

ESTTA Tracking number: **ESTTA781143**

Filing date: **11/04/2016**

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

Proceeding	91222878
Party	Plaintiff Wonderful Citrus LLC f/k/a Paramount Citrus LLC
Correspondence Address	MICHAEL M VASSEGGHI ROLL LAW GROUP PC 11444 W OLYMPIC BLVD, 7TH FLOOR LOS ANGELES, CA 90064-1557 UNITED STATES michael.vasseghi@roll.com, ipdocketing@roll.com
Submission	Other Motions/Papers
Filer's Name	Michael M. Vasseghi
Filer's e-mail	michael.vasseghi@roll.com, ipdocketing@roll.com
Signature	/s/ Michael M. Vasseghi /s/
Date	11/04/2016
Attachments	Notice of Reliance.pdf(248012 bytes)

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

Wonderful Citrus LLC fka Paramount Citrus
LLC,

Opposer,

v.

Quality Fresh Farms, Inc.,

Applicant.

Opposition No. 91222878

Application Serial No. 86375060

NOTICE OF RELIANCE

Opposer Wonderful Citrus LLC, formerly known as Paramount Citrus LLC., submits of record in connection with this opposition proceeding copies of the documents set forth below.

EX.	DATE	DOCUMENT	RELEVANCE
1.	June 6, 2008	Certified status and title copy of Trademark Registration No. 3,934,863 for PARAMOUNT CITRUS mark	Ownership and validity of the PARAMOUNT CITRUS trademark; priority of use
2.	November 4, 2016	True and correct copy of the assignment records, printed from the USPTO's TSDR database on November 4, 2016, reflecting Wonderful Citrus LLC's ownership of Trademark Registrations No. 3,934,863	Ownership and validity of the PARAMOUNT CITRUS trademark; priority of use

DATED: November 4, 2016

WONDERFUL CITRUS LLC

By: /s/ Michael M. Vasseghi /s/

MICHAEL M. VASSEGHI
DANIELLE M. CRIONA
DARYA P. LAUFER
ROLL LAW GROUP PC
11444 West Olympic Boulevard
Los Angeles, California 90064-1557
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michael.vasseghi@roll.com
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Attorneys for Opposer

CERTIFICATE OF SERVICE

I, Susan Bryant, hereby certify that a copy of this **NOTICE OF RELIANCE** has been served upon attorney for Applicant:

SHERRIE M. FLYNN
DARRYL J. HOROWITT
COLEMAN & HOROWITT, LLP
499 West Shaw Avenue, Suite 116
Fresno, California 937 04
(559) 248-4820
sflynn@ch-law.com
dhorowitt@ch-law.com

by first class mail, postage prepaid, on this 4th day of November, 2016.

/s/ Susan Bryant /s/

Susan A Bryant
ROLL LAW GROUP PC
11444 West Olympic Boulevard
Los Angeles, California 90064-1557
Telephone: (310) 966-8400
Facsimile: (310) 966-8810

Exhibit 1

7605829



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 18, 2016

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,934,863 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *March 22, 2011*
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

WONDERFUL CITRUS LLC

A LIMITED LIABILITY COMPANY OF DELAWARE

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**



**P. R. GRANT
Certifying Officer**



United States of America

United States Patent and Trademark Office



PARAMOUNT
Citrus

Reg. No. 3,934,863

Registered Mar. 22, 2011

Int. Cl.: 31

TRADEMARK

PRINCIPAL REGISTER

PARAMOUNT CITRUS LLC (DELAWARE LIMITED LIABILITY COMPANY)
11444 W. OLYMPIC BLVD., 10TH FLOOR
LOS ANGELES, CA 90064

FOR: FRESH CITRUS FRUITS, IN CLASS 31 (U.S. CLS. 1 AND 46).

FIRST USE 6-1-2008; IN COMMERCE 6-1-2008.

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

THE MARK CONSISTS OF AN ORANGE GROWING BETWEEN TWO LEAVES WITH THE STYLIZED WORDING "PARAMOUNT CITRUS" BENEATH THE DESIGN ELEMENT.

SN 77-611,305, FILED 11-10-2008.

BENJAMIN OKEKE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Exhibit 2

Generated on: This page was generated by TSDR on 2016-11-04 12:51:34 EDT

Mark: PARAMOUNT CITRUS



US Serial Number: 77611305

Application Filing Date: Nov. 10, 2008

US Registration Number: 3934863

Registration Date: Mar. 22, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jun. 05, 2016

Publication Date: Oct. 20, 2009

Notice of Allowance Date: Jan. 12, 2010

Mark Information

Mark Literal Elements: PARAMOUNT CITRUS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of an orange growing between two leaves with the stylized wording "PARAMOUNT CITRUS" beneath the design element.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "CITRUS"

Design Search Code(s): 05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches
05.03.25 - Leaf, single; Other leaves
05.09.03 - Oranges, tangerines and the like; grapefruit

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: Fresh citrus fruits

International Class(es): 031 - Primary Class

U.S Class(es): 001, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2008

Use in Commerce: Jun. 01, 2008

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes	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: WONDERFUL CITRUS LLC
Owner Address: 11444 WEST OLYMPIC BLVD., 10TH FLOOR
 LOS ANGELES, CALIFORNIA UNITED STATES 90064
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: LATUNDA POWELL, TRADEMARK ADMINISTRATOR
 Roll Law Group P.C.
 11444 WEST OLYMPIC BLVD., 7TH FLOOR
 LOS ANGELES, CALIFORNIA UNITED STATES 90064

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 05, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Jun. 05, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Jun. 02, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Mar. 23, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 23, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 01, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 22, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 12, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Feb. 11, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Feb. 08, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 07, 2011	STATEMENT OF USE PROCESSING COMPLETE	76985
Jan. 27, 2011	USE AMENDMENT FILED	76985
Jan. 27, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 19, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 15, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Jan. 14, 2011	EXTENSION 2 GRANTED	76985
Jan. 12, 2011	EXTENSION 2 FILED	76985
Jan. 12, 2011	TEAS EXTENSION RECEIVED	
Aug. 26, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Aug. 25, 2010	EXTENSION 1 GRANTED	76985
Jul. 12, 2010	EXTENSION 1 FILED	76985
Aug. 25, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76985
Jul. 14, 2010	EXTENSION RECEIVED WITH TEAS PETITION	
Jul. 14, 2010	PETITION TO REVIVE-GRANTED	88889
Jul. 14, 2010	TEAS PETITION TO REVIVE RECEIVED	
Jan. 12, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 20, 2009	PUBLISHED FOR OPPOSITION	
Sep. 30, 2009	NOTICE OF PUBLICATION	
Sep. 15, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Sep. 15, 2009	ASSIGNED TO LIE	68123

Sep. 08, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 18, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 17, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 17, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 17, 2009	NON-FINAL ACTION MAILED	
Feb. 14, 2009	NON-FINAL ACTION WRITTEN	82437
Feb. 09, 2009	ASSIGNED TO EXAMINER	82437
Nov. 14, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 13, 2008	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: TMO LAW OFFICE 112

Date in Location: Jun. 05, 2016

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: PARAMOUNT CITRUS LLC

Assignment 1 of 2

Conveyance: CONVERSION

Reel/Frame: [4452/0793](#)

Pages: 4

Date Recorded: Jan. 13, 2011

Supporting Documents: [assignment-tm-4452-0793.pdf](#)

Assignor

Name: [PARAMOUNT CITRUS ASSOCIATION](#)

Execution Date: Dec. 21, 2010

Legal Entity Type: GENERAL PARTNERSHIP

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PARAMOUNT CITRUS LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 11444 W. OLYMPIC BLVD., 10TH FLOOR
LOS ANGELES, CALIFORNIA 90064

Correspondent

Correspondent Name: LATUNDA POWELL

Correspondent Address: 11444 W. OLYMPIC BLVD., 10TH FLOOR
LOS ANGELES, CA 90064

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [5557/0862](#)

Pages: 5

Date Recorded: Jun. 22, 2015

Supporting Documents: [assignment-tm-5557-0862.pdf](#)

Assignor

Name: [PARAMOUNT CITRUS LLC](#)

Execution Date: Jun. 01, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [WONDERFUL CITRUS LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 11444 WEST OLYMPIC BLVD., 10TH FLOOR
LOS ANGELES, CALIFORNIA 90064

Correspondent

Correspondent Name: LATUNDA POWELL

Correspondent Address: 11444 WEST OLYMPIC BLVD., 7TH FLOOR
LOS ANGELES, CA 90064

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91222878](#)

Filing Date: Jul 17, 2015

Status: Pending

Status Date: Jul 21, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Quality Fresh Farms, Inc.

Correspondent Address: SHERRIE M FLYNN
COLEMAN & HOROWITT LLP
499 WEST SHAW AVENUE, STE 114SUITE 116
FRESNO CA UNITED STATES , 93704

Correspondent e-mail: ipdocketing@ch-law.com , sflynn@ch-law.com , nalshikhaiti@ch-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
Q	Opposition Pending	86375060	

Plaintiff(s)

Name: Wonderful Citrus LLC f/k/a Paramount Citrus LLC

Correspondent Address: MICHAEL M VASSEGGHI
ROLL LAW GROUP PC
11444 W OLYMPIC BLVD, 7TH FLOOR
LOS ANGELES CA UNITED STATES , 90064-1557

Correspondent e-mail: michael.vasseghi@roll.com , ipdocketing@roll.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PARAMOUNT CITRUS	Section 8 and 15 - Accepted and Acknowledged	77611305	3934863

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 17, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 21, 2015	Aug 30, 2015
3	PENDING, INSTITUTED	Jul 21, 2015	
4	ANSWER	Aug 24, 2015	
5	D MOT FOR SUMMARY JUDGMENT	Apr 04, 2016	
6	SUSP PEND DISP OF OUTSTNDNG MOT	Apr 08, 2016	

7	CHANGE OF CORRESP ADDRESS	Apr 11, 2016
8	P OPP/RESP TO MOTION	May 05, 2016
9	D REPLY IN SUPPORT OF MOTION	May 25, 2016
10	D MOT FOR SUMMARY JGT DENIED	Aug 17, 2016
11	STIP FOR EXT	Sep 21, 2016
12	EXTENSION OF TIME GRANTED	Sep 22, 2016
13	EXTENSION OF TIME GRANTED	Sep 22, 2016

Type of Proceeding: Opposition

Proceeding Number: [91218876](#)

Filing Date: Oct 16, 2014

Status: Terminated

Status Date: Dec 28, 2015

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Manuelita S.A.

Correspondent Address: LONI J SHERWIN
ARENT FOX LLP
1717 K STREET NW
WASHGINTON DC UNITED STATES , 20006

Correspondent e-mail: loni.sherwin@arentfox.com , ricardo.fischer@arentfox.com , jimeelah.berryman@arentfox.com , tmdocket@arentfox.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
MANUELITA	First Extension - Granted	86090069	
MANUELITA	First Extension - Granted	86090072	
MANUELITA	First Extension - Granted	86151389	

Plaintiff(s)

Name: Paramount Citrus LLC

Correspondent Address: Danielle M. Criona, Esq.
11444 W. Olympic Blvd. 7th Floor
WEST HOLLYWOOD CA UNITED STATES , 90064

Correspondent e-mail: danielle.criona@roll.com , michael.vasseghi@roll.com , darya.laufer@roll.com , mark.rivera@roll.com , susan.bryant@roll.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PARAMOUNT CITRUS	Section 8 and 15 - Accepted and Acknowledged	77611305	3934863

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 16, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2014	Nov 25, 2014
3	PENDING, INSTITUTED	Oct 16, 2014	
4	D CHANGE OF CORRESP ADDRESS	Nov 25, 2014	
5	ANSWER	Nov 25, 2014	
6	D MOT FOR EXT W/ CONSENT	Dec 15, 2014	
7	EXTENSION OF TIME GRANTED	Dec 15, 2014	
8	D MOT FOR EXT W/ CONSENT	Mar 06, 2015	
9	EXTENSION OF TIME GRANTED	Mar 06, 2015	
10	D MOT FOR EXT W/ CONSENT	Apr 17, 2015	
11	EXTENSION OF TIME GRANTED	Apr 17, 2015	
12	D MOT FOR EXT W/ CONSENT	May 20, 2015	
13	EXTENSION OF TIME GRANTED	May 20, 2015	
14	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 11, 2015	
15	SUSPENDED	Jun 11, 2015	
16	MOT TO AMEND APPLICATION	Sep 08, 2015	
17	W/DRAW OF OPPOSITION	Sep 10, 2015	

18	CHANGE OF CORRESP ADDRESS	Sep 11, 2015
19	BD DECISION: DISMISSED W/ PREJ	Dec 28, 2015
20	TERMINATED	Dec 28, 2015