matheson Finnegan, Henderson, Farabow, Garrett & Dunner LLP 901 New York Avenue NW Washington, DC 20001 UNITED STATES julia.matheson@finnegan.com, morgan.smith@finnegan.com, docketing@finnegan.com, ttab-legal-assistants@finnegan.com Phone:202-408-4400		
----------------------	---	--	--

**Applicant Information**

Application No	86474524	Publication date	06/16/2015
Opposition Filing Date	07/07/2015	Opposition Period Ends	07/16/2015
Applicant	Teaura 5036 West 92nd Avenue Westminster, CO 80013 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 035. First Use: 2014/02/21 First Use In Commerce: 2014/02/21 All goods and services in the class are opposed, namely: Retail store services featuring tea, loose tea and tea accessories
---

**Grounds for Opposition**

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.	2612225	Application Date	04/20/2001
Registration Date	08/27/2002	Foreign Priority Date	NONE
Word Mark	TEAVANA		

Design Mark	<b>TEAVANA</b>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2000/11/10 First Use In Commerce: 2000/11/10 Retail stores and mail order services featuring teas, tea accessories, baked goods, electric and non-electric appliances, house wares, glassware, giftware, plates, bowls, storage containers, clothing, candles, musical recordings and books

U.S. Registration No.	4142152	Application Date	09/14/2011
Registration Date	05/15/2012	Foreign Priority Date	NONE

Word Mark	TEAVANA
-----------	---------

Design Mark	<b>TEAVANA</b>
-------------	----------------

Description of Mark	NONE
---------------------	------

Goods/Services	Class 006. First use: First Use: 2002/04/25 First Use In Commerce: 2002/04/25 Tin canisters sold empty for domestic use Class 008. First use: First Use: 2003/06/01 First Use In Commerce: 2003/06/01 Tea accessories, namely, spoons Class 009. First use: First Use: 2007/01/18 First Use In Commerce: 2007/01/18 Timers, measuring spoons, magnetic coded gift cards Class 018. First use: First Use: 2002/06/17 First Use In Commerce: 2002/06/17 Reusable shopping bags Class 021. First use: First Use: 2002/07/17 First Use In Commerce: 2002/07/17 Teapots made of metal, copper, ceramic, china and glass; mugs, glasses, tumblers, bowls, saucers, coasters not of paper and not being table linen, glass iced tea dispensers; tea accessories, namely, whisks, strainers, scoops; tea tool kit made of wood, comprised primarily of a mini whisk, hot lid tongs, a tea scoop, a demitasse spoon, a chashaku (matcha scoop used in the Japanese tea ceremony) and a bamboo container; tea canisters Class 030. First use: First Use: 2002/05/08 First Use In Commerce: 2002/05/08
----------------	---

	Teas and tea blends; candies, namely, tea flavored mints; honey in the shape of a spoon; honey
--	--

U.S. Registration No.	4706389	Application Date	12/23/2013
-----------------------	---------	------------------	------------

Registration Date	03/24/2015	Foreign Priority Date	NONE
-------------------	------------	-----------------------	------

Word Mark	TEAVANA
-----------	---------

Design Mark	
-------------	--

Description of Mark	NONE
---------------------	------

Goods/Services	<p>Class 005. First use: First Use: 2008/06/01 First Use In Commerce: 2008/06/01 Nutritionally fortified teas; tea-based vitamin fortified beverages; vitamin fortified beverages containing tea</p> <p>Class 021. First use: First Use: 2002/04/25 First Use In Commerce: 2002/04/25 Non-electric teapots made of metal, ceramic, china and glass; thermal insulated-beverage containers, mugs, drinking glasses, drinking vessels, namely, tumblers, bowls, saucers, coasters not of paper and not being table linen, glass iced tea dispensers; tea accessories, namely, whisks, strainers, scoops, tea balls, teainfusers, tea caddies; tea canisters; trivets, serving trays; teapot warmers</p> <p>Class 029. First use: First Use: 2013/10/24 First Use In Commerce: 2013/10/24 Beverages having a milk base; soy-based food beverages used as a milk substitute; soy milk; yogurt; prepared nuts</p> <p>Class 030. First use: First Use: 2002/04/25 First Use In Commerce: 2002/04/25 Teas and tea blends; candies, namely, tea flavored mints; herbal tea-based beverages; tea and herbal tea-based beverages with fruit flavoring; frozen confections with tea, herbal tea and fruit flavoring; cocoa, herbal and non-herbal tea; tea-based beverages; cocoa-based beverages; beverages made with a base of powdered chocolate and beverages made with a base of vanilla; sauces to add to beverages; ready-to-drink tea; candy and confections, namely, chocolate, sugar and frozen confections; baked goods, namely, muffins, scones, biscuits, cookies, pastries and breads; sugar; honey packaged in vessels; tea-based liquid and powdered beverage mixes for making tea-based fruit flavored beverages</p> <p>Class 032. First use: First Use: 2013/10/24 First Use In Commerce: 2013/10/24 Non-alcoholic beverages with tea flavor; fruit-based beverages; sparkling fruit-based beverages; non-alcoholic fruit juice beverages; vegetable juice based beverages; soft drinks in the nature of soda</p> <p>Class 035. First use: First Use: 2000/11/10 First Use In Commerce: 2000/11/10 Business administration; business management; franchising, namely, offering business management assistance in the establishment and operation of restaurants, tea houses, and snack bars; retail store services in the field of: tea, cocoa, packaged and prepared foods, tea related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage contain-</p>
----------------	---

	<p>ers, candles, incense, home fragrance, personalcare products, musical recordings and books; wholesale distributorships, wholesale stores and wholesale ordering services all in the field of tea, cocoa, packaged and prepared foods, tea-related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage containers, candles, incense, home fragrance, musical recordings and books; mail order services and mail order catalog services, computerized online ordering services, computerized online retail services through direct solicitation by salespersons directed to end-users, online ordering services and online retail store services all in the field of tea, cocoa, packaged and prepared foods, tea-related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage containers, candles, incense, home fragrance, musical recordings andbooks; computerized online gift registry and gift registry ordering services related thereto</p> <p>Class 043. First use: First Use: 2013/10/24 First Use In Commerce: 2013/10/24</p> <p>Restaurant, cafeteria, snack bar, tea bar and tea house, tea room; carry out restaurant, and take out restaurant services; catering services; contract food services; food and beverage preparation</p>
--	---

Attachments	<p>76244041#TMSN.png( bytes )  85422400#TMSN.png( bytes )  86150707#TMSN.png( bytes )  2015.07.07 Notice of Opposition - TEAURA.pdf(333107 bytes )</p>
-------------	--

### 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	/Julia Anne Matheson/
Name	Julia Anne Matheson
Date	07/07/2015



products and services include over 100 different teas and tea blends, as well as tea steeping equipment, tea accessories, tea canisters, electric and non-electric appliances, housewares, glassware, giftware, and gift cards, all offered under the coined and distinctive TEAVANA mark.

3. Teavana has longstanding common law rights in the TEAVANA mark for a wide array of goods and services as follows:

- (a) Teavana commenced use of the TEAVANA mark for tin canisters on or before April 25, 2002;
- (b) Teavana commenced use of the TEAVANA mark on tea accessories on or before June 1, 2003;
- (c) Teavana commenced use of the TEAVANA mark on timers, measuring spoons, and magnetic coded gift cards on or before January 18, 2007;
- (d) Teavana commenced use of the TEAVANA mark on reusable shopping bags on or before June 27, 2002;
- (e) Teavana commenced use of the TEAVANA mark on teapots, mugs, glasses, tumblers, bowls, sauces, coasters, iced tea dispensers, tea accessories, namely, whisks, strainers, scoops, tea tool kit made of wood, comprised primarily of a mini whisk, hot lid tongs, a tea scoop, a demi spoon, a chashaku, and a bamboo container; and tea canisters on or before July 17, 2002;
- (f) Teavana commenced use of the TEAVANA mark on tea and tea blends, candies, namely, tea-flavored mints, honey in the shape of a spoon, and honey since at least as early as May 8, 2002.

4. Teavana currently owns and operates over 300 company-owned TEAVANA-branded retail stores, of which over 250 are located in the United States. Each of these stores prominently displays Teavana's TEAVANA house mark.



5. Sales of TEAVANA products and services have grown significantly over the many years since its inception, amounting to many millions of dollars in net sales for TEAVANA-branded goods and services in 2014 alone.

6. In addition to its retail stores, Teavana maintains an active retail and educational website at [www.teavana.com](http://www.teavana.com), on which consumers can review information on Teavana's tea products and related goods and services, obtain information on the history of tea, read the Teavana blog, and purchase Teavana's wide-ranging products. Teavana registered the "teavana.com" domain name on November 8, 2000.

7. Since 2014, Teavana has also offered TEAVANA teas and herbal teas at 10,000 Starbucks stores throughout the United States.

8. In addition to its longstanding national common law rights in the TEAVANA mark for retail store services, tea room services, tea and tea-based beverages, and a wide array of related and unrelated goods, Teavana is the owner of the following United States trademark registrations for the TEAVANA marks (printouts from the PTO TSDR database, including assignment information are attached as Exhibit A):

Mark	Reg. No. Issue Date	Goods/Services First Use in Commerce
TEAVANA	2612225 August 27, 2002	Retail stores and mail order services featuring teas, tea accessories, baked goods, electric and non-electric appliances, house wares, glassware, giftware, plates, bowls, storage containers, clothing, candles, musical recordings, and books in Class 35 First Use in Commerce: November 10, 2000
TEAVANA	4142152 May 15, 2012	Tin canisters sold empty for domestic use in Class 6 First Use in Commerce: April 25, 2002  Tea accessories, namely, spoons in Class 8 First Use in Commerce: June 1, 2003  Timers, measuring spoons, magnetic coded gift cards in Class 9 First Use in Commerce: January 18, 2007  Reusable shopping bags in Class 18 First Use in Commerce: June 17, 2002  Teapots made of metal, copper, ceramic, china and glass; mugs, glasses, tumblers, bowls, saucers, coasters not of paper and not being table linen, glass iced tea dispensers; tea accessories, namely, whisks, strainers, scoops; tea tool kit made of wood, comprised primarily of a mini whisk, hot lid tongs, a tea scoop, a demi spoon, a chashaku (matcha scoop used in the Japanese tea ceremony) and a bamboo container; tea canisters in Class 21 First Use in Commerce: July 17, 2002  Teas and tea blends; candies, namely, tea flavored mints; honey in the shape of a spoon; honey in Class 30 First Use in Commerce: May 8, 2002
TEAVANA	4706389 March 24, 2015	Nutritionally fortified teas; tea-based vitamin fortified beverages; vitamin fortified beverages containing tea in Class 5 First Use in Commerce: June 1, 2008  Non-electric teapots made of metal, ceramic, china and glass; thermal insulated beverage containers, mugs, drinking glasses, drinking vessels, namely, tumblers, bowls, saucers, coasters not of paper and not being table linen, glass iced tea dispensers; tea accessories, namely, whisks, strainers, scoops, tea balls, tea infusers, tea caddies; tea canisters; trivets, serving trays; teapot warmers in Class 21 First Use in Commerce: April 25, 2002

Mark	Reg. No. Issue Date	Goods/Services First Use in Commerce
		<p>Beverages having a milk base; soy-based food beverages used as a milk substitute; soy milk; yogurt; prepared nuts in Class 29            First Use in Commerce: October 24, 2013</p> <p>Teas and tea blends; candies, namely, tea flavored mints; herbal tea-based beverages; tea and herbal tea-based beverages with fruit flavoring; frozen confections with tea, herbal tea and fruit flavoring; cocoa, herbal and non-herbal tea; tea-based beverages; cocoa-based beverages; beverages made with a base of powdered chocolate and beverages made with a base of vanilla; sauces to add to beverages; ready-to-drink tea; candy and confections, namely, chocolate, sugar and frozen confections; baked goods, namely, muffins, scones, biscuits, cookies, pastries and breads; sugar; honey packaged in vessels; tea-based liquid and powdered beverage mixes for making tea-based fruit flavored beverages in Class 30            First Use in Commerce: April 25, 2002</p> <p>Non-alcoholic beverages with tea flavor; fruit-based beverages; sparkling fruit-based beverages; non-alcoholic fruit juice beverages; vegetable juice based beverages; soft drinks in the nature of soda in Class 32            First use in Commerce: October 24, 2013</p> <p>Business administration; business management; franchising, namely, offering business management assistance in the establishment and operation of restaurants, tea houses, and snack bars; retail store services in the field of: tea, cocoa, packaged and prepared foods, tea related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage containers, candles, incense, home fragrance, personal care products, musical recordings and books; wholesale distributorships, wholesale stores and wholesale ordering services all in the field of tea, cocoa, packaged and prepared foods, tea-related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage containers, candles, incense, home fragrance, musical recordings and books; mail order services and mail order catalog services, computerized online ordering services, computerized online retail services through direct solicitation by salespersons directed to end-users, online ordering services and online retail store services all in</p>

Mark	Reg. No. Issue Date	Goods/Services First Use in Commerce
		<p>the field of tea, cocoa, packaged and prepared foods, tea-related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage containers, candles, incense, home fragrance, musical recordings and books; computerized online gift registry and gift registry ordering services related thereto in Class 35            First Use in Commerce: November 10, 2000</p> <p>Restaurant, cafeteria, snack bar, tea bar and tea house, tea room; carry out restaurant, and take out restaurant services; catering services; contract food services; food and beverage preparation in Class 43            First use in Commerce: October 24, 2013</p>

9. The foregoing registrations are valid and subsisting and constitute *prima facie* evidence of the validity of the marks and registrations, of Teavana's ownership of and exclusive right to use the TEAVANA mark in commerce for the covered goods and services, and provide constructive notice of ownership thereof by Teavana. Registration No. 2612225 has become incontestable pursuant to 15 U.S.C. §§ 1065 and 1115(b).

10. As a result of Teavana's extensive sales, promotion, advertising, and commercial success, Teavana's TEAVANA mark has achieved widespread public recognition and become well known and famous throughout the United States.

**Applicant and Its TEAURA TEA and Design Mark**

11. Applicant Teaura, is a limited liability company of Colorado with an address of 5036 West 92nd Avenue, H Mart, Westminster, Colorado 80013.

12. On December 8, 2014, Teaura filed an application for the mark TEAURA TEA and Design for “Retail store services featuring tea, loose tea and tea accessories” in Class 35. That application was assigned U.S. Application Serial No. 86474524.

13. Teaura claims dates of first use and first use in commerce of February 21, 2014.

14. Teavana never authorized nor consented to Applicant’s use or registration of the TEAURA TEA and Design mark.

**CLAIM I: Likelihood of Confusion, 15 U.S.C. § 1052(d)**

15. Teavana repeats and realleges each and every allegation set forth in the preceding paragraphs of this Notice of Opposition.

16. Teavana has continuously used the inherently distinctive TEAVANA mark in commerce for retail store services featuring tea and tea accessories, tea, tea-based beverages, and tea-related products and services since long prior to the December 8, 2014 filing date of the opposed Application Serial No. 86474524 and the February 21, 2014 dates of first use and first use in commerce alleged by Applicant. Teavana’s above-pleaded Registrations were also filed well prior to the filing date of the opposed application.

17. Applicant’s TEAURA TEA and Design mark is similar both visually and aurally to Teavana’s TEAVANA mark, with both marks commencing with TEA-, containing the same number of syllables, as well as a sequence of consonants and vowels, and ending in the letter “A.” When these similarities are coupled with the parties’ identical or nearly identical goods and services, Applicant’s TEAURA TEA and

Design mark creates a potential for confusion as to the source of goods and services offered under the respective marks.

18. The services covered by Applicant's TEAURA TEA and Design mark are identical and closely related to the goods and services covered by Teavana's pleaded registrations.

19. The services offered by each of Applicant and Teavana are sold and advertised through the same channels of trade.

20. Applicant's TEAURA TEA and Design mark so resembles Teavana's previously used and registered TEAVANA marks, as to be likely, when applied to Applicant's services, to cause confusion, or to cause mistake, or to deceive under Section 2(d) of the Lanham Act, 15 U.S.C. § 1052 (d).

**CLAIM II: Dilution, 15 U.S.C. § 1125(c)**

21. Teavana repeats and realleges each and every allegation set forth in the preceding paragraphs of this Notice of Opposition.

22. Teavana's TEAVANA mark is inherently distinctive and registered on the Principal Register.

23. Teavana's TEAVANA mark is widely recognized by the general consuming public of the United States as a designation of source of the goods and services offered in connection with the mark.

24. As noted above, Teavana has used its TEAVANA mark in commerce for well over a decade, with substantial national sales and advertising, and widespread publicity concerning the mark.

25. Teavana's TEAVANA mark became famous well prior to the December 8, 2014 filing date of the opposed Application Serial No. 86474524 and the February 21, 2014 dates of first use and first use in commerce alleged by Applicant.

26. Applicant's TEAURA TEA and Design mark so closely resembles Teavana's famous and distinctive TEAVANA mark that is likely to dilute the distinctive quality of the TEAVANA mark in violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

WHEREFORE, Teavana believes that it will be damaged by registration of the mark shown in Application Serial No. 86474524, and requests that the opposition be sustained and that registration to Applicant be refused.

The filing fee has been submitted electronically. Any deficiency in the fee should be charged to our Deposit Account No. 06-0916.

Respectfully Submitted,

Dated: July 7, 2015

By: /Julia Anne Matheson/  
Julia Anne Matheson  
Morgan E. Smith  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
901 New York Avenue, NW  
Washington, DC 20001-4413  
Telephone: (202) 408-4000  
Facsimile: (202) 408-4400

Attorneys for Opposer  
TEAVANA CORPORATION

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing NOTICE OF OPPOSITION was served on July 7, 2015 via first class mail, postage prepaid, on Applicant at the following address of record:

Ayman Hama  
Teaura  
5036 W 92nd Avenue  
Westminster, CO 80031-6302

/Jenny Macioge Reilly/  
Jenny Macioge Reilly  
Case Manager

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

<p>TEAVANA CORPORATION,  Opposer,  v.  TEAURA,  Applicant.</p>	<p>Opposition No. _____</p> <p>Serial No.: 86474524 Filed: December 8, 2014 Mark: TEAURA TEA and Design</p> 
--	---

**EXHIBIT A**

Generated on: This page was generated by TSDR on 2015-07-07 13:11:46 EDT

Mark: TEAVANA

**TEAVANA**

**US Serial Number:** 76244041  
**US Registration Number:** 2612225  
**Register:** Principal  
**Mark Type:** Service Mark  
**Status:** The registration has been renewed.  
**Status Date:** Aug. 30, 2011  
**Publication Date:** Jun. 04, 2002

**Application Filing Date:** Apr. 20, 2001  
**Registration Date:** Aug. 27, 2002

---

## Mark Information

---

**Mark Literal Elements:** TEAVANA  
**Standard Character Claim:** No  
**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

---

## Related Properties Information

---

**International Registration Number:** 0840436  
**International Application(s) /Registration(s) Based on this Property:** A0000070/0840436

---

## Goods and Services

---

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

**For:** Retail stores and mail order services featuring teas, tea accessories, baked goods, electric and non-electric appliances, house wares, glassware, giftware, plates, bowls, storage containers, clothing, candles, musical recordings and books

**International Class(es):** 035 - Primary Class  
**U.S Class(es):** 100, 101, 102  
**Class Status:** ACTIVE  
**Basis:** 1(a)  
**First Use:** Nov. 10, 2000  
**Use in Commerce:** Nov. 10, 2000

---

## Basis Information (Case Level)

---

<b>Filed Use:</b> Yes	<b>Currently Use:</b> Yes	<b>Amended Use:</b> No
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No	<b>Amended ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44D:</b> No	<b>Amended 44D:</b> No
<b>Filed 44E:</b> No	<b>Currently 44E:</b> No	<b>Amended 44E:</b> No
<b>Filed 66A:</b> No	<b>Currently 66A:</b> No	
<b>Filed No Basis:</b> No	<b>Currently No Basis:</b> No	

---

## Current Owner(s) Information

---

**Owner Name:** TEAVANA CORPORATION  
**Owner Address:** 3630 Peachtree Rd., NE  
SUITE 1480  
ATLANTA, GEORGIA 30326  
UNITED STATES  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** GEORGIA

---

## Attorney/Correspondence Information

---

**Attorney of Record**

**Attorney Name:** Julia Anne Matheson **Docket Number:** 12172.0103  
**Attorney Primary Email Address:** [docketing@finnegan.com](mailto:docketing@finnegan.com) **Attorney Email Authorized:** Yes

**Correspondent**

**Correspondent Name/Address:** Julia Anne Matheson  
Finnegan Henderson, Farabow, Garrett & Dunner, LLP  
901 New York Avenue, NW  
Washington, DISTRICT OF COLUMBIA 20001-4413  
UNITED STATES  
**Phone:** 202.408.4000 **Fax:** 202.408.4400  
**Correspondent e-mail:** [docketing@finnegan.com](mailto:docketing@finnegan.com) **Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

---

**Prosecution History**

---

Date	Description	Proceeding Number
Aug. 21, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 21, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 09, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 08, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 30, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Aug. 30, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Aug. 29, 2011	TEAS SECTION 8 & 9 RECEIVED	
Aug. 05, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 16, 2007	CASE FILE IN TICRS	
Oct. 13, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Sep. 26, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 26, 2007	TEAS SECTION 8 & 15 RECEIVED	
Aug. 27, 2002	REGISTERED-PRINCIPAL REGISTER	
Jun. 04, 2002	PUBLISHED FOR OPPOSITION	
May 15, 2002	NOTICE OF PUBLICATION	
Feb. 25, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 28, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 29, 2001	NON-FINAL ACTION MAILED	
Jun. 26, 2001	ASSIGNED TO EXAMINER	76927

---

**Maintenance Filings or Post Registration Information**

---

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Aug. 27, 2012

---

**TM Staff and Location Information**

---

**TM Staff Information - None****File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Aug. 30, 2011

---

**Assignment Abstract Of Title Information**

---

**Summary**

**Total Assignments:** 5

**Registrant:** MACK, ANDREW

---

**Assignment 1 of 5**

---

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2833/0876](#)

Pages: 2

Date Recorded: Apr. 23, 2004

Supporting Documents: [assignment-tm-2833-0876.pdf](#)

**Assignor**

Name: [MACK, ANDREW](#)

Execution Date: Apr. 20, 2004

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

**Assignee**

Name: [TEAVANA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

Address: 3475 LENOX ROAD  
SUITE 960  
ATLANTA, GEORGIA 30326

**Correspondent**

Correspondent Name: ROBERT H. G. LOCKWOOD

Correspondent Address: 1230 PEACHTREE STREET, N.E.  
SUITE 3100, PROMENADE II  
ATLANTA, GA 30309-3592

**Domestic Representative - Not Found**

**Assignment 2 of 5**

Conveyance: SECURITY INTEREST

Reel/Frame: [3408/0648](#)

Pages: 9

Date Recorded: Oct. 13, 2006

Supporting Documents: [assignment-tm-3408-0648.pdf](#)

**Assignor**

Name: [TEAVANA CORPORATION](#)

Execution Date: May 19, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

**Assignee**

Name: [PNC BANK](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Address: TWO TOWER CENTER BOULEVARD  
EAST BRUNSWICK, NEW JERSEY 08816

**Correspondent**

Correspondent Name: CATHRYN A. BERRYMAN/JENKENS & GILCHRIST

Correspondent Address: 1445 ROSS AVE., SUITE 3700  
DALLAS, TX 75202

**Domestic Representative - Not Found**

**Assignment 3 of 5**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3809/0178](#)

Pages: 4

Date Recorded: Jul. 03, 2008

Supporting Documents: [assignment-tm-3809-0178.pdf](#)

**Assignor**

Name: [PNC BANK](#)

Execution Date: Jun. 10, 2008

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: [TEAVANA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

Address: 3475 LENOX ROAD  
SUITE 860  
ATLANTA, GEORGIA 30326

**Correspondent**

Correspondent Name: CHRIS L. BOLLINGER

Correspondent Address: P.O. BOX 06079  
SCHIFF HARDIN LLP  
CHICAGO, IL 60606-0079

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [3811/0008](#)

Pages: 28

Date Recorded: Jul. 07, 2008

Supporting Documents: [assignment-tm-3811-0008.pdf](#)

Assignor

Name: [TEAVANA HOLDINGS, INC.](#)

Execution Date: Jun. 12, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [TEAVANA CORPORATION](#)

Execution Date: Jun. 12, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

Name: [ST ACQUISITION COMPANY](#)

Execution Date: Jun. 12, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: CONNECTICUT

Name: [TEAVANA FRANCHISING CORPORATION](#)

Execution Date: Jun. 12, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

Name: [TEAVANA INTERNATIONAL, INC.](#)

Execution Date: Jun. 12, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

Assignee

Name: [FIFTH THIRD BANK](#)

Legal Entity Type: BANKING CORPORATION

State or Country Where Organized: OHIO

Address: 222 SOUTH RIVERSIDE PLAZA  
CHICAGO, ILLINOIS 60606

Correspondent

Correspondent Name: CHRIS L. BOLLINGER

Correspondent Address: P.O. BOX 06079  
SCHIFF HARDIN LLP  
CHICAGO, IL 60606-0079

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: RELEASE OF SECURITY AGREEMENT

Reel/Frame: [4929/0120](#)

Pages: 15

Date Recorded: Dec. 31, 2012

Supporting Documents: [assignment-tm-4929-0120.pdf](#)

Assignor

Name: [FIFTH THIRD BANK](#)

Execution Date: Dec. 31, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: OHIO

Assignee

Name: [TEAVANA HOLDINGS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 3630 PEACHTREE RD. NE SUITE 1480  
ATLANTA, GEORGIA 30326

Name: [TEAVANA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

Address: 3475 LENOX ROAD, SUITE 860  
ATLANTA, GEORGIA 30326

Name: [ST ACQUISITION COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CONNECTICUT

Address: 3475 LENOX ROAD, SUITE 860  
ATLANTA, GEORGIA 30326

Name: [TEAVANA FRANCHISING CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

Address: 3475 LENOX ROAD, SUITE 860  
ATLANTA, GEORGIA 30326

Name: [TEAVANA INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: GEORGIA

Address: 3475 LENOX ROAD, SUITE 860  
ATLANTA, GEORGIA 30326

#### Correspondent

Correspondent Name: IP RESEARCH PLUS, INC.

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

#### Domestic Representative - Not Found

## Proceedings

### Summary

Number of Proceedings: 6

#### Type of Proceeding: Opposition

Proceeding Number: [91219291](#)

Filing Date: Nov 12, 2014

Status: Terminated

Status Date: Mar 24, 2015

Interlocutory Attorney: ELIZABETH A DUNN

#### Defendant

Name: Maria Theresa Legion

Correspondent Address: RAJ ABHYANKER  
RAJ ABHYANKER PC  
1580 W EL CAMINO REAL, SUITE 8  
MOUNTAIN VIEW CA , 94040-2462  
UNITED STATES

Correspondent e-mail: [trademarks@legalforce.com](mailto:trademarks@legalforce.com) , [mtl0314@gmail.com](mailto:mtl0314@gmail.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TEVIONA	Abandoned - After Inter-Partes Decision	<a href="#">86207048</a>	

#### Plaintiff(s)

Name: Teavana Corporation

Correspondent Address: JULIA ANNE MATHESON  
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
901 NEW YORK AVENUE NW  
WASHINGTON DC , 20001  
UNITED STATES

Correspondent e-mail: [docketing@finnegan.com](mailto:docketing@finnegan.com) , [julia.matheson@finnegan.com](mailto:julia.matheson@finnegan.com) , [morgan.smith@finnegan.com](mailto:morgan.smith@finnegan.com) , [TTAB-Legal-Assistants@finnegan.com](mailto:TTAB-Legal-Assistants@finnegan.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
TEAVANA	Registered	<a href="#">85422400</a>	<a href="#">4142152</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 12, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 12, 2014	Dec 22, 2014
3	PENDING, INSTITUTED	Nov 12, 2014	
4	NOTICE OF DEFAULT	Jan 08, 2015	
5	W/DRAW OF APPLICATION W/O CONSENT	Jan 21, 2015	
6	BD DECISION: SUSTAINED	Mar 24, 2015	
7	TERMINATED	Mar 24, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91219296](#)

Filing Date: Nov 12, 2014

Status: Terminated

Status Date: Mar 07, 2015

Interlocutory Attorney: ROBERT COGGINS

**Defendant**

Name: Yuan-Fang Lin

Correspondent Address: MATTHEW H SWYERS  
THE TRADEMARK COMPANY  
344 MAPLE AVE W PMB 151  
VIENNA VA , 22180  
UNITED STATES

Correspondent e-mail: [mswyers@thetrademarkcompany.com](mailto:mswyers@thetrademarkcompany.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TEAYARA	Abandoned - After Inter-Partes Decision	<a href="#">86000580</a>	

**Plaintiff(s)**

Name: Teavana Corporation

Correspondent Address: JULIA ANNE MATHESON  
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
901 NEW YORK AVENUE NW  
WASHINGTON DC , 20001  
UNITED STATES

Correspondent e-mail: [docketing@finnegan.com](mailto:docketing@finnegan.com) , [julia.matheson@finnegan.com](mailto:julia.matheson@finnegan.com) , [whitney.cooke@finnegan.com](mailto:whitney.cooke@finnegan.com) , [morgan.smith@finnegan.com](mailto:morgan.smith@finnegan.com) , [TTAB-Legal-Assistants@finnegan.com](mailto:TTAB-Legal-Assistants@finnegan.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
TEAVANA	Registered	<a href="#">85422400</a>	<a href="#">4142152</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 12, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 12, 2014	Dec 22, 2014
3	PENDING, INSTITUTED	Nov 12, 2014	
4	NOTICE OF DEFAULT	Jan 08, 2015	
5	BD DECISION: SUSTAINED	Feb 24, 2015	
6	TERMINATED	Feb 24, 2015	
7	BD DECISION: SUSTAINED	Mar 05, 2015	
8	CORRECTION TO BD ORDER	Mar 06, 2015	
9	CORRECTION TO BD ORDER	Mar 12, 2015	

**Type of Proceeding: Opposition**

Proceeding Number: [91209863](#)

Filing Date: Mar 20, 2013

Status: Terminated

Status Date: May 14, 2013

Interlocutory Attorney: ELIZABETH WINTER

**Defendant**

Name: Zevia LLC

Correspondent Address: VALERIE BRENNAN  
HOGAN LOVELLS US LLP  
7930 JONES BRANCH DR FL 9  
MC LEAN VA , 22102-3390  
UNITED STATES

Correspondent e-mail: [boxip@hoganlovells.com](mailto:boxip@hoganlovells.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TEAVIA	Abandoned - After Inter-Partes Decision	<a href="#">85661534</a>	

**Plaintiff(s)**

Name: Teavana Corporation

**Correspondent Address:** JULIA ANNE MATHESON  
 FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
 901 NEW YORK AVENUE NW  
 WASHINGTON DC , 20001-4413  
 UNITED STATES

**Correspondent e-mail:** [Julia.Matheson@finnegan.com](mailto:Julia.Matheson@finnegan.com) , [Linda.McLeod@finnegan.com](mailto:Linda.McLeod@finnegan.com) , [Whitney.Cooke@finnegan.com](mailto:Whitney.Cooke@finnegan.com) , [Pamela.Neal@finnegan.com](mailto:Pamela.Neal@finnegan.com) , [docketing@finnegan.com](mailto:docketing@finnegan.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
TEAVANA	Registered	<a href="#">85422400</a>	<a href="#">4142152</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 20, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 20, 2013	Apr 29, 2013
3	PENDING, INSTITUTED	Mar 20, 2013	
4	W/DRAW OF APPLICATION	Apr 29, 2013	
5	BD DECISION: DISMISSED W/O PREJ	May 14, 2013	
6	TERMINATED	May 14, 2013	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91209865](#) **Filing Date:** Mar 20, 2013  
**Status:** Terminated **Status Date:** Jul 22, 2013  
**Interlocutory Attorney:** YONG OH (RICHARD) KIM

**Defendant**

**Name:** Argo Tea, Inc.  
**Correspondent Address:** DAVID J MARR  
 CLARK HILL PLC  
 150 N MICHIGAN AVE STE 2700  
 CHICAGO IL , 60601-7576  
 UNITED STATES  
**Correspondent e-mail:** [dmarr@clarkhill.com](mailto:dmarr@clarkhill.com) , [mkitz@clarkhill.com](mailto:mkitz@clarkhill.com) , [jwoods@clarkhill.com](mailto:jwoods@clarkhill.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TEANA COLADA	Abandoned - After Inter-Partes Decision	<a href="#">85660367</a>	

**Plaintiff(s)**

**Name:** Teavana Corporation  
**Correspondent Address:** JULIA ANNE MATHESON  
 FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
 901 NEW YORK AVENUE NW  
 WASHINGTON DC , 20001-4413  
 UNITED STATES  
**Correspondent e-mail:** [julia.matheson@finnegan.com](mailto:julia.matheson@finnegan.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
TEAVANA	Registered	<a href="#">85422400</a>	<a href="#">4142152</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 20, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 20, 2013	Apr 29, 2013
3	PENDING, INSTITUTED	Mar 20, 2013	
4	STIP FOR EXT	Apr 29, 2013	
5	EXTENSION OF TIME GRANTED	Apr 29, 2013	
6	STIP FOR EXT EXTENSION OF TIME GRANTED	May 29, 2013	

7	EXTENSION OF TIME GRANTED	May 29, 2013
8	STIP FOR EXT	Jun 27, 2013
9	EXTENSION OF TIME GRANTED	Jun 27, 2013
10	W/DRAW OF APPLICATION	Jul 03, 2013
11	BD DECISION: SUSTAINED	Jul 22, 2013
12	TERMINATED	Jul 22, 2013

**Type of Proceeding: Opposition**

Proceeding Number: [91205711](#)

Filing Date: Jun 20, 2012

Status: Terminated

Status Date: Dec 18, 2012

Interlocutory Attorney: BENJAMIN U OKEKE

**Defendant**

Name: TEALAMA, LLC

Correspondent Address: LAURIE A RAMSAY  
TEALAMA LLC  
3753 IRVINGTON AVENUE  
MIAMI FL , 33122-1343  
UNITED STATES

Correspondent e-mail: [laurielarlaw@aol.com](mailto:laurielarlaw@aol.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TEALAMA	Abandoned - After Inter-Partes Decision	<a href="#">85415294</a>	

**Plaintiff(s)**

Name: Teavana Corporation

Correspondent Address: ROBERT H G LOCKWOOD  
BURR & FORMAN LLP LLP  
171 SEVENTEENTH STREET NW, SUITE 1100  
ATLANTA GA , 30363  
UNITED STATES

Correspondent e-mail: [rlockwood@burr.com](mailto:rlockwood@burr.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 20, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 20, 2012	Jul 30, 2012
3	PENDING, INSTITUTED	Jun 20, 2012	
4	ANSWER	Jul 30, 2012	
5	CHANGE OF CORRESPONDENCE ADDRESS	Oct 24, 2012	
6	WITHDRAWAL OF APPLICATION	Nov 29, 2012	
7	BD'S DECISION: DISMISSED W/O PREJUDICE	Dec 18, 2012	
8	TERMINATED	Dec 18, 2012	

**Type of Proceeding: Opposition**

Proceeding Number: [91200460](#)

Filing Date: Jun 29, 2011

Status: Terminated

Status Date: Jul 26, 2011

Interlocutory Attorney: GEORGE POLOGEORGIS

**Defendant**

Name: Ahmed Mohamed Saleh Baeshen & Co.

Correspondent Address: PATRICK J JENNINGS  
PILLSBURY WINTHROP SHAW PITTMAN LLP  
2300 N ST NW  
WASHINGTON DC , 20037-1122  
UNITED STATES

Correspondent e-mail: [dctm@pillsburylaw.com](mailto:dctm@pillsburylaw.com)

**Associated marks**

Serial	Registration

Mark	Application Status	Number	Number
TEAYANA	Abandoned - After Inter-Partes Decision	<a href="#">85072591</a>	

**Plaintiff(s)**

**Name:** Teavana Corporation

**Correspondent Address:** ROBERT HG LOCKWOOD  
MILLER & MARTIN PLLC  
1170 PEACHTREE STREET NE, SUITE 800  
ATLANTA GA , 30309-7706  
UNITED STATES

**Correspondent e-mail:** [trademarknotices@millermartin.com](mailto:trademarknotices@millermartin.com) , [rlockwood@millermartin.com](mailto:rlockwood@millermartin.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number

TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
---------	---------	--------------------------	-------------------------

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 29, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 01, 2011	Aug 10, 2011
3	PENDING, INSTITUTED	Jul 01, 2011	
4	P'S CERTIFICATE OF SERVICE	Jul 06, 2011	
5	WITHDRAWAL OF APPLICATION	Jul 25, 2011	
6	BOARD'S DECISION: SUSTAINED	Jul 26, 2011	
7	TERMINATED	Jul 26, 2011	

Generated on: This page was generated by TSDR on 2015-07-07 13:12:01 EDT

Mark: TEAVANA

TEAVANA

US Serial Number: 85422400  
US Registration Number: 4142152  
Register: Principal  
Mark Type: Trademark  
Application Filing Date: Sep. 14, 2011  
Registration Date: May 15, 2012  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: May 15, 2012  
Publication Date: Feb. 28, 2012

## Mark Information

Mark Literal Elements: TEAVANA  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 2612225

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Tin canisters sold empty for domestic use

International Class(es): 006 - Primary Class

U.S Class(es): 002, 012, 013, 014, 023, 025, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 25, 2002

Use in Commerce: Apr. 25, 2002

For: Tea accessories, namely, spoons

International Class(es): 008 - Primary Class

U.S Class(es): 023, 028, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2003

Use in Commerce: Jun. 01, 2003

For: Timers, measuring spoons, magnetic coded gift cards

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 18, 2007

Use in Commerce: Jan. 18, 2007

For: Reusable shopping bags

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 17, 2002

Use in Commerce: Jun. 17, 2002

For: Teapots made of metal, copper, ceramic, china and glass; mugs, glasses, tumblers, bowls, saucers, coasters not of paper and not being table linen, glass iced tea dispensers; tea accessories, namely, whisks, strainers, scoops; tea tool kit made of wood, comprised primarily of a mini whisk, hot lid tongs, a tea scoop, a demi spoon, a chashaku (matcha scoop used in the Japanese tea ceremony) and a bamboo container; tea canisters

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jul. 17, 2002

**Use in Commerce:** Jul. 17, 2002

**For:** Teas and tea blends; candies, namely, tea flavored mints; honey in the shape of a spoon; honey

**International Class(es):** 030 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 08, 2002

**Use in Commerce:** May 08, 2002

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Teavana Corporation

**Owner Address:** Suite 1480  
3630 Peachtree Rd NE  
Atlanta, GEORGIA 30326  
UNITED STATES

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** GEORGIA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Julia Anne Matheson

**Docket Number:** 12172.0023

**Attorney Primary Email Address:** [docketing@finnegan.com](mailto:docketing@finnegan.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Julia Anne Matheson  
Finnegan Henderson, Farabow, Garrett & Dunner, LLP  
901 New York Avenue, NW  
Washington, DISTRICT OF COLUMBIA 20001-4413  
UNITED STATES

**Phone:** 202.408.4000

**Fax:** 202.408.4400

**Correspondent e-mail:** [docketing@finnegan.com](mailto:docketing@finnegan.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 21, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 21, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 15, 2012	REGISTERED-PRINCIPAL REGISTER	
Feb. 28, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 28, 2012	PUBLISHED FOR OPPOSITION	
Feb. 08, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 25, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jan. 23, 2012	ASSIGNED TO LIE	66213
Jan. 04, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 04, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 04, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328

Jan. 04, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 04, 2012	EXAMINERS AMENDMENT -WRITTEN	76509
Dec. 30, 2011	ASSIGNED TO EXAMINER	76509
Sep. 19, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 17, 2011	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** May 15, 2012

## Proceedings

### Summary

**Number of Proceedings:** 4

### Type of Proceeding: Opposition

**Proceeding Number:** [91219291](#)

**Filing Date:** Nov 12, 2014

**Status:** Terminated

**Status Date:** Mar 24, 2015

**Interlocutory Attorney:** ELIZABETH A DUNN

### Defendant

**Name:** Maria Theresa Legion

**Correspondent Address:** RAJ ABHYANKER  
RAJ ABHYANKER PC  
1580 W EL CAMINO REAL, SUITE 8  
MOUNTAIN VIEW CA , 94040-2462  
UNITED STATES

**Correspondent e-mail:** [trademarks@legalforce.com](mailto:trademarks@legalforce.com) , [mtl0314@gmail.com](mailto:mtl0314@gmail.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
TEVIONA	Abandoned - After Inter-Partes Decision	<a href="#">86207048</a>	

### Plaintiff(s)

**Name:** Teavana Corporation

**Correspondent Address:** JULIA ANNE MATHESON  
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
901 NEW YORK AVENUE NW  
WASHINGTON DC , 20001  
UNITED STATES

**Correspondent e-mail:** [docketing@finnegan.com](mailto:docketing@finnegan.com) , [julia.matheson@finnegan.com](mailto:julia.matheson@finnegan.com) , [morgan.smith@finnegan.com](mailto:morgan.smith@finnegan.com) , [TTAB-Legal-Assistants@finnegan.com](mailto:TTAB-Legal-Assistants@finnegan.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
TEAVANA	Registered	<a href="#">85422400</a>	<a href="#">4142152</a>

### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 12, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 12, 2014	Dec 22, 2014
3	PENDING, INSTITUTED	Nov 12, 2014	
4	NOTICE OF DEFAULT	Jan 08, 2015	
5	W/DRAW OF APPLICATION W/O CONSENT	Jan 21, 2015	
6	BD DECISION: SUSTAINED	Mar 24, 2015	
7	TERMINATED	Mar 24, 2015	

### Type of Proceeding: Opposition

**Proceeding Number:** [91219296](#)

**Filing Date:** Nov 12, 2014

**Status:** Terminated

**Status Date:** Mar 07, 2015

**Interlocutory Attorney:** ROBERT COGGINS

**Defendant****Name:** Yuan-Fang Lin**Correspondent Address:** MATTHEW H SWYERS  
THE TRADEMARK COMPANY  
344 MAPLE AVE W PMB 151  
VIENNA VA , 22180  
UNITED STATES**Correspondent e-mail:** [mswyers@thetrademarkcompany.com](mailto:mswyers@thetrademarkcompany.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TEAYARA	Abandoned - After Inter-Partes Decision	<a href="#">86000580</a>	

**Plaintiff(s)****Name:** Teavana Corporation**Correspondent Address:** JULIA ANNE MATHESON  
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
901 NEW YORK AVENUE NW  
WASHINGTON DC , 20001  
UNITED STATES**Correspondent e-mail:** [docketing@finnegan.com](mailto:docketing@finnegan.com) , [julia.matheson@finnegan.com](mailto:julia.matheson@finnegan.com) , [whitney.cooke@finnegan.com](mailto:whitney.cooke@finnegan.com) , [morgan.smith@finnegan.com](mailto:morgan.smith@finnegan.com) , [TTAB-Legal-Assistants@finnegan.com](mailto:TTAB-Legal-Assistants@finnegan.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
TEAVANA	Registered	<a href="#">85422400</a>	<a href="#">4142152</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 12, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 12, 2014	Dec 22, 2014
3	PENDING, INSTITUTED	Nov 12, 2014	
4	NOTICE OF DEFAULT	Jan 08, 2015	
5	BD DECISION: SUSTAINED	Feb 24, 2015	
6	TERMINATED	Feb 24, 2015	
7	BD DECISION: SUSTAINED	Mar 05, 2015	
8	CORRECTION TO BD ORDER	Mar 06, 2015	
9	CORRECTION TO BD ORDER	Mar 12, 2015	

**Type of Proceeding: Opposition****Proceeding Number:** [91209863](#)**Filing Date:** Mar 20, 2013**Status:** Terminated**Status Date:** May 14, 2013**Interlocutory Attorney:** ELIZABETH WINTER**Defendant****Name:** Zevia LLC**Correspondent Address:** VALERIE BRENNAN  
HOGAN LOVELLS US LLP  
7930 JONES BRANCH DR FL 9  
MC LEAN VA , 22102-3390  
UNITED STATES**Correspondent e-mail:** [boxip@hoganlovells.com](mailto:boxip@hoganlovells.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TEAVIA	Abandoned - After Inter-Partes Decision	<a href="#">85661534</a>	

**Plaintiff(s)****Name:** Teavana Corporation**Correspondent Address:** JULIA ANNE MATHESON  
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
901 NEW YORK AVENUE NW  
WASHINGTON DC , 20001-4413  
UNITED STATES

Correspondent e-mail: [Julia.Matheson@finnegan.com](mailto:Julia.Matheson@finnegan.com) , [Linda.McLeod@finnegan.com](mailto:Linda.McLeod@finnegan.com) , [Whitney.Cooke@finnegan.com](mailto:Whitney.Cooke@finnegan.com) , [Pamela.Neal@finnegan.com](mailto:Pamela.Neal@finnegan.com) , [docketing@finnegan.com](mailto:docketing@finnegan.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
TEAVANA	Registered	<a href="#">85422400</a>	<a href="#">4142152</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 20, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 20, 2013	Apr 29, 2013
3	PENDING, INSTITUTED	Mar 20, 2013	
4	W/DRAW OF APPLICATION	Apr 29, 2013	
5	BD DECISION: DISMISSED W/O PREJ	May 14, 2013	
6	TERMINATED	May 14, 2013	

**Type of Proceeding: Opposition**

Proceeding Number: [91209865](#) Filing Date: Mar 20, 2013  
 Status: Terminated Status Date: Jul 22, 2013  
 Interlocutory Attorney: YONG OH (RICHARD) KIM

**Defendant**

Name: Argo Tea, Inc.  
 Correspondent Address: DAVID J MARR  
 CLARK HILL PLC  
 150 N MICHIGAN AVE STE 2700  
 CHICAGO IL , 60601-7576  
 UNITED STATES  
 Correspondent e-mail: [dmarr@clarkhill.com](mailto:dmarr@clarkhill.com) , [mkitz@clarkhill.com](mailto:mkitz@clarkhill.com) , [jwoods@clarkhill.com](mailto:jwoods@clarkhill.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TEANA COLADA	Abandoned - After Inter-Partes Decision	<a href="#">85660367</a>	

**Plaintiff(s)**

Name: Teavana Corporation  
 Correspondent Address: JULIA ANNE MATHESON  
 FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
 901 NEW YORK AVENUE NW  
 WASHINGTON DC , 20001-4413  
 UNITED STATES  
 Correspondent e-mail: [julia.matheson@finnegan.com](mailto:julia.matheson@finnegan.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TEAVANA	Renewed	<a href="#">76244041</a>	<a href="#">2612225</a>
TEAVANA	Registered	<a href="#">85422400</a>	<a href="#">4142152</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 20, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 20, 2013	Apr 29, 2013
3	PENDING, INSTITUTED	Mar 20, 2013	
4	STIP FOR EXT	Apr 29, 2013	
5	EXTENSION OF TIME GRANTED	Apr 29, 2013	
6	STIP FOR EXT	May 29, 2013	
7	EXTENSION OF TIME GRANTED	May 29, 2013	
8	STIP FOR EXT	Jun 27, 2013	
9	EXTENSION OF TIME GRANTED	Jun 27, 2013	
10	W/DRAW OF APPLICATION	Jul 03, 2013	

11 BD DECISION: SUSTAINED  
12 TERMINATED

Jul 22, 2013  
Jul 22, 2013

Generated on: This page was generated by TSDR on 2015-07-07 13:12:17 EDT

Mark: TEAVANA

TEAVANA

US Serial Number: 86150707  
Application Filing Date: Dec. 23, 2013  
US Registration Number: 4706389  
Registration Date: Mar. 24, 2015  
Register: Principal  
Mark Type: Trademark, Service Mark  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: Mar. 24, 2015  
Publication Date: Jan. 06, 2015

## Mark Information

Mark Literal Elements: TEAVANA  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 2612225, 4142152

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Nutritionally fortified teas; tea-based vitamin fortified beverages; vitamin fortified beverages containing tea

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2008

Use in Commerce: Jun. 01, 2008

For: Non-electric teapots made of metal, ceramic, china and glass; thermal insulated beverage containers, mugs, drinking glasses, drinking vessels, namely, tumblers, bowls, saucers, coasters not of paper and not being table linen, glass iced tea dispensers; tea accessories, namely, whisks, strainers, scoops, tea balls, tea infusers, tea caddies; tea canisters; trivets, serving trays; teapot warmers

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 25, 2002

Use in Commerce: Apr. 25, 2002

For: Beverages having a milk base; soy-based food beverages used as a milk substitute; soy milk; yogurt; prepared nuts

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 24, 2013

Use in Commerce: Oct. 24, 2013

For: Teas and tea blends; candies, namely, tea flavored mints; herbal tea-based beverages; tea and herbal tea-based beverages with fruit flavoring; frozen confections with tea, herbal tea and fruit flavoring; cocoa, herbal and non-herbal tea; tea-based beverages; cocoa-based beverages; beverages made with a base of powdered chocolate and beverages made with a base of vanilla; sauces to add to beverages; ready-to-drink tea; candy and confections, namely, chocolate, sugar and frozen confections; baked goods, namely, muffins, scones, biscuits, cookies, pastries and breads; sugar; honey packaged in vessels; tea-based liquid and powdered beverage mixes for making tea-based fruit flavored beverages

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 25, 2002

Use in Commerce: Apr. 25, 2002

**For:** Non-alcoholic beverages with tea flavor; fruit-based beverages; sparkling fruit-based beverages; non-alcoholic fruit juice beverages; vegetable juice based beverages; soft drinks in the nature of soda

**International Class(es):** 032 - Primary Class

**U.S Class(es):** 045, 046, 048

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Oct. 24, 2013

**Use in Commerce:** Oct. 24, 2013

**For:** Business administration; business management; franchising, namely, offering business management assistance in the establishment and operation of restaurants, tea houses, and snack bars; retail store services in the field of: tea, cocoa, packaged and prepared foods, tea related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage containers, candles, incense, home fragrance, personal care products, musical recordings and books; wholesale distributorships, wholesale stores and wholesale ordering services all in the field of tea, cocoa, packaged and prepared foods, tea-related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage containers, candles, incense, home fragrance, musical recordings and books; mail order services and mail order catalog services, computerized online ordering services, computerized online retail services through direct solicitation by salespersons directed to end-users, online ordering services and online retail store services all in the field of tea, cocoa, packaged and prepared foods, tea-related electric and non-electric appliances, housewares, kitchenware, glassware, giftware, plates, bowls, storage containers, candles, incense, home fragrance, musical recordings and books; computerized online gift registry and gift registry ordering services related thereto

**International Class(es):** 035 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 10, 2000

**Use in Commerce:** Nov. 10, 2000

**For:** Restaurant, cafeteria, snack bar, tea bar and tea house, tea room; carry out restaurant, and take out restaurant services; catering services; contract food services; food and beverage preparation

**International Class(es):** 043 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Oct. 24, 2013

**Use in Commerce:** Oct. 24, 2013

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Teavana Corporation

**Owner Address:** Suite 1480; 3630 Peachtree Road, NE  
Atlanta, GEORGIA 30326  
UNITED STATES

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** GEORGIA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Julia Anne Matheson

**Docket Number:** 12172.0150

**Attorney Primary Email Address:** [docketing@finnegan.com](mailto:docketing@finnegan.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** JULIA ANNE MATHESON  
FINNegan, Henderson, Farabow, Garrett & Dunner, LL  
901 NEW YORK AVE NW  
WASHINGTON, DISTRICT OF COLUMBIA 20001-4432  
UNITED STATES

**Phone:** 202.408.4000

**Fax:** 202.408.4400

**Correspondent e-mail:** [docketing@finnegan.com](mailto:docketing@finnegan.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Mar. 24, 2015	REGISTERED-PRINCIPAL REGISTER	
Jan. 06, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 06, 2015	PUBLISHED FOR OPPOSITION	
Dec. 17, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 03, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Nov. 26, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 24, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 24, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 24, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 07, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 07, 2014	NON-FINAL ACTION E-MAILED	6325
Oct. 07, 2014	NON-FINAL ACTION WRITTEN	69812
Sep. 16, 2014	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Sep. 16, 2014	WITHDRAWN FROM PUB - SENIOR ATTORNEY REQUEST	83188
Sep. 11, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Sep. 03, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 03, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	70997
Sep. 03, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Aug. 28, 2014	ASSIGNED TO LIE	70997
Aug. 25, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 25, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 25, 2014	NON-FINAL ACTION E-MAILED	6325
Feb. 25, 2014	NON-FINAL ACTION WRITTEN	69812
Feb. 25, 2014	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Feb. 24, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 24, 2014	ASSIGNED TO EXAMINER	69812
Jan. 09, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 26, 2013	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 24, 2015